

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: July 18, 2013

Division: Growth Management

Bulk Item: Yes No

Staff Contact Person/Phone #: Christine Hurley 289-2517

AGENDA ITEM WORDING: Discussion and direction on policy and funding strategies to address the potential future build-out challenges facing the Florida Keys.

ITEM BACKGROUND: On March 7, 2013, the Administration Commission (AC) found Monroe County made substantial progress toward Annual Work Program tasks of Rule 28-20.140, F.A.C. The AC also approved the results of the Department of Economic Opportunity (DEO) hurricane evacuation clearance time modeling results of 24 hours for the Florida Keys. Based on the results that the Florida Keys can maintain a 24 hour evacuation until 2023, the AC approved 10 more years of ROGO allocations for Monroe County and the municipalities through the year 2023. This approval provides additional 3,550 additional residential units (to the County & cities) over a 10 year period (2013-2023).

The requirement in Florida Statute, Administration Commission Rule and Comprehensive Plan is that hurricane evacuation clearance be within 24 hours, so the current hurricane evacuation clearance time modeling suggests the Florida Keys may be approaching its build-out. Even with the newly approved allocation, the Florida Keys may continue to face mounting challenges to address the remaining vacant, privately owned parcels, if the AC does not allow additional permits beyond the year 2023.

Currently, there are approximately 8,168 privately owned vacant parcels within unincorporated Monroe County. While the State will allow the County to award 1,970 allocations (197 ROGO's x 10 years), the County must consider the challenges it may face, if the State prohibits any more building permit allocations – as this may result in a balance of 6,198 privately held vacant parcels at risk of not being able to obtain permits in the future. At present, based on the historic rates of funding committed for the acquisition of conservation lands (approximately \$900,000 per year), this estimated funding amount will unlikely be sufficient to meet the land acquisition needs of the County in the future.

The following table demonstrates these challenges:

	Florida Keys (Incorporated & Unincorporated)	Unincorporated Monroe County
TOTAL – VACANT, PRIVATELY OWNED PARCELS	11,364	8,168
TOTAL APPROXIMATE LAND VALUE OF REMAINING VACANT, PRIVATELY-OWNED PARCELS <small>(December 2012 MC Property Appraiser data)</small>	\$ 462,112,218	\$ 248,314,487
10 YEARS' WORTH OF NEW ROGO ALLOCATIONS THROUGH THE YEAR 2023	3,550	1,970
REMAINING VACANT, PRIVATELY-OWNED PARCELS	7,814	6,198

Attached is a white paper developed by Monroe County staff (Growth Management, Legal, Budget, and Land Authority) discussing the potential build-out challenges facing the Florida Keys and 16 strategies (including future policy, program strategies and funding options) to consider to try to alleviate these challenges.

Monroe County staff would like direction on which strategies to research further and provide more details to the BOCC in the future.

PREVIOUS RELEVANT BOCC ACTION: n/a

CONTRACT/AGREEMENT CHANGES: n/a

STAFF RECOMMENDATIONS: Staff is seeking direction on the proposed strategies: 1-2 (State and Federal Acquisition), 3-10 (Policy Strategies) and 11-16 (Funding Strategies). Please see attached matrix.

TOTAL COST: n/a **INDIRECT COST:** _____ **BUDGETED:** Yes ___ No ___

DIFFERENTIAL OF LOCAL PREFERENCE: _____

COST TO COUNTY: _____ **SOURCE OF FUNDS:** _____

REVENUE PRODUCING: Yes ___ No **AMOUNT PER MONTH** ___ **Year** ___

APPROVED BY: County Atty ___ OMB/Purchasing ___ Risk Management ___

DOCUMENTATION: Included Not Required ___

DISPOSITION: _____ **AGENDA ITEM #** _____

Proposed Strategies (Monroe County staff would like direction on which policy strategies to incorporate into the EAR-based Comprehensive Plan amendment and which funding strategies to research further and provide more details to the BOCC in the future.)	Neugent	Carruthers	Kollhage	Rice	Murphy
1. Request the State of Florida Division of State Lands to continue to aggressively acquire vacant, privately owned land as a State partner in the ACSC program.					
2. Request the Federal Government to continue to aggressively acquire vacant, privately owned land.					
ADDITIONAL COUNTY POLICY STRATEGIES					
3. Reduce the current yearly allocation rate of 197 units per year with a MC Comprehensive Plan amendment, thereby extending the timeframe of the recently awarded allocations (3,550 County wide including cities, with 1,970 units for unincorporated MC). This would provide additional time to implement other strategies, such as land acquisition.					
4. Further Incentivize Lot Aggregation by encouraging additional aggregation by increasing points awarded in ROGO. Currently, 3 positive points are awarded for each vacant, legally platted lot which is aggregated in a designated Tier II or III area on BPK/NNK, and 4 positive points are awarded for each vacant, legally platted lot which is aggregated in a designated Tier III area in the Upper or Lower Keys (not BPK/NNK). These also require a legally binding restrictive covenant limiting the number of dwelling units on the aggregated lots. This policy could be revised to encourage the aggregation of additional lots from any Tier designation.					
5. If no additional permits are authorized after 2023, allow the transfer of dwelling units (market rate, affordable and transient) so that property owners with more than one lawfully established unit can move the additional units to another location. The County could consider allowing transfers from:					
a) site to site within a subarea in MC (Upper to Upper, Lower to Lower, BPK/NNK to BPK/NNK);					
b) between ROGO sub-areas; (Upper to Lower or Lower to Upper; BPK/NNK to BPK/NNK, Lower or Upper; BPK/NNK to BPK/NNK and Lower); and/or					
c) between jurisdictions (MC and cities).					
6. Re-designate and/or rezone land to commercial categories that do not allow residential use. The County could review existing mapping inconsistencies and consider re-designating certain lands, particularly along U.S.1, within a commercial category.					

Proposed Strategies (Monroe County staff would like direction on which strategies to research further and provide more details to the BOCC in the future.)	Neugent	Carruthers	Kollhage	Rice	Murphy
7. Continue land acquisition programs to purchase additional undeveloped parcels and re-evaluate land acquisition priorities to balance growth management, habitat protection, retirement of development rights, reduction of density & intensity, future build-out of the Florida Keys, climate change, sea level rise, affordable housing, etc.					
8. Seek federal legislation to prohibit subsidized flood insurance for new development on vacant land containing suitable/critical habitat for federally listed species within Monroe County.					
9. Exercise the power of eminent domain and directly condemn parcels to avoid acquisition costs or payment of takings compensation.					
10. Purchase the tax certificates and tax deeds on property with delinquent real estate taxes. Requires coordination with the Monroe County Property Appraiser's Office and the Monroe County Tax Collector.					
ADDITIONAL COUNTY LAND ACQUISITION FUNDING STRATEGIES					
11. Increase the Tourist Impact Tax.					
12. Dedicate 10% of current 1 cent Infrastructure Sales Surtax (§212.055(2)(f)3., F.S.).					
13. Increase Sales Tax.					
14. Establish a Special Taxing Authority.					
15. Explore a Toll On US 1.					
16. Work with non-governmental organizations, such as the Trust for Public Lands and the Nature Conservancy, to supplement governmental acquisition efforts.					



MONROE COUNTY
THE FLORIDA KEYS AREA OF CRITICAL STATE CONCERN
BUILD-OUT CHALLENGES FACING THE FLORIDA KEYS

The Potential Price of Preserving Paradise...

The Florida Keys are designated as an Area of Critical State Concern (ACSC) by the State Legislature. A Rate of Growth Ordinance (ROGO) was implemented in order to provide for the safety of residents in the event of a hurricane evacuation and to protect the significant natural resources of Monroe County (MC), as required by the State of Florida. ROGO established a competitive permit allocation system whereby those applications with the highest scores are awarded building permits. The State of Florida allows issuance of 197 building permits per year for new residential development (Rule 28-20.140, F.A.C.), within unincorporated MC.

In 2012, pursuant to Rule 28-20.140, F.A.C., the Department of Economic Opportunity (DEO) completed the hurricane evacuation clearance time modeling task and found that with 10 years' worth of building permits, the Florida Keys would be at a 24 hour evacuation clearance. A Memorandum of Understanding (MOU) [see Exhibit 1] was entered into by and between DEO, the Florida Division of Emergency Management, MC and the municipalities to stipulate the input variables and assumptions for the hurricane model. Based upon the MOU and the resulting 24 hour evacuation clearance, DEO determined the remaining allocations for the Florida Keys (3,550 additional permits countywide).

In March 2013, the Governor and Cabinet, sitting as the State Administration Commission, approved the recommendation to allocate 10 years' worth of growth (197 x 10 = 1,970 permits) to MC while maintaining an evacuation clearance time of 24 hours, through the year 2023. Table 1 demonstrates the challenges unincorporated MC may face, as there are 8,168 privately owned vacant parcels (minimum value of \$248,314,487). With just 197 permits per year, it would take over 41 years' worth of annual allocations (at the current rate of 197) to absorb these parcels. This may result in a balance of 6,198 privately held vacant parcels at risk of not obtaining permits in the future (minimum value of \$188,424,716). This deficit of building permit allocations could trigger takings suits against both the State and MC, if no additional permits are allowed beyond the year 2023.

Table 1: Analysis of Vacant Parcels in Unincorporated Monroe County, Florida

TIER	NUMBER OF VACANT PARCELS	YEARS TO ALLOCATE PERMITS	THEORETICAL MAXIMUM DENSITY**
No Tier (ORCA, etc.)	235		766
Tier I	3,979		4,806
Tier II	393		590
Tier III-A	260		553
Tier III	3,301		5,048
TOTAL	8,168*	41.5	11,763
TOTAL ALLOCATIONS	1,970		
POTENTIAL LIABILITY	6,198*		

*Assumes one (1) unit per parcel and does not take into account additional density potential.

** Theoretical density analysis is based on acreage multiplied by the maximum allocated residential density for each FLUM category. This data is provided for illustrative purposes only; conditions specific to the individual parcel, including physical size, environmental sensitivity, zoning and tier designation and other regulatory constraints, such as ROGO are the final determinant of development potential.

In recognition of the possibility that the inventory of vacant parcels exceeds the permits MC can award, the BOCC has already adopted some strategies to help transition land into public ownership to reduce the potential takings claims, and address the future build out of the Florida Keys by incentivizing development that eliminates privately owned vacant parcels. These strategies include:

ADOPTED COUNTY STRATEGIES

- Incentivize Dedication of Land – the BOCC adopted an amendment to encourage additional land dedication by providing additional points in ROGO/NROGO.
- Discouragement Policy– the BOCC adopted an amendment to discourage private applications for FLUM amendments that increase density and intensity, as required by Rule 28-20.140, F.A.C., unless mitigated by providing land (acreage or Improved Subdivision [IS] parcels) to MC.
- Created Commercial FLUM category (no residential component) - the BOCC adopted an amendment to provide options to re-designate property for other nonresidential uses (Provides alternative uses of property).
- Revised NROGO to make the process simpler and encourage nonresidential redevelopment and development.

While these adopted strategies, if utilized, help off-set the costs for direct acquisition of land, the projected costs outlined in Table 2 (below) suggest that these efforts will not serve to completely close the gap between the number of vacant parcels that may seek a permit and the number of permits the County is currently authorized by the State to issue, based on ROGO.

Current Land Acquisition Strategy

At present, there are two recurring dedicated funding sources for purchasing land within the County. The first is through half of a 1 cent Tourist Impact tax (pursuant to § 125.0108, F.S.), which provides an annual revenue for the Florida Keys ACSC of approximately \$1.2 million. This tax also generates approximately \$1.6 million annually for the Key West ACSC. The second recurring revenue is provided through a State Park surcharge that generates approximately \$400,000 annually. For the total revenue (on average \$1.6 million) in the Florida Keys ACSC, the Land Authority has historically allocated 60% (approximately \$900,000) to the acquisition of conservation land, with the remainder going towards purchase of parcels for affordable housing, or occasionally for active recreation areas. These funding sources alone will not be sufficient to meet the land acquisition needs of MC in the future.

As demonstrated in Table 2, at current funding levels and with the State discontinuing its aggressive land acquisition in the Florida Keys, adding 3,550 allocations for dwelling units through the year 2023, it would take approximately 272 years to generate the funds equal to the tax assessed value and offer to purchase the remaining inventory of private, vacant parcels in the Florida Keys (unincorporated and incorporated).

Note: The analysis in this paper is limited to tax assessed value of parcels and does not consider: the future willingness of owners to sell; if the value assumed will be equal to the acquisition price; sufficiency of funds; if the parcels have a marketable title; the suitability of public ownership of certain parcels; the feasibility and costs of managing parcels; etc.

Table 2: Inventory of Vacant Parcels in Florida Keys and Approximate Land Value

AREA	NO. VACANT PARCELS	AVERAGE PARCEL VALUE***	APPROXIMATE LAND VALUE (December 2012 MC Property Appraiser data)	ESTIMATED FUNDING Based on Historic Rates For Acquisition of Conservation Lands	YEARS TO GENERATE THE FUNDS EQUAL TO THE TAX ASSESSED VALUE
Key West ACSC*	104	\$355,045	\$ 36,924,754	\$ 270,000	137
Unincorporated MC	8,168	\$ 30,400	\$ 248,314,487	\$ 900,000	276 ϕ
Marathon	1,680	\$ 49,845	\$ 83,740,226		93 ϕ
Layton	34	\$ 51,080	\$ 1,736,724		2 ϕ
Key Colony Beach	109	\$129,746	\$ 14,142,347		16 ϕ
Islamorada	1,269	\$ 60,877	\$ 77,253,680		86 ϕ
TOTAL PARCELS	11,364	\$40,664	\$ 462,112,218		
TOTAL ALLOCATIONS	3,550	3,550 County wide including cities, with 1,970 units for unincorporated MC			
PARCELS TO PURCHASE (COUNTYWIDE)**	7,814	\$40,664***	\$ 317,748,496	\$ 1,170,000	272**

* The Monroe County Land Authority has historically allocated approximately 18% (\$270,000/yr) of the Key West ACSC portion of tourist impact tax revenue to the purchase of conservation and recreation lands. The remainder of Key West ACSC tourist impact tax revenue has been allocated for the purchase of affordable housing sites.

** The total vacant parcels (11,364) less the 3,550 allocations available results in 7,814 parcels to purchase. At an average cost of \$40,664 it will take MC 272 years to acquire these parcels utilizing \$1.17M (900,000+270,000).

*** This analysis assumes no growth in property value over time. Note property values could change exponentially.

ϕ Land values for each jurisdiction are divided by the \$900,000 estimated funding figure.

The County staff recognizes the need for ADDITIONAL STRATEGIES aimed at reducing the total inventory of privately owned vacant land. To that end, MC staff is currently evaluating the potential for future policy and program strategies that could apply within the unincorporated and incorporated areas of the Florida Keys, including:

ADDITIONAL STATE & FEDERAL LAND ACQUISITION STRATEGIES

1. Request the State of Florida Division of State Lands to continue to aggressively acquire vacant, privately owned land as a State partner in the ACSC program. The County should encourage the state government to target the acquisition of Tier I land within their acquisition boundaries.
 - 7,589 Tier I parcels within the State’s Florida Forever Boundary are owned by public and nonprofit agencies. 3,351 Tier I parcels within the State’s Florida Forever Boundary remain privately owned and vacant. The 3,351 Tier I privately owned vacant parcels have an approximate value of \$14,731,730.
2. Request the Federal Government to continue to aggressively acquire vacant, privately owned land. The County should encourage the federal government to target the acquisition of lands containing suitable habitat for and known populations of federally-designated wildlife species (Endangered Species Act).
 - 12,147 parcels within the Federal Species Focus Area and Buffer Areas are owned by public and nonprofit agencies. 7,193 parcels within remain privately owned and vacant. The 7,193 privately owned vacant parcels have an approximate value of \$240,088,014.

Table 3: Past State of Florida Division of State Lands Acquisition Strategy in Monroe County

State of Florida Land Acquisition Programs	Years	Total Number of Transactions	Total Acres	Total Cost
Land Acquisition Trust Fund	1966 - 1979	100	1623.42	\$ 12,097,641
Conservation & Recreation Land (CARL) Trust Fund	1982 - 1993	143	3028.64	\$ 74,669,999
Save Our Coast Trust Fund	1983 - 1993	4	39.03	\$ 2,400,000
Preservation 2000 (P-2000) Trust Fund	1993 - 2002	798	3689.1	\$ 73,687,905
Florida Forever Trust Fund	2002 - 2009	808	1192.45	\$ 77,502,431
		1853	9572.64	\$ 240,357,976

Since 2009, funding has not been available for the Division of State Lands to continue its partnership with Monroe County and purchase additional conservation lands (see Exhibit 2 - maps of the current Monroe County lands owned by public and nonprofit agencies).

ADDITIONAL COUNTY POLICY STRATEGIES

3. Reduce the current yearly allocation rate of 197 units per year with a MC Comprehensive Plan amendment, thereby extending the timeframe of the recently awarded allocations (3,550 County wide including cities, with 1,970 units for unincorporated MC). This would provide additional time to implement other strategies, such as land acquisition.
4. Further Incentivize Lot Aggregation by encouraging additional aggregation by increasing points awarded in ROGO. Currently, 3 positive points are awarded for each vacant, legally platted lot which is aggregated in a designated Tier II or III area on BPK/NNK, and 4 positive points are awarded for each vacant, legally platted lot which is aggregated in a designated Tier III area in the Upper or Lower Keys (not BPK/NNK). These also require a legally binding restrictive covenant limiting the number of dwelling units on the aggregated lots. This policy could be revised to encourage the aggregation of additional lots from any Tier designation.
5. If no additional permits are authorized after 2023, allow the transfer of dwelling units (market rate, affordable and transient) so that property owners with more than one lawfully established unit can move the additional units to another location. The County could consider allowing transfers from:
 - a) site to site within a subarea in MC (Upper to Upper, Lower to Lower, BPK/NNK to BPK/NNK);
 - b) between ROGO sub-areas; (Upper to Lower or Lower to Upper; BPK/NNK to BPK/NNK, Lower or Upper; BPK/NNK to BPK/NNK and Lower); and/or
 - c) between jurisdictions (MC and cities).
 For example, a parcel owner with 2 or 3 lawfully established residential units may transfer 1 or 2 units to another vacant parcel, thereby reducing the need for a new ROGO allocation for those vacant parcels.
6. Re-designate and/or rezone land to commercial categories that do not allow residential use. The County could review existing mapping inconsistencies and consider re-designating certain lands, particularly along U.S.1, within a commercial category.
7. Continue land acquisition programs to purchase additional undeveloped parcels and re-evaluate land acquisition priorities to balance growth management, habitat protection, retirement of development rights, reduction of density & intensity, future build-out of the Florida Keys, climate change, sea level rise, affordable housing, etc.
8. Seek federal legislation to prohibit subsidized flood insurance for new development on vacant land containing suitable/critical habitat for federally listed species within Monroe County.
9. Exercise the power of eminent domain and directly condemn parcels to avoid acquisition costs or payment of takings compensation.
10. Purchase the tax certificates and tax deeds on property with delinquent real estate taxes. Requires coordination with the Monroe County Property Appraiser’s Office and the Monroe County Tax Collector.

ADDITIONAL COUNTY LAND ACQUISITION FUNDING STRATEGIES

These strategies assume there are willing sellers.

11. **Increase the 1 cent Tourist Impact Tax.** Currently 50% of the 1 cent tax is dedicated to land acquisition within the areas from which it is derived and used by MC Land Authority to purchase land for conservation or affordable housing. This tax is collected on hotel rooms rentals and other transient accommodations.
12. **Dedicate 10% of current 1 cent infrastructure sales surtax (§ 212.055(2)(f)3., F.S.).** Currently the County may designate 10% of this tax for “other purposes,” which could be for land acquisition.
13. **Increase sales tax.** Currently at 7.5% and dedicate 100% of the revenue generated by the increase to land acquisition. This tax is collected on all qualifying sales at the time of purchase.
14. Establish a **special taxing authority**, a dedicated revenue stream and corresponding bond issue, by referendum for an ad-valorem tax to be dedicated to land acquisition.
15. **Explore a toll on US 1** with a portion of the funds generated to be used to fund acquisition, restoration and maintenance of conservation lands (similar to Alligator Alley toll for Everglade’s restoration).
16. Work with **non-governmental organizations**, such as the Trust for Public Lands and the Nature Conservancy, to supplement governmental acquisition efforts.

Further Details on County Land Acquisition FUNDING Strategies (#11-15 Above)

Increasing Tourist Impact Tax – (Strategy #11)

Currently, the 1 cent Tourist Impact Tax yields approximately \$5.6 million annually. This amount is split between the general fund (\$2.8M) and the County Land Authority (\$2.8M). Of the \$2.8M that goes to the Land Authority, \$1.2M is for MC outside Key West (along with \$400,000 from state park surcharges) equaling \$1.6M for MC, excluding Key West, and \$1.6M goes to Key West.

Of the approximate total revenue (\$1.6M) in the Florida Keys ACSC:

- MC Land Authority has historically allocated 60% (approximately \$900,000) to the acquisition of conservation land, with the remainder going towards purchase of parcels for affordable housing, or occasionally for active recreation areas in areas outside Key West.

Of the approximate total revenue (\$1.6M) in Key West ACSC:

- MC Land Authority has historically allocated 17% (approximately \$270,000) to the acquisition of conservation land, with the remainder going toward affordable housing.

If the County passed by referendum, after amending State legislation, an additional 0.5% to the Tourist Impact Tax and dedicated the full amount to land acquisition, this would yield an additional \$2.8 million which could be split as follows:

- The Florida Keys ACSC (\$602,000 [43%] additional); and
- Key West ACSC (\$798,000 [57%] additional)

[NOTE: An additional amendment to the state legislation would be needed in order to allow the additional 0.5% to be spent within the entire County, rather than the area from which the tax is derived.]

TOTAL additional funds available of \$2.8M, in addition to the \$1.17M (900,000+270,000 historically allocated for the acquisition of conservation lands), equals \$3.9M. If this was accomplished, the Land Authority would be able to generate the funds equal to the tax assessed value for the remaining 7,814 parcels within 80 years (see Table 3).

Note: The overall tourist tax revenues collected on a tourist unit currently consist of a total tax of 12.5% (7.5% sales tax and 5% tourist impact tax) and if this strategy is implemented with an increase of 0.5% to the tourist impact tax, the total tax would be 13% (7.5% sales tax and 5.5% tourist impact tax).

Table 3: Vacant Parcels and Years to Acquire with an Increase to Tourist Impact Tax

AREA	NO. VACANT PARCELS	AVERAGE PARCEL VALUE	APPROXIMATE LAND VALUE (December 2012 MC Property Appraiser data)	ANNUAL BUDGET FOR LAND ACQUISITION	YEARS TO GENERATE THE FUNDS EQUAL TO THE TAX ASSESSED VALUE
PARCELS TO PURCHASE (COUNTYWIDE)*	7,814	\$40,664 (analysis assumes no growth in property value over time)	\$ 317,748,496	\$ 3,970,000	80*

* The total vacant parcels (11,364) less the 3,550 allocations available results in 7,814 parcels to purchase. At an average cost of \$40,664 it will take MC 80 years to acquire these parcels utilizing \$1.17M (900,000+270,000) + an additional \$2.8M from 0.5% additional tourist tax if passed by referendum, after State Legislature authorization to hold a referendum, for a total of \$3.97M annually.

Dedicating 10% of Current Infrastructure Sales Surtax (Strategy #12)

One cent of sales tax produces the following revenue for the various entities:

- **\$16,500,000 – Unincorporated Monroe County (60%)**
- \$ 1,700,000 – Islamorada (6%)
- \$ 200,000 – Key Colony Beach (0.72%)
- \$ 6,800,000 – Key West (25%)
- \$ 50,000 – Layton (0.18%)
- \$ 2,300,000 – Marathon (8%)
- **\$27,550,000 – Entire county**

The BOCC can make a policy decision to allocate 10% of the amount of sales tax received for unincorporated Monroe County for land acquisition without a referendum or state authorization. This would result in an additional \$1.65M annually toward this program. If this was accomplished, MC would be able to generate the funds equal to the tax assessed value for the remaining 7,814 parcels within 81 years (see Table 4).

Table 4: Vacant Parcels and Years to Acquire with a Dedication of 10% of Infrastructure Sales Surtax

AREA	NO. VACANT PARCELS	AVERAGE PARCEL VALUE	APPROXIMATE LAND VALUE (December 2012 MC Property Appraiser data)	ANNUAL BUDGET FOR LAND ACQUISITION	YEARS TO GENERATE THE FUNDS EQUAL TO THE TAX ASSESSED VALUE
PARCELS TO PURCHASE (COUNTYWIDE)*	7,814	\$40,664 (analysis assumes no growth in property value over time)	\$ 317,748,496	\$ 3,925,000	81*
MC PARCELS TO PURCHASE (UNINCORPORATED)**	6,198	\$30,400 (analysis assumes no growth in property value over time)	\$ 188,419,200	\$ 2,550,000	74**

* The total vacant parcels (11,364) less the 3,550 allocations available results in 7,814 parcels to purchase. At an average cost of \$40,664 it will take MC 81 years to acquire these parcels utilizing 1.17M (900,000+270,000) + an additional \$2.755M from 10% of sales tax if authorized by Board of County Commissioners for a total of \$3.925M.

** The total vacant parcels (8,168) less the 1,970 allocations available results in 6,198 parcels to purchase. At an average cost of \$30,400 it will take MC 74 years to acquire these parcels utilizing \$900,000 + an additional \$1.65M from 10% of sales surtax if authorized by Board of County Commissioners for a total of \$2.55M.

Increasing Sales Tax (Strategy #13)

One cent of sales tax produces the following revenue for the various entities:

- **\$16,500,000 – Unincorporated Monroe County (60%)**
- \$ 1,700,000 – Islamorada (6%)
- \$ 200,000 – Key Colony Beach (0.72%)
- \$ 6,800,000 – Key West (25%)
- \$ 50,000 – Layton (0.18%)
- \$ 2,300,000 – Marathon (8%)
- **\$27,550,000 – Entire county**

If the County passed by referendum, after legislative authorization, adding an *additional* 1 cent sales tax, an additional \$27,550,000 could be available County-wide toward this program. If this was accomplished, MC would be able to generate the funds equal to the tax assessed value for the remaining 7,814 parcels within 11 years (see Table 3).

Table 5: Vacant Parcels and Years to Acquire with an Increase in the Sales Tax

AREA	NO. VACANT PARCELS	AVERAGE PARCEL VALUE	APPROXIMATE LAND VALUE (December 2012 MC Property Appraiser data)	ANNUAL BUDGET FOR LAND ACQUISITION	YEARS TO GENERATE THE FUNDS EQUAL TO THE TAX ASSESSED VALUE
PARCELS TO PURCHASE (COUNTYWIDE)*	7,814	\$40,664 (analysis assumes no growth in property value over time)	\$ 317,748,496	\$ 28,720,000	11*
MC PARCELS TO PURCHASE (UNINCORPORATED)**	6,198	\$30,400 (analysis assumes no growth in property value over time)	\$ 188,419,200	\$ 17,400,000	11**

* The total vacant parcels (11,364) less the 3,550 allocations available results in 7,814 parcels to purchase. At an average cost of \$40,664 it will take MC 11 years to acquire these parcels utilizing \$1.17M (900,000+270,000) + an additional \$27.5M from additional 1cent sales tax if authorized by Board of County Commissioners and State of Florida and passed by voters for a total of \$28,720,000.

** The total vacant parcels (8,168) less the 1,970 allocations available results in 6,198 parcels to purchase. At an average cost of \$30,400 it will take MC 11 years to acquire these parcels utilizing \$900,000 + an additional \$16.5M from 10% of sales tax if authorized by Board of County Commissioners for a total of \$17.4M.

Special Taxing Authority (Strategy #14)

Establishing a County-wide Environmental Land Acquisition Ordinance contingent upon adopting an ad valorem tax designated specifically for the purchase and management of conservation lands would generate additional revenue for land acquisition. This option has had wide application in Florida, with 20+ Counties and 20+ municipalities adopting an environmental lands program based on this model. Each community has adopted programs tailored to their specific needs and voter preferences. As can be seen in Table 6 below, some have established specific revenue caps, while others have established a time frame with no revenue cap. In addition, some of the Counties elected to bond the cap amount (Osceola, Lee and Volusia) and use the tax to pay for the bonds.

Table 6: Summary of Ad Valorem Tax Initiatives

COUNTY	YEAR ADOPTED	MILLAGE RATE	TOTAL REVENUE	TERM
LAKE	2004	0.33	\$ 36 MILLION (cap)	5 YRS (bond issue)
LEE	1996	0.5	\$ 400 MILLION	ANNUAL RENEWAL
MIAMI-DADE	1990	0.75	\$ 90 MILLION	2 YRS
OSCEOLA	2004	0.25	\$ 60 MILLION (cap)	20 YRS (bond issue)
VOLUSIA	2000	0.20	\$ 40 MILLION (cap)	20 YRS (bond issue)

Process for Establishing Countywide Taxing Authority by County

Although the enabling legislation and implementation may vary, in general, the process followed by the majority of jurisdictions researched has been:

- 1) Formation of a grass-roots citizens group to highlight and support the issues, initiated by residents or by the County (for example: via contracting with an organization such as The Trust for Public Lands, etc.)
- 2) BOCC passes enabling legislation purchase program and proposed tax
- 3) Voter approval referendum for ad valorem tax for purchases or bond issue
- 4) BOCC adopts conservation land selection standards
- 5) BOCC approves funding for either or both
 - a) A bond issue to borrow funds for purchase
 - b) Establishing a Conservation Land Fund to purchase as revenue is collected

Approximate Annual Revenue from Special Taxing Authority

According to data from the Monroe County Property Appraiser (MCPA), the total taxable value for real property in the Florida Keys (unincorporated and incorporated) in 2012 was approximately \$18,691,323,445. Using this value, the table below depicts approximate annual revenues associated with a range of millage rates and the time in years to acquire all privately owned vacant parcels, after ROGO allocation through the year 2023.

Table 7: Summary of Potential Revenue Generation & Acquisition Timeframe

TOTAL TAXABLE VALUE (MCPA - 2012)	ANNUAL REVENUES		
	0.75 MIL	0.50 MIL	0.25 MIL
\$ 18,691,323,445	\$ 14,018,492	\$ 9,345,661	\$ 4,672,830
POTENTIAL LIABILITY AFTER ALLOCATIONS	YEARS TO GENERATE THE FUNDS EQUAL TO THE TAX ASSESSED VALUE		
\$ 317,748,496	23	34	68

Toll on US 1 (Strategy #15)

Seek and support Federal and State legislation that would authorize the imposition of a toll on U.S. 1. This strategy would require a change to existing legislation that authorizes the expenditure of tolls paid for use of Alligator Alley for acquisition, restoration, and maintenance of conservation lands in the Everglades to include an authorization for land acquisition in the Keys. Alternatively, entirely new legislation could be sought. Prior discussions with state and federal officials exploring the possibility of imposing a toll on U.S. 1 as a means of raising money to fund wastewater have conclusively demonstrated that any such effort would require state and federal legislation.

Summary of Additional County Land Acquisition Funding Strategies

In summary, with the 3,550 ROGO allocations recently awarded by the State of Florida, it may take MC up to 272 years to generate the funds equal to the tax assessed value for the remaining 7,814 privately owned vacant parcels in the Florida Keys (Cities and County - Table 2, Page 3), based upon the average 2012 property values and the current funding levels.

To continue to preserve the County's quality of life and reduce the potential takings claims against the State and the County, which would ultimately be paid by the taxpayers, the remaining vacant, privately owned parcels (7,814), at a total value of \$317,748,496 (based on average 2012 parcel value) may need to be addressed by a combination of policy and funding strategies.

Staff has outlined five (5) possible funding strategies (from the above list of strategies) that would create additional revenues to pursue land acquisition. Each one has pros and cons and requires extensive administrative achievements, including changing state law and/or approval by voter referenda. The following table highlights the various time periods it would take to generate revenue, based on today's dollars, given revenue estimates that could be achieved.

Table 8: Summary of Potential Revenue Generation of Various Strategies & Acquisition Timeframe

Strategy	Annual Revenue Toward Land Acquisition (Countywide)		Based Upon Today's Dollars Years To Generate The Funds Equal To The Tax Assessed Value
	Additional revenue	Total revenue	
Historic Status Quo (50% of tourist impact tax and revenue from park entrances – allocated at the historic rates for the acquisition of conservation lands)	\$ 1,170,000 (estimated based on historic rates)		272
	Additional revenue	Total revenue	
11. Increase the Tourist Impact tax	\$ 2,800,000	\$ 3,970,000	80
12. Dedicate 10% of current infrastructure sales tax	\$ 2,755,000	\$ 3,925,000	81
13. Increase sales tax	\$ 27,550,000	\$ 28,720,000	11
14. Establish a taxing authority			
0.75 MIL	\$ 14,018,492	\$15,188,492	21
0.50 MIL	\$ 9,345,661	\$10,515,661	30
0.25 MIL	\$ 4,672,830	\$ 5,842,830	54
15. Toll on US 1	TBD	TBD	TBD

Note:

The analysis in this paper is limited to tax assessed value of parcels and does not consider: the future willingness of owners to sell; if the value assumed will be equal to the acquisition price; sufficiency of funds; if the parcels have a marketable title; the suitability of public ownership for certain parcels; the feasibility and costs of managing parcels; etc.





**MONROE COUNTY, FLORIDA
MONROE COUNTY BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. 226 - 2012**

A RESOLUTION OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS, FLORIDA, RELATING TO THE STATE OF FLORIDA'S 2012 HURRICANE EVACUATION CLEARANCE TIME WORK GROUP; HURRICANE EVACUATION MODEL; WORK PROGRAM TASKS OF RULE 28-20.140, F.A.C.; AND THE STATE'S RECOMMENDED ALLOCATION OF RESIDENTIAL BUILDING PERMITS TO MONROE COUNTY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature and the Administration Commission have included Monroe County within the designated Florida Keys Area of Critical State Concern (Section 380.05, 380.0552, Florida Statutes), and

WHEREAS, the Florida Legislature and the Administration Commission have mandated that Monroe County include within the goals, objectives, and policies of its Comprehensive Plan measures to protect public safety and welfare in the event of a hurricane, by maintaining an evacuation clearance time for permanent residents of no more than 24 hours (Section 380.0552(9)(a)2., Florida Statutes; Rule 28-20.140(5)(a)12. and 14., F.A.C.); and

WHEREAS, the Monroe County 2010 Comprehensive Plan includes Objective 101.2 which directs Monroe County to reduce the hurricane evacuation clearance times to 24 hours by the year 2010, and Policy 216.1.8 establishing that in the event of a pending major hurricane (category 3-5) Monroe County shall implement a staged/phased evacuation procedures to achieve and maintain an overall 24-hour hurricane evacuation clearance time for the resident population, by evacuating: 1) Approximately 48 hours in advance of tropical storm winds, a mandatory evacuation of non-residents, visitors, RV's, travel trailers, live-aboard, and military personnel from the Keys shall be initiated, 2) Approximately 36 hours in advance of tropical storm winds, a mandatory evacuation of mobile home residents, special needs residents, and hospital and nursing home patients from the Keys shall be initiated, and 3) Approximately 30 hours in advance of tropical storm winds, a mandatory phased evacuation of permanent residents by evacuation zone; and

WHEREAS, the Florida Legislature further mandated that the hurricane evacuation clearance time for Monroe County and other local governments within the Florida Keys Areas of Critical State Concern (ACSC) and the Key West Area of Critical State Concern shall be

determined by a state-approved hurricane evacuation study, conducted in accordance with a professionally accepted methodology (Rule 28-20.140(5)(a)11., F.A.C. and Rule 28-36, F.A.C.); and

WHEREAS, the Administration Commission directed the State Department of Economic Opportunity (DEO), by July 1, 2012, to apply the derived clearance time to assess and determine the remaining allocations for the Florida Keys and Key West ACSCs or identify alternative evacuation strategies that support the 24 hour evacuation clearance time (Rule 28-20.140(5)(a)12. and 14., F.A.C.); and

WHEREAS, the DEO's 2012 Hurricane Evacuation Clearance Time Work Group included representation from Monroe County, the City of Key West, Islamorada, Village of Islands, the City of Layton, the City of Key Colony Beach, and the City of Marathon (the "Local Governments"); and

WHEREAS, the DEO's 2012 Hurricane Evacuation Clearance Time Work Group (the Work Group) evaluated, provided input, and, and ultimately recommended Scenario M5 from among the scenarios provide by DEO at its June 8, 2012 Work Group meeting; and

WHEREAS, Scenario M5 included the 2010 Census site-built units (43,760 units, 27,320 occupied units); a 90% participation rate; the maximum number of residential building permits for new construction for all Local Governments per year for 10 years or 3,540 (annually, County 197, Marathon 30, Islamorada 28, Key West 90, Key Colony Beach 6 and Layton 3); 1,248 mobile home units projected to convert to site-built units; the exclusion of 870 dwelling units on the Naval Air Station; as well as two (2) functional evacuation lanes from MM 108-126, as recommended by Monroe County Sheriff's Office. Further, the Work Group recommended Scenario M5 with the provision that the City of Key West would transfer annually (by July 13th) any remaining or unused (90 allocations) allocations to the other Local Governments based upon the Local Governments' ratio of vacant land; and

WHEREAS, DEO and the Local Governments recognize that significant vacant lands remain in the Florida Keys, including: Monroe County with 8,758 vacant parcels (77% of total vacant lands), Marathon with 1,281 vacant parcels (11%), Islamorada with 1,109 vacant parcels (10%), Key Colony Beach with 92 vacant parcels (0.81%), Key West with 84 vacant parcels (0.74%), and Layton with 13 vacant parcels (0.11%); and

WHEREAS, the hurricane model for determining clearance time and, ultimately, the State's allocation of County residential building permits, is maintained and run by the DEO and other state agencies; and

WHEREAS, DEO has determined, based on its data, input variables, and assumptions as set forth in Part Two of the attached MOU, that the Florida Division of Emergency Management's (DEM) Transportation Interface for Modeling Evacuations ("TIME") Model is the model acceptable to DEO to accurately depict evacuation clearance times for the population of the Keys ACSCs; and

WHEREAS, Marathon, Key West, Layton, Monroe County, and Islamorada staff requested new participation rate studies be conducted, due principally to the low sample sizes primarily for mobile homes relied upon by DEO and DEO anticipates conducting additional

human behavioral studies regarding participation rates in the future, prior to any further adjustments to the County's allocation of building permits; and

WHEREAS, DEO has determined that mobile home residents live in vulnerable housing and should be encouraged to evacuate before residents of site-built homes, consistent with the adopted staged/phased evacuation comprehensive plan policies; and

WHEREAS, the Local Governments recognize that the data, input variables, and assumptions DEO has incorporated into its hurricane evacuation model and this MOU are subject to change when the 2020 Census data becomes available; and

WHEREAS, the County is directed by Rule 28-20.140(5)(a)11, F.A.C. to enter into a memorandum of understanding (MOU) with the DEO and the other local governments in the Florida Keys & Key West ACSC, which MOU stipulates to the input variables and assumptions the DEO has used in the Florida Keys Hurricane Evacuation Model, or other models acceptable to the DEO, to accurately depict evacuation clearance times for the population of the Florida Keys; and

WHEREAS, the County wishes to comply with Rule 28-20.140, F.A.C. and ensure the availability of residential buildings permit allocations, consistent with the County's ability to safely evacuate its visitors and residents, and the intent of the Florida Keys ACSC to "protect the constitutional rights of property owners to own, use, and dispose of their real property" (Section 380.0552(2)(f), Florida Statutes); and

WHEREAS, DEO officials have indicated, by letter to Monroe County Mayor David Rice, dated July 30, 2012, that a minimum of 3,540 additional allocations could be distributed among Florida Keys Local Governments, still maintaining an evacuation clearance time of 24 hours; and

WHEREAS, DEO will report to the Administration Commission on the review and completion of Work Program tasks in Rule 28-20.140(5)(a)11.-14., F.A.C., and provide the recommended allocation rates and distribution of allocations; and

WHEREAS, the County has the following understandings, based on staff's discussions with DEO officials, and is relying on same, pending Administration Commission approval, in passing this Resolution:

(a) that at least 1,970 of the available 3,540 permits will be allocated to the County, for issuance within unincorporated Monroe County, after July 1, 2013, at an annual rate the County deems appropriate and in accordance with its Comprehensive Plan, through June 30, 2023; and

(b) that, after July 1, 2013, any permits allocated by the State to the City of Key West, which are not used within a given allocation year or for which the City is not eligible, will be distributed among the other local governments in the Florida Keys ACSC, in accordance with the proportion of vacant lands, in each jurisdiction, as indicated in the final report of the Work Group; and

WHEREAS, the Administration Commission has directed DEO, DEM, and the Local Governments in the Keys to enter into an MOU to stipulate to the input variables and

assumptions, including regional considerations, for utilizing the Florida Keys Hurricane Evacuation Model or other models acceptable to DEO in order to accurately depict evacuation clearance times for the population of the Florida Keys (Rule 28-20.140(5)(a)11., F.A.C.); and

WHEREAS, at least 30 days notice and comment period for interested parties has been provided, as required by Rule 28-20.140(5)(a)11, F.A.C;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Monroe County, Florida, as follows:

ARTICLE I

1. That the Board of County Commissioners hereby stipulates, pursuant to Rule 28-20.140(5)(a)11, F.A.C., that:
 - a. DEO has determined that the Florida Division of Emergency Management's Transportation Interface for Modeling Evacuations ("TIME") Model is the model acceptable to DEO to accurately depict evacuation clearance times for the population of the Florida Keys; and
 - b. DEO has identified, and the 2012 Hurricane Evacuation Clearance Time Work Group has recommended, the data, input variables, and assumptions set forth in Part Two of the attached Memorandum of Understanding for utilizing the TIME Model to depict a 24-hour evacuation clearance time for the population of the Florida Keys.
 - c. DEO has recommended that a minimum of 3,540 additional allocations could be distributed among Florida Keys Local Governments, while still maintaining an evacuation clearance time of 24 hours, and recognizes that Monroe County is anticipated to receive 1,970 allocations for the time period of July 1, 2013 to June 30, 2023.
2. That County staff is hereby directed to coordinate with the state and other Local Governments in the Florida Keys ACSC and the Key West ACSC, in order to establish a formal process facilitating the transfer of allocations from the City of Key West to the other local governments, based on the relative percentage of vacant lands within each Local Government, as assumed in the final report of the Work Group, for any allocations in the prior allocation year(s) which:
 - a. The City of Key West is ineligible to receive for failure to comply with state law regarding mandated comprehensive plan adoptions or updates; or
 - b. Are not allocated by the City during the prior allocation year, through its adopted building permit allocation ordinances.
3. That Monroe County Mayor David Rice is hereby authorized to execute the attached MOU on behalf of the Board of County Commissioners.

**ARTICLE II
GENERAL PROVISIONS**

SECTION 2.01 Severability

If any section, subsection, sentence, clause, or provision of this resolution is held invalid or unconstitutional by a court of competent jurisdiction, then the said holding shall in no way affect the validity of the remaining portions, which shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

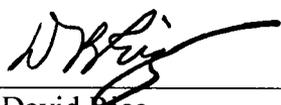
SECTION 2.02 Effective Date

This resolution shall become effect immediately upon its adoption.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a regular meeting of the Board held on the 21st day of September, 2012.

Mayor David Rice	<u>Yes</u>
Mayor <i>Pro Tem</i> Kim Wigington	<u>No</u>
Commissioner George Neugent	<u>Yes</u>
Commissioner Heather Carruthers	<u>Yes</u>
Commissioner Sylvia Murphy	<u>Yes</u>

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY 
Mayor David Rice

FILED FOR RECORD

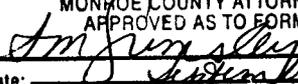
2012 OCT 10 AM 10:54

DANNY L. KOLHAGE
CLERK

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK


DEPUTY CLERK

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM

Date: September 2, 2012

08-02-12

HURRICANE EVACUATION CLEARANCE TIME MEMORANDUM OF UNDERSTANDING

BY AND BETWEEN

**THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND THE COUNTY OF
MONROE, CITY OF KEY WEST, ISLAMORADA, VILLAGE OF ISLANDS, CITY OF LAYTON,
CITY OF KEY COLONY BEACH, CITY OF MARATHON, AND FLORIDA DIVISION OF
EMERGENCY MANAGEMENT**

This Memorandum of Understanding ("MOU") is entered into by and between the State of Florida's Department of Economic Opportunity (the "DEO"), the Florida Division of Emergency Management (the "Division"), and Monroe County, the City of Key West, Islamorada, Village of Islands, the City of Layton, the City of Key Colony Beach, and the City of Marathon (the "Local Governments") (all collectively known as the "Parties") for the purpose of complying with Rules 28-18, 28-19, and 28-20, Florida Administrative Code.

RECITALS:

WHEREAS, the Local Governments of the Florida Keys are within two areas that the Florida Legislature and the Administration Commission have designated as Areas of Critical State Concern (the Florida Keys ACSC and the City of Key West ACSC), pursuant to Sections 380.05 and 380.0552, Florida Statutes, and Florida Administrative Code Chapter 28-36, hereinafter referred to as the "Keys ACSCs"; and

WHEREAS, the Local Governments have adopted state-mandated Comprehensive Plans and Land Development Regulations, which have been approved by the State, as required by law; and

WHEREAS, the State's Legislative Intent in designating the Local Governments as Areas of Critical State Concern includes:

(a) Establish a land use management system that protects the natural environment of the Florida Keys;

(b) Establish a land use management system that conserves and promotes the community character of the Florida Keys;

(c) Establish a land use management system that promotes orderly and balanced growth in accordance with the capacity of available and planned public facilities and services;

(d) Provide affordable housing in close proximity to places of employment in the Florida Keys;

(e) Establish a land use management system that promotes and supports a diverse and sound economic base;

(f) Protect the constitutional rights of property owners to own, use, and dispose of their real property;

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(g) Promote coordination and efficiency among governmental agencies that have permitting jurisdiction over land use activities in the Florida Keys;

(h) Promote an appropriate land acquisition and protection strategy for environmentally sensitive lands within the Florida Keys;

(i) Protect and improve the nearshore water quality of the Florida Keys through the construction and operation of wastewater management facilities that meet the requirements of Sections 381.0065(4)(l) and 403.086(10), Florida Statutes, as applicable; and

(j) Ensure that the population of the Florida Keys can be safely evacuated (Section 380.0552(2) Florida Statutes); and

WHEREAS, the Florida Keys remain one of the most vulnerable areas in the United States to hurricanes; and

WHEREAS, the Florida Legislature and the Administration Commission have mandated that the Local Governments (except the City of Key West) include within the goals, objectives, and policies of their respective Comprehensive Plans measures to protect public safety and welfare in the event of a hurricane by maintaining an evacuation clearance time for permanent residents of no more than 24 hours (Section 380.0552(9)(a)2. Florida Statutes, Rule 28-18.400(5)(a)10., F.A.C., Rule 28-19.310(5)(a)5., F.A.C., and Rule 28-20.140(5)(a)14., F.A.C.); and

WHEREAS, Florida Administrative Code Rule 28-36.003(2)(a)7. requires that the City of Key West prepare and adopt an evacuation plan which is consistent with the regional and County plans; and

WHEREAS, the Florida Legislature further mandated that the hurricane evacuation clearance time for the Florida Keys ACSC shall be determined by a state-approved hurricane evacuation study, conducted in accordance with a professionally accepted methodology; and

WHEREAS, the Division of Emergency Management evacuation study, titled "Statewide Regional Evacuation Studies Program" dated November 2010, which includes Regional Behavioral Surveys Volumes 2-11, and was funded by the state Legislature and the Federal Emergency Management Agency ("FEMA"), provided the State's principal source of professionally acceptable data and analysis, augmented by other sources of data and analysis as referenced herein, for determining input variables and assumptions depicting evacuation clearance times for the population of the Florida Keys; and

WHEREAS, the Administration Commission has directed DEO, by July 1, 2012, to apply the derived clearance time to assess and determine the remaining allocations for the Florida Keys ACSC or identify alternative evacuation strategies that support the 24 hour evacuation clearance time; and

WHEREAS, the Administration Commission has directed DEO, the Division, and the Local Governments to enter into this MOU to stipulate to the input variables and assumptions, including regional considerations, for utilizing the Florida Keys Hurricane Evacuation Model or other models

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acceptable to DEO in order to accurately depict evacuation clearance times for the population of the Florida Keys ACSC; and

WHEREAS, DEO has determined that the Florida Division of Emergency Management's Transportation Interface for Modeling Evacuations ("TIME") Model is the model acceptable to DEO to accurately depict evacuation clearance times for the population of the Keys ACSCs; and

WHEREAS, the Local Governments of the Florida Keys, except the City of Key Colony Beach, have regulated the rate and distribution of growth by implementing permit allocation systems to address hurricane evacuation clearance times; and

WHEREAS, DEO and the Local Governments recognize that significant vacant lands remain in the Florida Keys: Monroe County with 8,758 vacant parcels (77% of total vacant lands), Marathon with 1,281 vacant parcels (11%), Islamorada with 1,109 vacant parcels (10%), Key Colony Beach with 92 vacant parcels (0.81%), Key West with 84 vacant parcels (0.74%), and Layton with 13 vacant parcels (0.11%); and

WHEREAS , DEO and the Local Governments recognize the need to balance limiting the maximum number of building permits for new construction of residential units to be issued annually in the Florida Keys with fairness and consideration of private property rights; and

WHEREAS, to address hurricane evacuation modeling for the Florida Keys ACSCs, DEO established a Hurricane Evacuation Clearance Time Work Group ("Work Group") consisting of elected officials from each Local Government and representatives from DEO and DEM; in addition DEO invited representatives of special interests in the Florida Keys to participate, including the Florida Keys Federation of Chambers of Commerce, the Florida Restaurant and Lodging Association, the Lodging Association of the Florida Keys and Key West, the Monroe County Sheriff's Office, Naval Air Station-Key West, the environmental community, and a citizen's advocacy group; and further DEO requested technical advisors from DEO, the Division, and the Local Governments as well as the Northeast Florida Regional Planning Council, the South Florida Regional Planning Council, Monroe County Emergency Management, the National Weather Service, the National Hurricane Center, and the Florida Department of Transportation to participate in meeting discussion; and

WHEREAS, four advertised public workshops were conducted in the Florida Keys where the Work Group reviewed studies and data from DEO and other agencies related to the occupancy, participation, human behavior, response curves, capacity of the evacuation route, and the number of automobiles that will likely be evacuated, and other factors; and

WHEREAS, the Work Group evaluated information, provided input, and ultimately recommended Scenario M5; and

WHEREAS, from among the scenarios provided by DEO at the June 8, 2012, Work Group meeting, Scenario M5 included the 2010 Census site-built units (43,760 units); the maximum number of residential building permits for new construction for all Local Governments per year for 10 years (annually, County 197, Marathon 30, Islamorada 28, Key West 90, Key Colony Beach 6 and Layton 3); 1,248 mobile home units projected to convert to site-built units; the exclusion of 870 dwelling units on

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the Naval Air Station; as well as two (2) functional evacuation lanes from MM 108-126. Further, the Work Group recommended Scenario M5 with the provision that the City of Key West would transfer annually (by July 13th) any remaining or unused (90 allocations) allocations to the other Local Governments based upon the Local Governments' ratio of vacant land; and

WHEREAS, following the June 8, 2012, Work Group meeting, technical corrections were made to the Census site built units revising that number to 43,718 and revising the Key West building permit allocation to 91, which corrections do not affect the hurricane evacuation clearance time for the population of the Florida Keys; and

WHEREAS, the Local Governments acknowledge that the safe and timely evacuation of the population of the Florida Keys in the event of a hurricane requires a consistent and cooperative approach and to that end, having participated as members of the Work Group, acknowledge that the input variables and assumptions identified in this MOU are those which DEO finds accurately depict evacuation clearance times for the population of the Florida Keys for a Category 3-5 hurricane event, as required by Administrative Rule; and

WHEREAS, Marathon, Key West, Layton, Monroe County, and Islamorada requested new participation rate studies be conducted, due principally to the low sample rates primarily for mobile homes relied upon by DEO; and,

WHEREAS, the Work Group accepted the participation rates recommended by DEO, including those for mobile homes, and DEO agreed to seek funding to provide education to mobile home occupants regarding the need to evacuate during Phase I due to the vulnerability of mobile homes; and

WHEREAS, the Local Governments recognize that the data, input variables, and assumptions DEO has incorporated into its hurricane evacuation model and this MOU are subject to change when the 2020 Census data becomes available.

NOW THEREFORE, the parties set forth the following understandings:

PART ONE: RECITALS

The above recitals are incorporated into this MOU and made a part hereof.

PART TWO: DATA, INPUT VARIABLES AND ASSUMPTIONS

The Human Behavioral Studies from the 2010 Statewide Regional Evacuation Study, the 2010 Census as supplemented by the 2006-2010 American Community Survey, Smith Travel Research, and data from the Department of Business and Professional Regulation, Division of Hotels and Restaurants, and Statewide Regional Evacuation Study Program for the South Florida Region are the best available and most relevant data and analysis. The following input variables and assumptions provide the basis, when used in the TIME model, to accurately calculate evacuation clearance times for the population of the Florida Keys, and DEO will recommend same to the Administration Commission to determine the remaining development allocations for the Florida Keys:

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A. Number and Occupancy of Units by type of Unit:

1. **Tourist Units:** 13,665 tourist units with 11,287 occupied units for the month of July (the month with highest average number of permanent and seasonal residents and tourists). The data source for the number and type of units and vehicular use is the Statewide Regional Evacuation Study Program for the South Florida Region and the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Licensee File Database, District 1 (March 29, 2010). The data source for occupancy of tourist units is the Smith Travel Research 2012: Historic Trend Report for 2011 for the month of July. A listing of the units is within the Statewide Regional Evacuation Study Table of Traffic Evacuation Zone Occupancy Data: Hotel, Motel and other Vacation Rental Units is attached and incorporated herein as **Exhibit 1**.
2. **Mobile Home Units:** 8,134 Mobile Home units with 4,576 occupied units. The data source for the number and type of units, the vehicular use and occupancy of the units is the 2010 Census supplemented by the 2006-2010 American Community Survey for Monroe County and the Statewide Regional Evacuation Study Program for the South Florida Region. A listing of the units is within the Statewide Regional Evacuation Study Table of Traffic Evacuation Zone Occupancy Data for Site-Built and Mobile Homes, is attached and incorporated herein as **Exhibit 2**.
3. **Site-Built Units:** 43,718 Site-built units with 27,320 occupied units. The data source for the number, type, occupancy, and vehicular use is the 2010 Census supplemented by the 2006-2010 American Community Survey and the Statewide Regional Evacuation Study Program for the South Florida Region. See **Exhibit 2**.

B. Response Curve: The assumed Response Curve for model runs is 12 hours for all unit types as utilized in the 2010 Statewide Regional Evacuation Study Program for the South Florida Region.

C. Participation Rates: The assumed Participation Rates are:

- | | |
|-----------------------|----------------------------|
| 1. Tourist units: | 100% |
| 2. Mobile home units: | 100% |
| 3. Site-built units: | 90% for a Category 5 event |

The participation rates are based upon the 2010 Statewide Regional Evacuation Study, Regional Behavioral Analysis Volumes 2-11, prepared for the South Florida Region, which DEO has determined reflect the best available data at this time.

D. Vehicle Usage by Units by type of Unit: A listing of the vehicle count and usage by Traffic Evacuation Zone quantifies the number of vehicles owned (**Exhibit 3**) and the percent of vehicles owned that will be evacuated (**Exhibit 4**). Exhibits 3 and 4 are based upon the 2010 Statewide Regional Evacuation Study and are attached and incorporated herein.

E. Vehicle Usage by the Special Population: **Exhibit 5** represents the number of vehicles that will be contributed by Naval Air Station – Key West and the Florida Keys Community College and is

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based upon correspondence from Naval Air Station – Key West and the assumption that each of the 100 dorm beds from the Florida Keys Community College will contribute one evacuating vehicle per bed.

F. Evacuation Stream. The evacuation stream from Monroe County is the only assumed traffic demand considered.

G. Roadway Capacity. The Roadway Capacity, dated July 18, 2010, established by the Florida Department of Transportation is attached and incorporated herein as **Exhibit 6**.

H. Evacuation Procedures. The following evacuation procedures have been adopted or substantially adopted by the Local Governments (except the City of Key West) into their comprehensive plans, and by the City of Key West in Resolution No. 06-244:

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

The actual sequence of the evacuation by zones will vary depending on the individual storm. The concepts embodied in this staged evacuation procedures should be embodied in the appropriate operational Emergency Management Plans. The evacuation plan shall be monitored and updated on an annual basis to reflect increases, decreases and or shifts in population; particularly the resident and non-resident populations.

PART THREE: MISCELLANEOUS

A. Liability. As this MOU represents only the Parties' acknowledgement of the data, input variables, and assumptions DEO has utilized in its hurricane evacuation model, nothing in this MOU shall be construed to impose any liability on the State of Florida, DEO, the Division, or the Local Governments. Nothing in this MOU may be interpreted as a waiver of sovereign immunity by any

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Party. Any provision of this MOU that is inconsistent with the State's sovereign immunity statute shall be considered null and void.

B. Modification. Modifications to the Memorandum of Understanding shall be valid only when reduced to writing and duly signed by all parties.

C. Severability. If any term or provision of this Memorandum of Understanding shall be invalid or unenforceable to any extent, the Parties agree to comply with remaining terms and provisions, unless compliance with the remaining terms and provisions would prevent the accomplishment of the original intent of the agreement between the Parties.

D. Termination. Any Party may terminate this Memorandum of Understanding at any time, with or without cause. Termination shall take effect upon receipt of written notification by a Party to all other Parties.

E. Notification. Notifications under this MOU shall be made by hand delivery, U. S. certified mail, return receipt requested, or an express mail service that provides proof of delivery. Notification by a Party to the DEO shall be directed to the Areas of Critical State Concern Administrator, Department of Economic Opportunity, 107 East Madison Street, Tallahassee, FL 32399-4128. Notification to the other parties to this Memorandum of Understanding shall be directed as follows:

1. **Monroe County.** Mayor, Monroe County, 2798 Overseas Hwy. Marathon, FL 33050 with a copy to the Growth Management Division Director, 2798 Overseas Hwy. Marathon, FL 33050.
2. **City of Key West.** Mayor, City of Key West, 3126 Flagler Avenue Key West, FL 33040, with a copy to the Planning Director, 3126 Flagler Avenue Key West, FL 33040.
3. **City of Marathon.** Mayor, City of Marathon, 9805 Overseas Highway Marathon, FL 33050, with a copy to the Planning Director, 9805 Overseas Highway Marathon, FL 33050.
4. **City of Layton.** Mayor, City of Layton, 68260 Overseas Highway, P.O. Box 778 Long Key, FL 33001.
5. **City of Key Colony Beach.** Mayor, City of Key Colony Beach, P.O. Box 510141, Key Colony Beach, FL 33051-0141 with a copy to the City Clerk at P.O. Box 510141, Key Colony Beach, FL 33051-0141.
6. **Islamorada, Village of Islands.** Mayor, Islamorada, Village of Islands, 86800 Overseas Highway Islamorada, FL 33036, with a copy to the Director of Planning and Development Services, 86800 Overseas Highway Islamorada, FL 33036.
7. **Division of Emergency Management.** Director, Florida Division of Emergency Management, 2555 Shumard Oaks Boulevard, Tallahassee, FL 32399-2100, with a copy to the Division's Hurricane Program Manager at the same address.

F. Effective Date. This Memorandum of Understanding is effective upon execution by all parties and approval by the Florida Administration Commission and ends upon the termination of the Florida

08-02-12

Keys Area of Critical State Concern designations, unless terminated earlier according to Part 4(D) above.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding on the dates below written.

CITY OF KEY WEST, FLORIDA

August 24, 2012
Date

[Signature]
Mayor



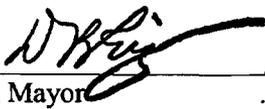
ATTEST [Signature]
Cheryl Smith, City Clerk

Approved as to form and legal sufficiency:
[Signature]
Shawn Smith, City Attorney

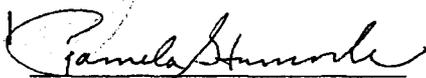
08-02-12

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

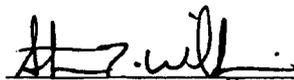
September 21, 2012
Date


David Rice, Mayor

ATTEST: DANNY I. KOLNAGE, Clerk


Clerk

Approved as to form and legal sufficiency:


Steven T. Williams, County Attorney

08-02-12

CITY OF MARATHON, FLORIDA

10/4/2012, 2012
Date

Peter Worthington
Peter Worthington, Mayor

ATTEST:

Diane Clavier
Diane Clavier, City Clerk

Approved as to form and legal sufficiency

John R. Herin, City Attorney

08-02-12

CITY OF LAYTON, FLORIDA

| Sept. 18, 2012
Date

Norman S. Anderson
Norman S. Anderson, Mayor

ATTEST:

| Mimi Young
Mimi Young, City Clerk

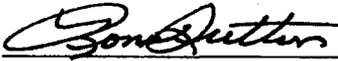
Approved as to form and legal sufficiency:

| [Signature]
City Attorney

08-02-12

CITY OF KEY COLONY BEACH, FLORIDA

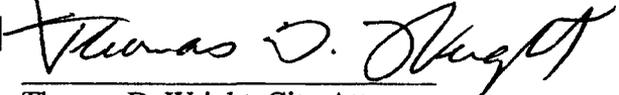
8/27, 2012
Date


Ron Sutton, Mayor

ATTEST:


~~Vickie L. Bollinger, City Clerk~~
Cathy Henninger

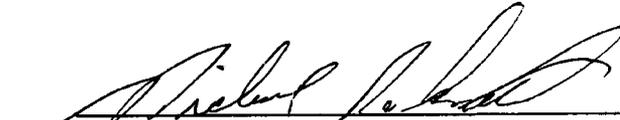
Approved as to form and legal sufficiency:


Thomas D. Wright, City Attorney

08-02-12

ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA

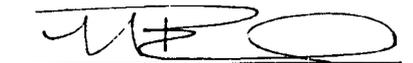
September 27th, 2012
Date


Michael Reckwerdt, Mayor

ATTEST:


Deputy, Village Clerk

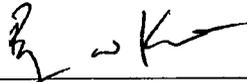
Approved as to form and legal sufficiency:


Nina Boniske, Village Attorney

08-02-12

STATE OF FLORIDA
DIVISION OF EMERGENCY MANAGEMENT

September 27, 2012
Date



Bryan W. Koon, Director

|
Approved as to form and legal sufficiency:



Assistant General Counsel

08-02-12

STATE OF FLORIDA DEPARTMENT
OF ECONOMIC OPPORTUNITY

November 5, 2012


J. Thomas Beck, AICP
Director, Division of Community
Development

Approved as to form and legal
sufficiency, subject only to full and
proper execution by the parties

Office of the General Counsel
Department of Economic Opportunity

By: 
Assistant General Counsel
Approved Date: 11-5-12

08-02-12

**Exhibits to
Hurricane Evacuation Clearance Time Memorandum of Understanding**

- Exhibit 1 Statewide Regional Evacuation Study Table of Traffic Evacuation Zone Occupancy Data: Hotel, Motel and other Vacation Rental Units
- Exhibit 2 Statewide Regional Evacuation Study Table of Traffic Evacuation Zone Occupancy Data for Site-Built and Mobile Homes
- Exhibit 3 Listing of the vehicle count and usage by Traffic Evacuation Zone (based on the 2010 Statewide Regional Evacuation Study)
- Exhibit 4 Percent of vehicles owned that will be evacuated (based on the 2010 Statewide Regional Evacuation Study)
- Exhibit 5 Identification of contributing vehicles from Naval Air Station–Key West and Florida Keys Community College.
- Exhibit 6 Roadway Capacity, dated July 18, 2010, established by the Florida Department of Transportation

Exhibit 1

Table of Traffic Evacuation Zone (TEZ) Occupancy Data: Hotel, Motel and Other Vacation Rental (Tourist) Units

TEZ	Monroe County Tourist Development Council Districts	Total	Occupancy Rate for July	Occupied Total for July	Occupancy Rate for September	Occupied Total for September	Occupancy Rate for October	Occupied Total for October	Occupancy Rate for November	Occupied Total for November	Occupancy Rate for Hurricane Season	Occupied Total for Hurricane Season
1208	Key West	1,993	90.50%	1,804	63.20%	1,260	74.70%	1,489	85.20%	1,698	79.40%	1,582
1209	Key West	1,696	90.50%	1,535	63.20%	1,072	74.70%	1,267	85.20%	1,445	79.40%	1,347
1210	Key West	162	90.50%	147	63.20%	102	74.70%	121	85.20%	138	79.40%	129
1211	Key West	1,144	90.50%	1,035	63.20%	723	74.70%	855	85.20%	975	79.40%	908
1212	Key West	210	90.50%	190	63.20%	133	74.70%	157	85.20%	179	79.40%	167
1213	Key West	0	90.50%	0	63.20%	0	74.70%	0	85.20%	0	79.40%	0
1214	Key West	31	90.50%	28	63.20%	20	74.70%	23	85.20%	26	79.40%	25
1215	Key West	230	90.50%	208	63.20%	145	74.70%	172	85.20%	196	79.40%	183
1216	Key West	992	90.50%	898	63.20%	627	74.70%	741	85.20%	845	79.40%	788
1217	Monroe w/o Key West*	1	75.90%	1	45.30%	0	52.80%	1	63.50%	1	61.80%	1
1218	Monroe w/o Key West*	25	75.90%	19	45.30%	11	52.80%	13	63.50%	16	61.80%	15
1219	Monroe w/o Key West*	1	75.90%	1	45.30%	0	52.80%	1	63.50%	1	61.80%	1
1220	Monroe w/o Key West*	1	75.90%	1	45.30%	0	52.80%	1	63.50%	1	61.80%	1
1221	Monroe w/o Key West*	136	75.90%	103	45.30%	62	52.80%	72	63.50%	86	61.80%	84
1222	Monroe w/o Key West*	105	75.90%	80	45.30%	48	52.80%	55	63.50%	67	61.80%	65
1223	Monroe w/o Key West*	82	75.90%	62	45.30%	37	52.80%	43	63.50%	52	61.80%	51
1224	Monroe w/o Key West*	217	75.90%	165	45.30%	98	52.80%	115	63.50%	138	61.80%	134
1225	Monroe w/o Key West*	6	75.90%	5	45.30%	3	52.80%	3	63.50%	4	61.80%	4
1226	Marathon	496	79.00%	392	44.90%	223	52.90%	262	62.30%	309	63.10%	313
1227	Marathon	191	79.00%	151	44.90%	86	52.90%	101	62.30%	119	63.10%	121
1228	Marathon	1,461	79.00%	1,154	44.90%	656	52.90%	773	62.30%	910	63.10%	922
1229	Marathon	576	79.00%	455	44.90%	259	52.90%	305	62.30%	359	63.10%	363
1230	Islamorada	87	67.50%	59	40.30%	35	46.10%	40	58.50%	51	54.80%	48
1231	Islamorada	173	67.50%	117	40.30%	70	46.10%	80	58.50%	101	54.80%	95
1232	Islamorada	202	67.50%	136	40.30%	81	46.10%	93	58.50%	118	54.80%	111
1233	Islamorada	1,156	67.50%	780	40.30%	466	46.10%	533	58.50%	676	54.80%	633
1234	Islamorada	106	67.50%	72	40.30%	43	46.10%	49	58.50%	62	54.80%	58
1235	Islamorada	103	67.50%	70	40.30%	42	46.10%	47	58.50%	60	54.80%	56
1236	Key Largo	21	77.80%	16	47.90%	10	55.90%	12	67.30%	14	64.20%	13
1237	Key Largo	169	77.80%	131	47.90%	81	55.90%	94	67.30%	114	64.20%	108
1238	Key Largo	52	77.80%	40	47.90%	25	55.90%	29	67.30%	35	64.20%	33
1239	Key Largo	212	77.80%	155	47.90%	102	55.90%	119	67.30%	143	64.20%	136
1240	Key Largo	840	77.80%	654	47.90%	402	55.90%	470	67.30%	565	64.20%	539
1241	Key Largo	232	77.80%	180	47.90%	111	55.90%	130	67.30%	156	64.20%	149
1242	Key Largo	1	77.80%	1	47.90%	0	55.90%	1	67.30%	1	64.20%	1
1243	Key Largo	186	77.80%	145	47.90%	89	55.90%	104	67.30%	125	64.20%	119
1244	Key Largo	284	77.80%	221	47.90%	136	55.90%	159	67.30%	191	64.20%	182
1245	Key Largo	85	77.80%	66	47.90%	41	55.90%	48	67.30%	57	64.20%	55
1246	Key Largo	0	77.80%	0	47.90%	0	55.90%	0	67.30%	0	64.20%	0
1247	Key Largo	0	77.80%	0	47.90%	0	55.90%	0	67.30%	0	64.20%	0
Total of Units		13,665		11,287		7,299		8,578		10,034		9,540

*The "Big Pine Key and Lower Keys" District did not participate in the current Smith Travel Research survey.
 For the purposes of the TIME Model, the Lower Keys will be using "Monroe County w/o Key West" as default occupancy.
 Source data: Monroe County Tourist Development Council; Smith Travel Research 2012: Historic Trend Report; Department of Business and Professional Regulation: Division of Hotels and Restaurants; 2010 Statewide Regional Evacuation Study: South Florida Region

Exhibit 2

Table of Traffic Evacuation Zone (TEZ) Occupancy Data: Site-Built and Mobile Home Units

TEZ	Sub-County Location	Site-Built			Mobile Home		
		Total	Occupancy Rate	Occupied Total	Total	Occupancy Rate	Occupied Total
1208	Key West	2,196	67.85%	1,490	1	100.00%	1
1209	Key West	2,252	65.32%	1,471	69	100.00%	69
1210	Key West	1,387	87.89%	1,219	8	100.00%	8
1211	Key West	2,779	77.69%	2,159	42	100.00%	42
1212	Key West	514	92.61%	476	0	0.00%	0
1213	Key West	1,069	87.65%	937	365	96.44%	352
1214	Key West	289	85.35%	247	10	100.00%	10
1215	Key West	1,586	77.96%	1,236	15	100.00%	15
1216	Key West	699	78.40%	548	10	100.00%	10
1217	Key West	610	81.97%	500	576	89.06%	513
1218	Key West	106	84.91%	90	304	79.28%	241
1219	Key West	448	86.61%	388	0	0.00%	0
1220	Lower Keys	1,041	86.36%	899	517	56.87%	294
1221	Lower Keys	1,112	71.22%	792	50	100.00%	50
1222	Lower Keys	1,521	55.03%	837	472	40.25%	190
1223	Lower Keys	2,477	66.98%	1,659	376	48.14%	181
1224	Lower Keys	1,174	59.20%	695	343	62.97%	216
1225	Lower Keys	464	63.79%	296	20	100.00%	20
1226	Middle Keys	747	56.09%	419	458	77.95%	357
1227	Middle Keys	1,613	58.15%	938	204	69.12%	141
1228	Middle Keys	3,854	49.35%	1,902	298	45.64%	136
1229	Middle Keys	1,093	37.60%	411	192	44.79%	86
1230	Middle Keys	258	62.79%	162	422	9.01%	38
1231	Middle Keys	1,155	34.37%	397	9	66.67%	6
1232	Upper Keys	525	57.52%	302	123	33.33%	41
1233	Upper Keys	273	57.88%	158	64	34.38%	22
1234	Upper Keys	885	49.83%	441	122	53.28%	65
1235	Upper Keys	2,299	57.16%	1,314	79	37.98%	30
1236	Upper Keys	619	53.96%	334	162	54.94%	89
1237	Upper Keys	933	52.52%	490	366	45.63%	167
1238	Upper Keys	377	75.86%	286	177	20.90%	37
1239	Upper Keys	1,509	55.53%	838	105	2.86%	3
1240	Upper Keys	1,547	46.15%	714	371	46.90%	174
1241	Upper Keys	1,009	79.58%	803	293	49.15%	144
1242	Upper Keys	487	63.24%	308	809	48.21%	390
1243	Upper Keys	1,114	52.96%	590	649	63.64%	413
1244	Upper Keys	605	32.23%	195	10	50.00%	5
1245	Upper Keys	1,071	34.08%	365	32	46.88%	15
1246	Mainland Monroe	4	50.00%	2	11	45.46%	5
1247	Mainland Monroe	17	70.59%	12	0	0.00%	0
Totals		43,718		27,320	8,134		4,576

Source data: 2010 US Census and 2006-2010 American Community Survey for Monroe County

Exhibit 3

Table of Traffic Evacuation Zone (TEZ) Vehicle Per Unit Data: Site-Built, Mobile Home and Tourist Units

TEZ	Sub-County Location	Site-Built			Mobile Home			Tourist (based on July Occupancy)		
		Occupied Units	Vehicle per Unit	Total Vehicles	Occupied Units	Vehicle per Unit	Total Vehicles	Occupied Units	Vehicle per Unit	Total Vehicles
1208	Key West	1,490	1.08859	1,622	1	1.00000	1	1,804	1.1	1,984
1209	Key West	1,471	0.99544	1,464	69	0.85507	59	1,535	1.1	1,689
1210	Key West	1,219	1.36423	1,663	8	1.37500	11	147	1.1	162
1211	Key West	2,159	1.41147	3,048	42	1.45238	61	1,035	1.1	1,139
1212	Key West	476	1.22899	585	0	0.00000	0	190	1.1	209
1213	Key West	937	1.31910	1,236	352	1.36080	479	0	1.1	0
1214	Key West	247	1.45398	359	10	1.50000	15	28	1.1	31
1215	Key West	1,236	1.29993	1,607	15	1.26667	19	208	1.1	229
1216	Key West	548	1.31934	723	10	1.30000	13	898	1.1	988
1217	Key West	500	1.40800	704	513	1.40156	719	1	1.1	1
1218	Key West	90	1.64444	148	241	1.63900	395	19	1.1	21
1219	Key West	388	0.00000	0	0	0.00000	0	1	1.1	1
1220	Lower Keys	899	1.22914	1,105	294	0.62925	185	1	1.1	1
1221	Lower Keys	792	1.92045	1,521	50	1.92000	96	103	1.1	113
1222	Lower Keys	837	1.24134	1,039	190	1.60000	304	80	1.1	88
1223	Lower Keys	1,659	1.41772	2,352	181	1.70166	308	62	1.1	68
1224	Lower Keys	695	1.01727	707	216	1.71759	371	165	1.1	182
1225	Lower Keys	296	1.75000	518	20	1.70000	34	5	1.1	6
1226	Middle Keys	419	0.94033	394	357	1.03081	368	392	1.1	431
1227	Middle Keys	938	1.51386	1,420	141	1.39716	197	151	1.1	166
1228	Middle Keys	1,902	1.71451	3,261	136	1.75735	239	1,154	1.1	1,269
1229	Middle Keys	411	1.52555	627	86	1.58140	136	455	1.1	501
1230	Middle Keys	162	1.71605	278	38	1.71053	65	59	1.1	65
1231	Middle Keys	397	1.62972	647	6	1.66667	10	117	1.1	129
1232	Upper Keys	302	1.89073	571	41	1.90244	78	136	1.1	150
1233	Upper Keys	158	1.88608	298	22	1.86364	41	780	1.1	858
1234	Upper Keys	441	0.00000	0	65	0.00000	0	72	1.1	79
1235	Upper Keys	1,314	1.86758	2,454	30	1.76667	53	70	1.1	77
1236	Upper Keys	334	1.79042	598	89	1.78652	159	16	1.1	18
1237	Upper Keys	490	1.32245	648	167	0.93413	156	131	1.1	144
1238	Upper Keys	286	1.60140	458	37	1.56757	58	40	1.1	44
1239	Upper Keys	838	1.95346	1,637	3	2.00000	6	165	1.1	182
1240	Upper Keys	714	1.88936	1,349	174	1.40230	244	654	1.1	719
1241	Upper Keys	803	1.81071	1,454	144	1.83333	264	180	1.1	198
1242	Upper Keys	308	1.42532	439	390	1.40513	548	1	1.1	1
1243	Upper Keys	590	2.12881	1,256	413	1.93220	798	145	1.1	160
1244	Upper Keys	195	0.46154	90	5	1.60000	8	221	1.1	243
1245	Upper Keys	365	0.81096	296	15	1.86667	28	66	1.1	73
1246	Mainland Monroe	2	1.50000	3	5	1.40000	7	0	1.1	0
1247	Mainland Monroe	12	0.00000	0	0	0.00000	0	0	1.1	0
Totals		27,320		38,579	4,576		6,533	11,287		12,416

Source data: 2010 US Census and 2006-2010 American Community Survey for Monroe County; Smith Travel Research 2012: Historic Trend Report; 2010 Statewide Regional Evacuation Study: South Florida Region

Exhibit 4

Table of Traffic Evacuation Zone (TEZ) Vehicle Use Rate Data: Site-Built, Mobile Home and Tourist Units

TEZ	Sub-County Location	Site-Built			Mobile Home			Tourist (based on July Occupancy)		
		Total Vehicles	Vehicle Use Rate	Available Vehicles	Total Vehicles	Vehicle Use Rate	Available Vehicles	Total Vehicles	Vehicle Use Rate	Available Vehicles
1208	Key West	1,622	90%	1,460	1	90%	1	1,984	100%	1984
1209	Key West	1,464	90%	1,318	59	90%	53	1,689	100%	1,689
1210	Key West	1,663	90%	1,497	11	90%	10	162	100%	162
1211	Key West	3,048	90%	2,743	61	90%	55	1,139	100%	1,139
1212	Key West	585	90%	526	0	90%	0	209	100%	209
1213	Key West	1,236	90%	1,112	479	90%	431	0	100%	0
1214	Key West	359	90%	323	15	90%	14	31	100%	31
1215	Key West	1,607	90%	1,447	19	90%	17	229	100%	229
1216	Key West	723	90%	651	13	90%	12	988	100%	988
1217	Key West	704	90%	634	719	90%	647	1	100%	1
1218	Key West	148	90%	133	395	90%	356	21	100%	21
1219	Key West	0	90%	0	0	90%	0	1	100%	1
1220	Lower Keys	1,105	75%	829	185	75%	139	1	100%	1
1221	Lower Keys	1,521	75%	1,141	96	75%	72	113	100%	113
1222	Lower Keys	1,039	75%	779	304	75%	228	88	100%	88
1223	Lower Keys	2,352	75%	1,764	308	75%	231	68	100%	68
1224	Lower Keys	707	75%	530	371	75%	278	182	100%	182
1225	Lower Keys	518	75%	388	34	75%	26	6	100%	6
1226	Middle Keys	394	80%	315	368	80%	294	431	100%	431
1227	Middle Keys	1,420	80%	1,136	197	80%	158	166	100%	166
1228	Middle Keys	3,261	80%	2,609	239	80%	191	1,269	100%	1,269
1229	Middle Keys	627	80%	502	136	80%	109	501	100%	501
1230	Middle Keys	278	80%	222	65	80%	52	65	100%	65
1231	Middle Keys	647	80%	518	10	80%	8	129	100%	129
1232	Upper Keys	571	85%	485	78	85%	66	150	100%	150
1233	Upper Keys	298	85%	253	41	85%	35	858	100%	858
1234	Upper Keys	0	85%	0	0	85%	0	79	100%	79
1235	Upper Keys	2,454	85%	2,086	53	85%	45	77	100%	77
1236	Upper Keys	598	85%	508	159	85%	135	18	100%	18
1237	Upper Keys	648	85%	551	156	85%	133	144	100%	144
1238	Upper Keys	458	85%	389	58	85%	49	44	100%	44
1239	Upper Keys	1,637	85%	1,391	6	85%	5	182	100%	182
1240	Upper Keys	1,349	85%	1,147	244	85%	207	719	100%	719
1241	Upper Keys	1,454	85%	1,236	264	85%	224	198	100%	198
1242	Upper Keys	439	85%	373	548	85%	466	1	100%	1
1243	Upper Keys	1,256	85%	1,068	798	85%	678	160	100%	160
1244	Upper Keys	90	85%	76	8	85%	7	243	100%	243
1245	Upper Keys	296	85%	252	28	85%	24	73	100%	73
1246	Mainland Monroe	3	75%	2	7	80%	6	0	100%	0
1247	Mainland Monroe	0	75%	0	0	80%	0	0	100%	0
Totals		38,579		32,394	6,533		5,461	12,416		12,416

Source data: 2010 US Census and 2006-2010 American Community Survey for Monroe County; Smith Travel Research 2012: Historic Trend Report; 2010 Statewide Regional Evacuation Study: South Florida Region

Exhibit 5**Table of Traffic Evacuation Zone (TEZ) Data: Special Population**

TEZ	Sub-County Location	Special Population Type	Originating Location	Number of Beds/Vehicles Used
1216	Key West	University Population	Florida Keys Community College - Blue Lagoon Residence Hall	100 vehicles
1220	Lower Keys	NAS Key West Personnel	NAS Key West - Boca Chica	2,338 vehicles

Source data: Naval Air Station (NAS) Key West; Florida Keys Community College

Exhibit 6
Maximum Sustainable Traffic Flow Rates per Functional Evacuation Lane:
US Highway 1 (Overseas Highway) and CR 905/Card Sound Road in the Florida Keys, Monroe
County, Florida

Area	Milemarkers		Location/Description	Functional Evacuation Lane	Maximum Sustainable Flow Rate per Functional Lane
	From	To			
Lower Keys	2	4	Key West to Stock Island	2	900
Lower Keys	4	9	Stock Island To Big Coppitt Key	2	900
Lower Keys	9	17	Big Coppitt to Sugarloaf Key	1	1,100
Lower Keys	17	22	Sugarloaf to Cudjoe Key	1	1,100
Lower Keys	22	24	Cudjoe Key to Summerland Key Cove Airport	1	1,100
Lower Keys	24	25	Summerland Key Cove Airport to Summerland Key	1	1,100
Lower Keys	25	30	Summerland Key to Big Pine Key	1	1,100
Lower Keys	30	34	Big Pine Key to West Summerland Keys	1	1,050
Lower Keys	34	35.2	West Summerland Keys to Spanish Harbor Keys	1	1,100
Lower Keys	35.2	36.5	Spanish Harbor Keys to Bahia Honda Bridge	2	1,100
Lower Keys	36.5	37.5	Bahia Honda Bridge to Bahia Honda Key	1	1,100
Middle Keys	37.5	47	Bahia Honda Key to Hog Key	1	1,200
Middle Keys	47	48	Hog Key to Boot Key	1	1,100
Middle Keys	48	50.2	Boot Key to Marathon	2	900
Middle Keys	50.2	58	Marathon to Marathon Shores	2	900
Middle Keys	50.8	54	Marathon Shores to Key Colony Beach	2	900
Middle Keys	54	54.5	Key Colony Beach to Deer Key	2	900
Middle Keys	54.5	58	Deer Key to Grassy Key	1	1,100
Upper Keys	58	74	Grassy Key to Matecumbe Harbor	1	1,100
Upper Keys	74	80	Matecumbe Harbor to Teatable Key	1	1,100
Upper Keys	80	83.5	Teatable Key to Islamorada	1	1,100
Upper Keys	83.5	85.6	Islamorada to Windley Key	1	1,100
Upper Keys	85.6	90	Windley Key to Plantation Key	1	1,100
Upper Keys	90	100	Tavernier Key to Newport Key	2	900
Upper Keys	100	105	Newport Key to Sexton Cove	2	900
Upper Keys	105	106.3	Sexton Cove to Rattlesnake Key	2	900
Upper Keys	106.3	126.5	Rattlesnake Key to Card Sound Road	1	1,200
Upper Keys	126.5	HEFT	Card Sound Road to HEFT	1	900

Exhibit 6					
Maximum Sustainable Traffic Flow Rates per Functional Evacuation Lane: US Highway 1 (Overseas Highway) and CR 905/Card Sound Road in the Florida Keys, Monroe County, Florida					
Area	Milemarkers		Location/Description	Functional Evacuation Lane	Maximum Sustainable Flow Rate per Functional Lane
	From	To			
Upper Keys	106.3	Int CR 905/CR 905A	Lake Surprise to Crocodile Lake	1	1,100
Upper Keys	Ocean Reef	Int CR 905/CR 905A	Tanglefish Key to Crocodile Lake	1	1,100
Upper Keys	Int CR 905/CR 905A	US1	Crocodile Lake to South Miami Dade	1	1,100

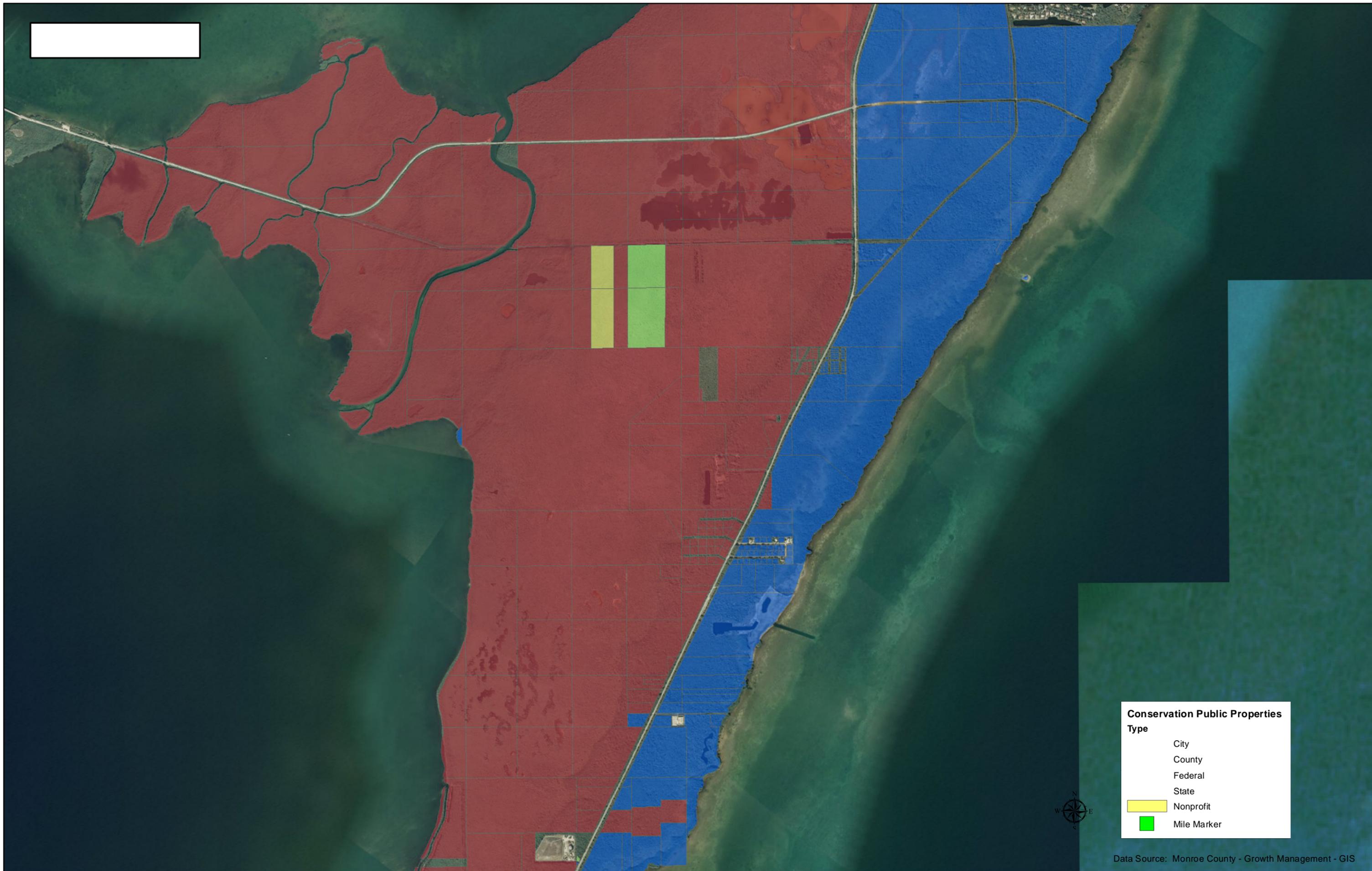
Source data: Florida Department of Transportation: Letter to Department of Community Affairs on June 18, 2010 - Tables 2A and 2B; Statewide Regional Evacuation Study for the South Florida Region



Conservation Public Properties
Type

- City
- County
- Federal
- State
- Nonprofit
- Mile Marker



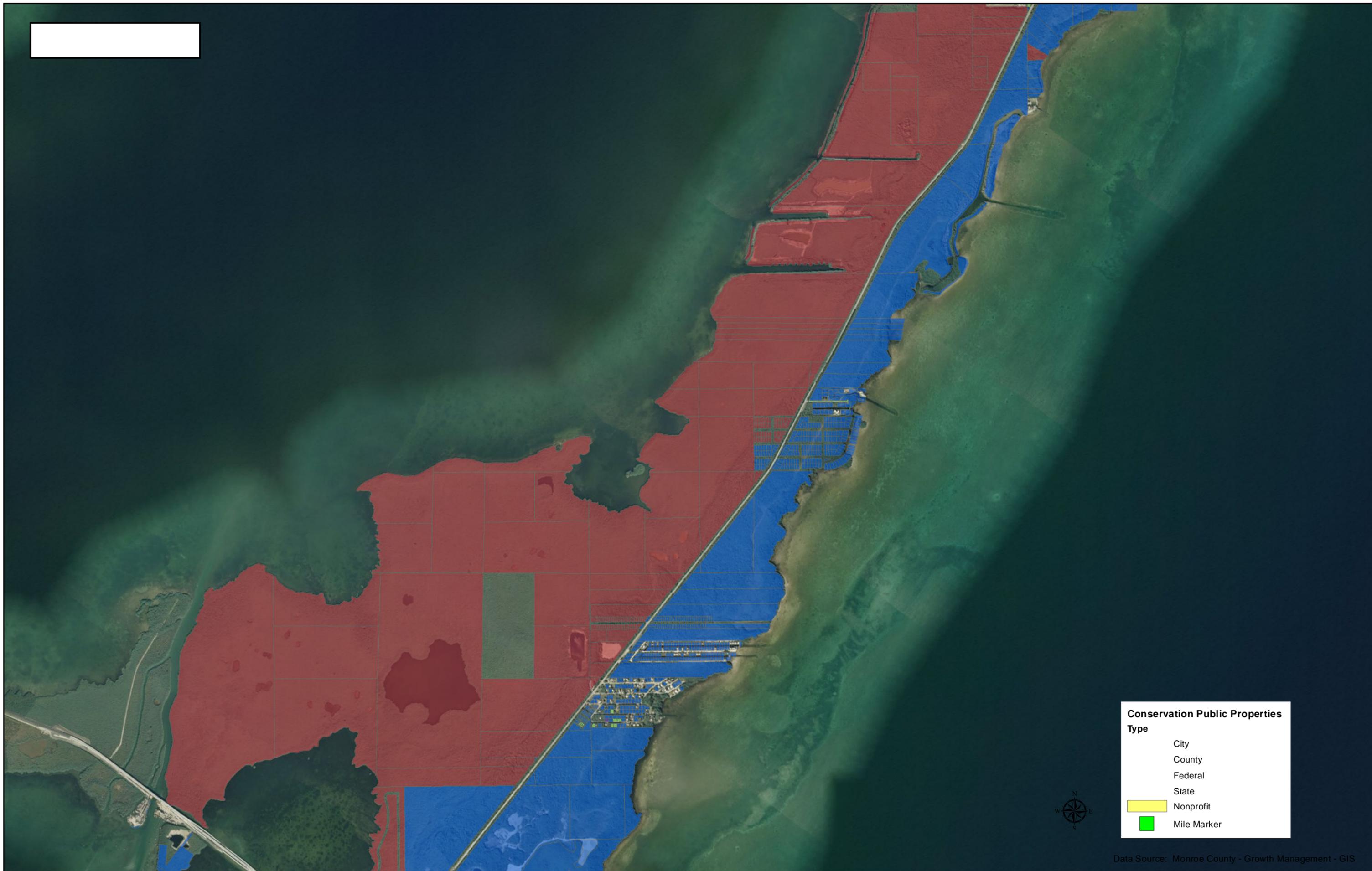


Conservation Public Properties
Type

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- State
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Data Source: Monroe County - Growth Management - GIS



Data Source: Monroe County - Growth Management - GIS



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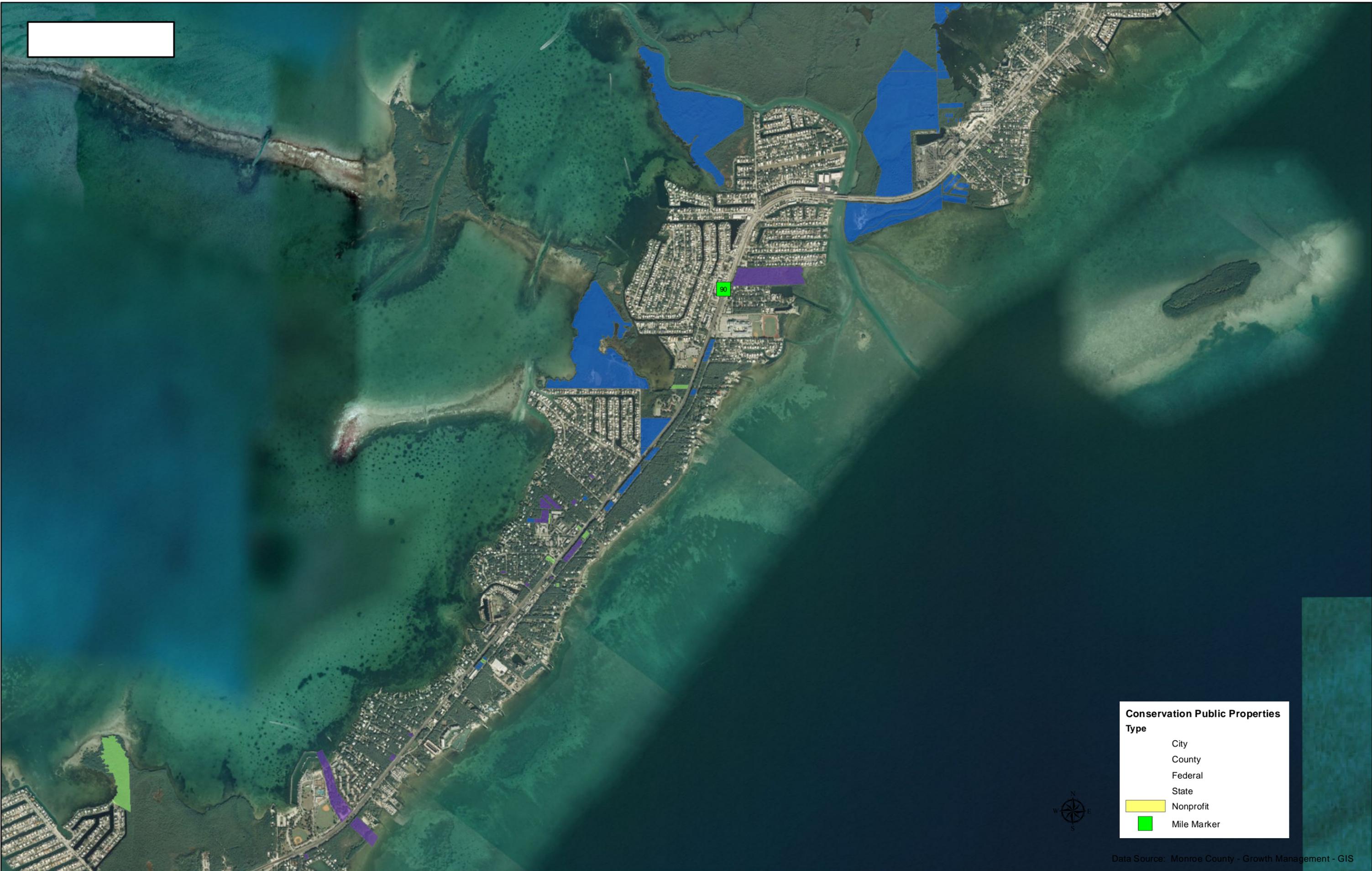
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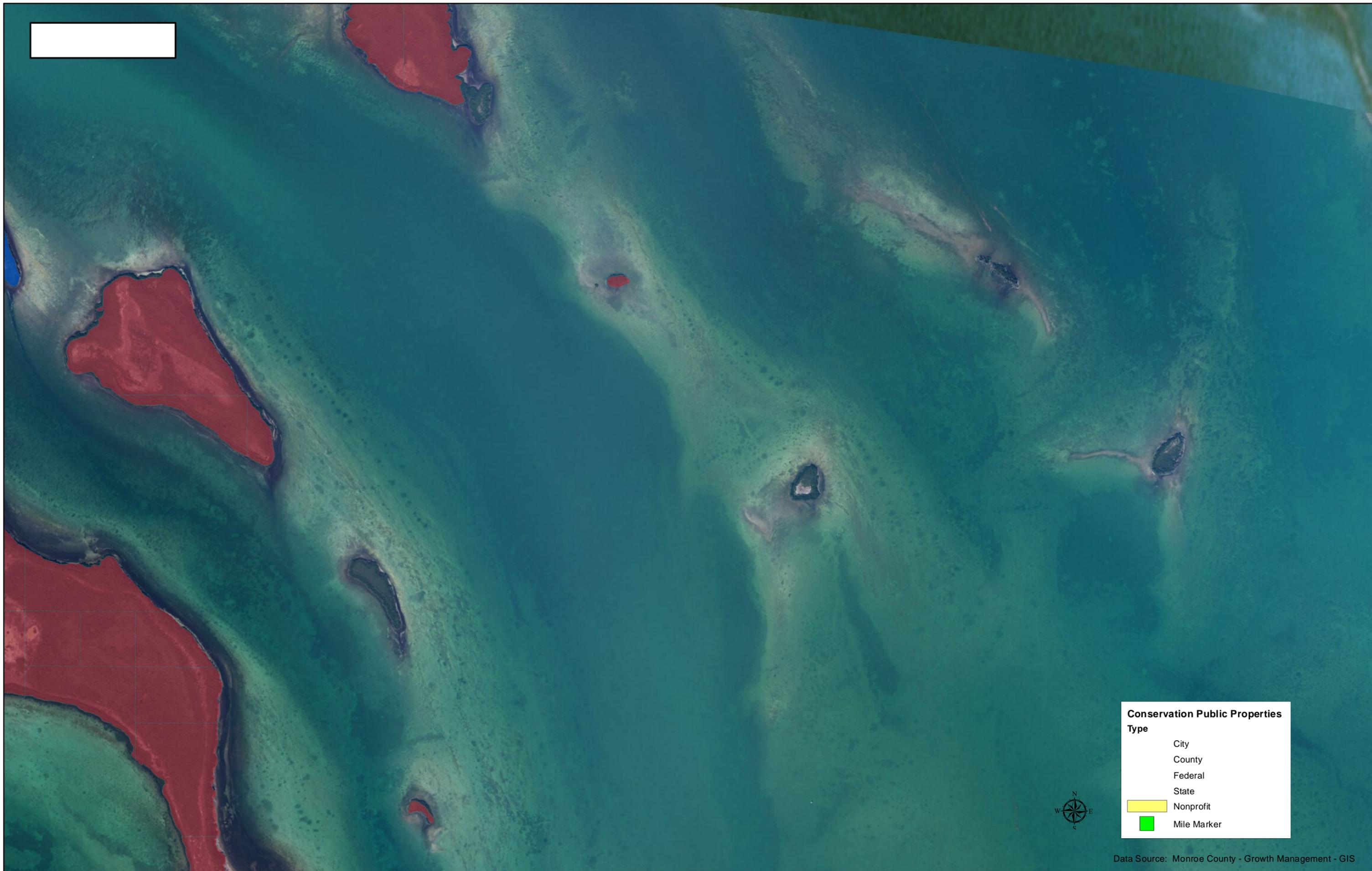
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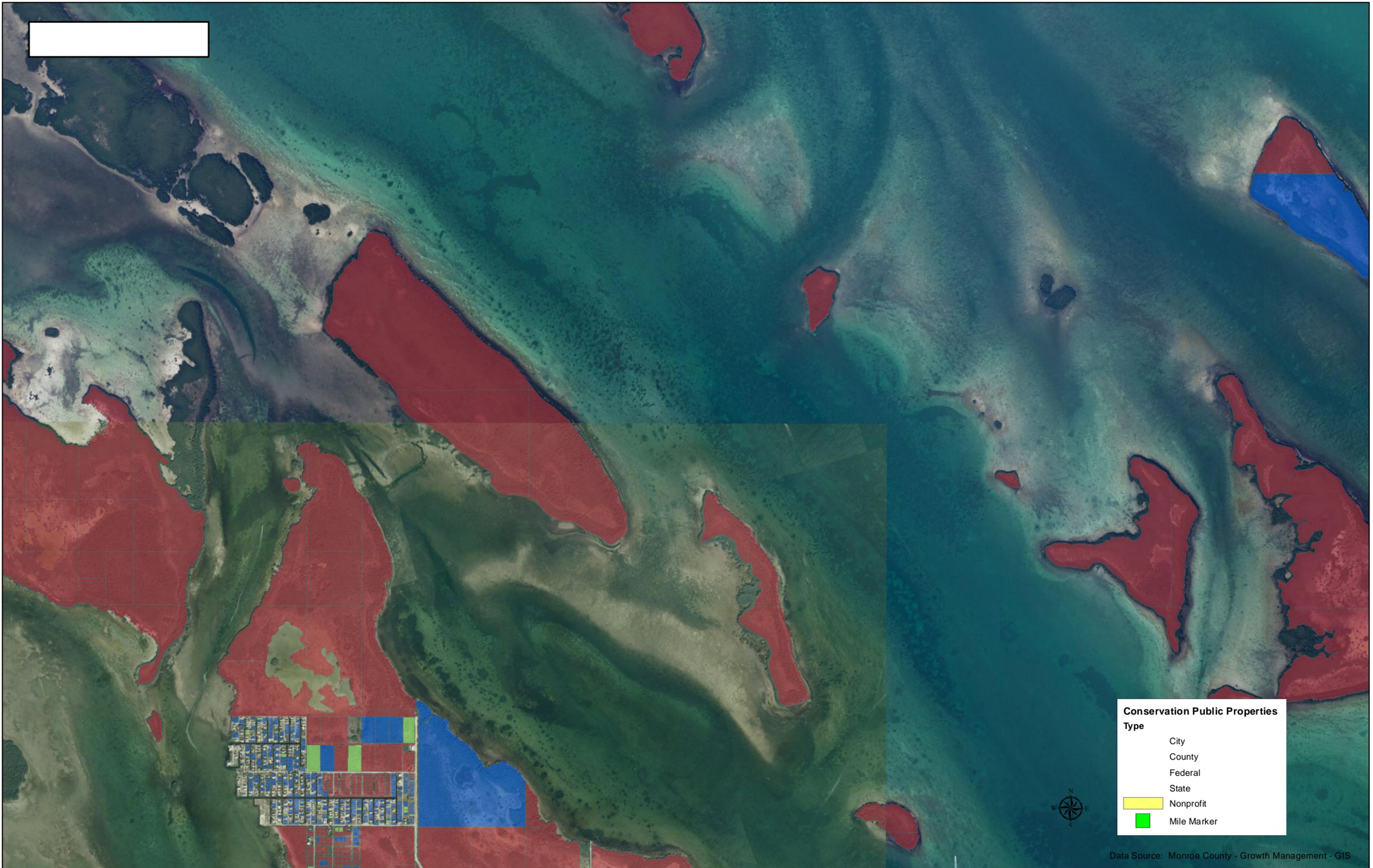
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Conservation Public Properties

Type	Color
City	
County	
Federal	
State	
Nonprofit	Yellow
Mile Marker	Green



Data Source: Monroe County - Growth Management - GIS

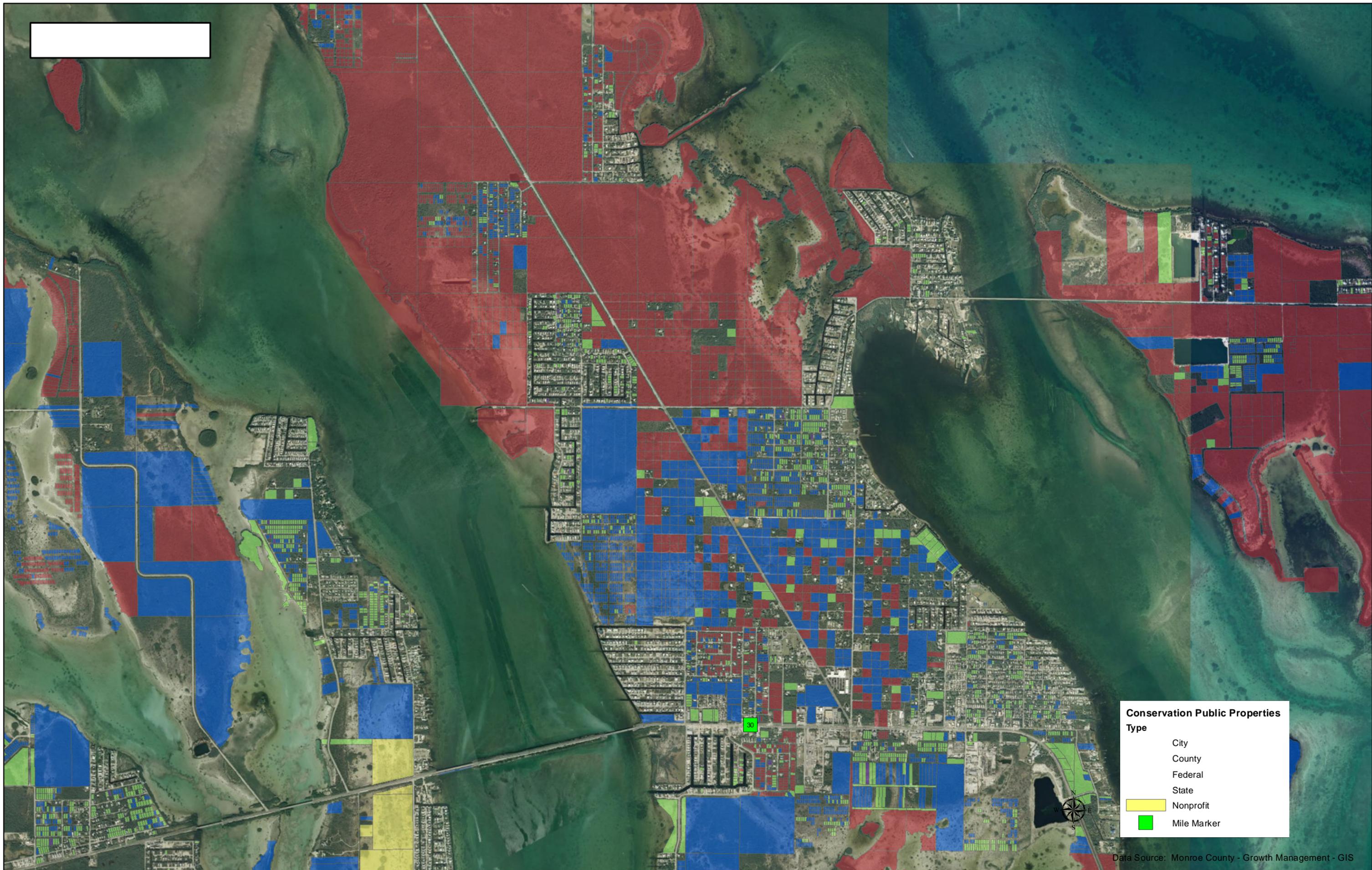


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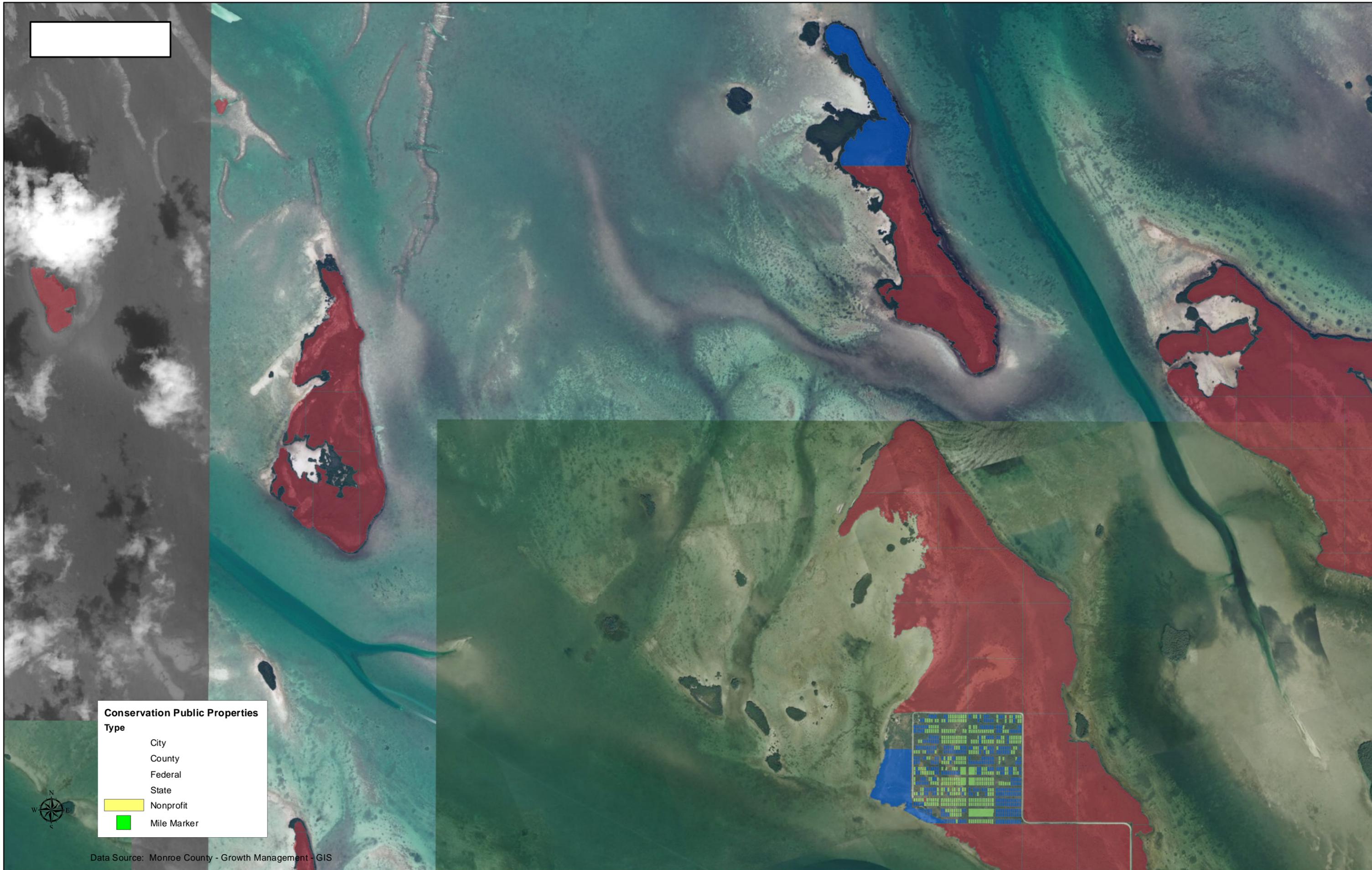


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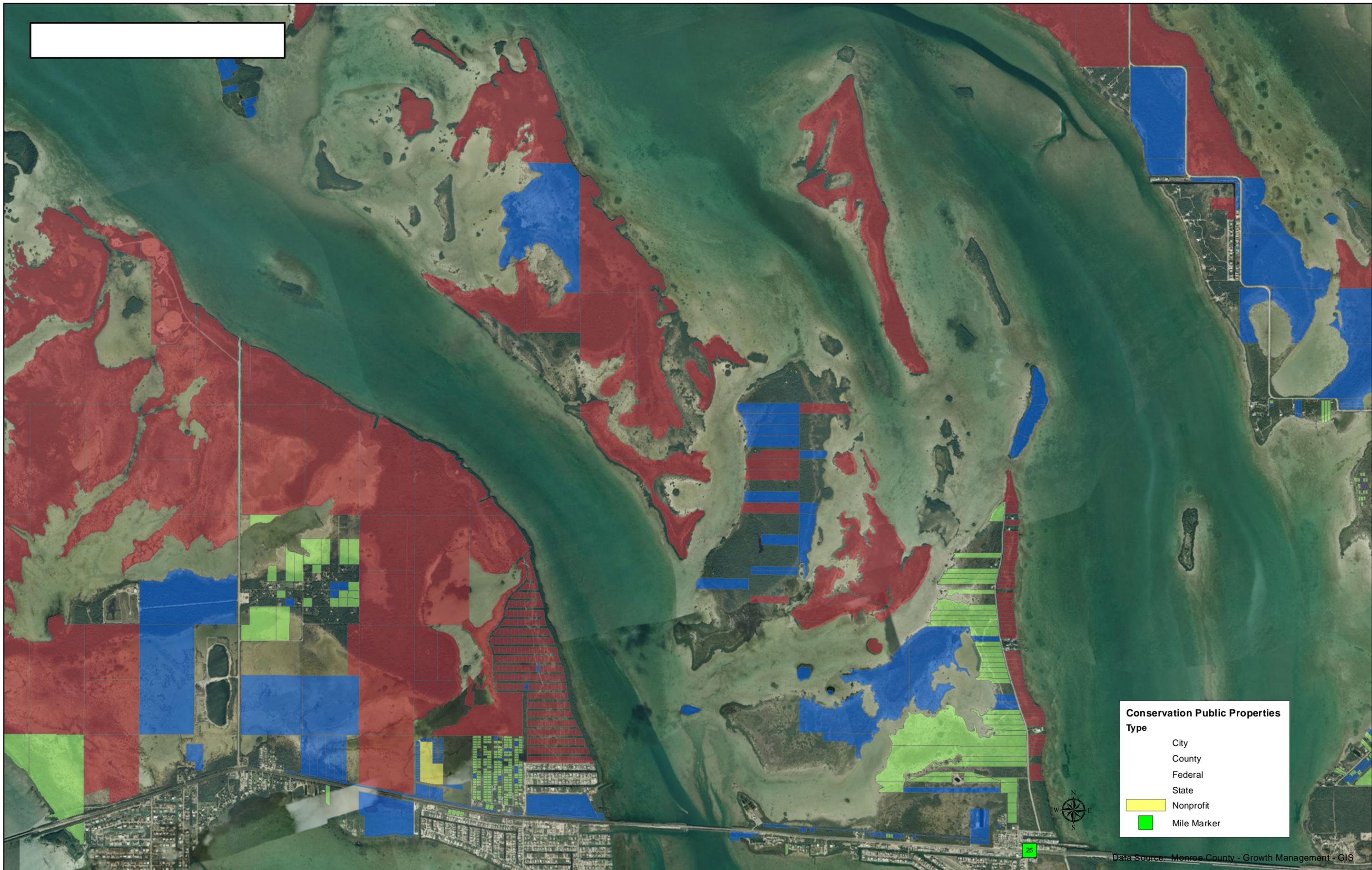
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Conservation Public Properties Type

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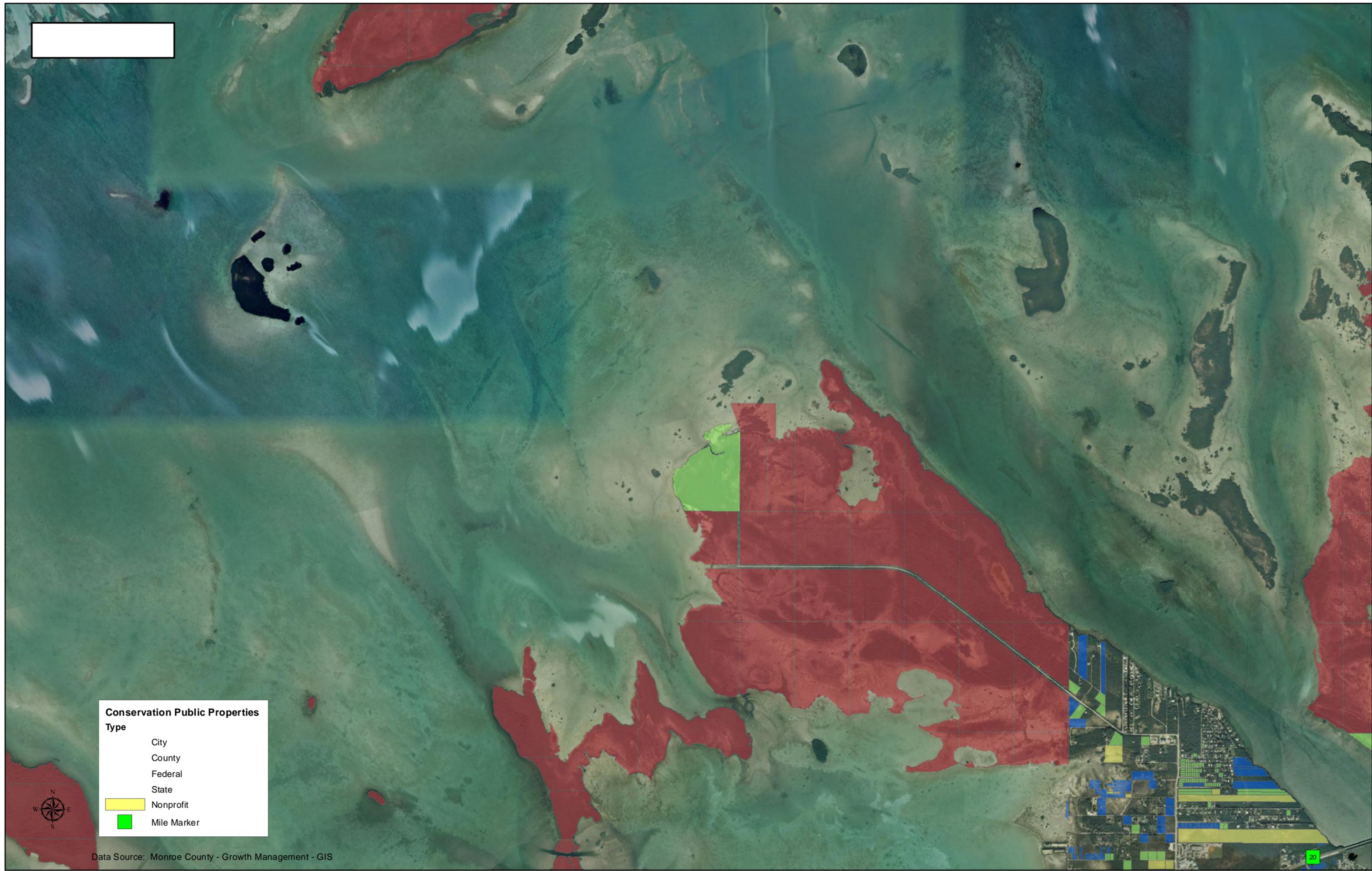
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Data Source: Monroe County - Growth Management - GIS



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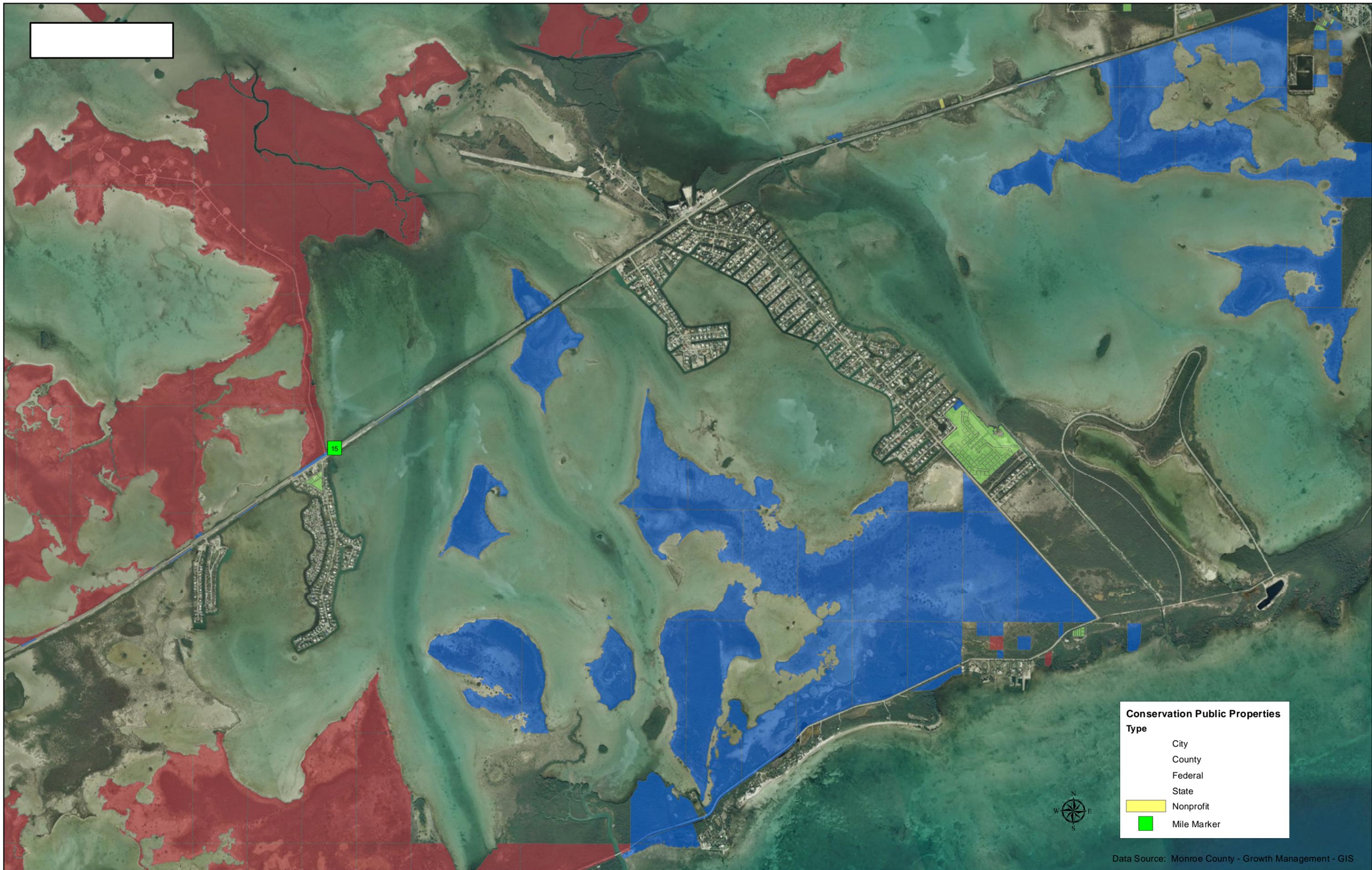


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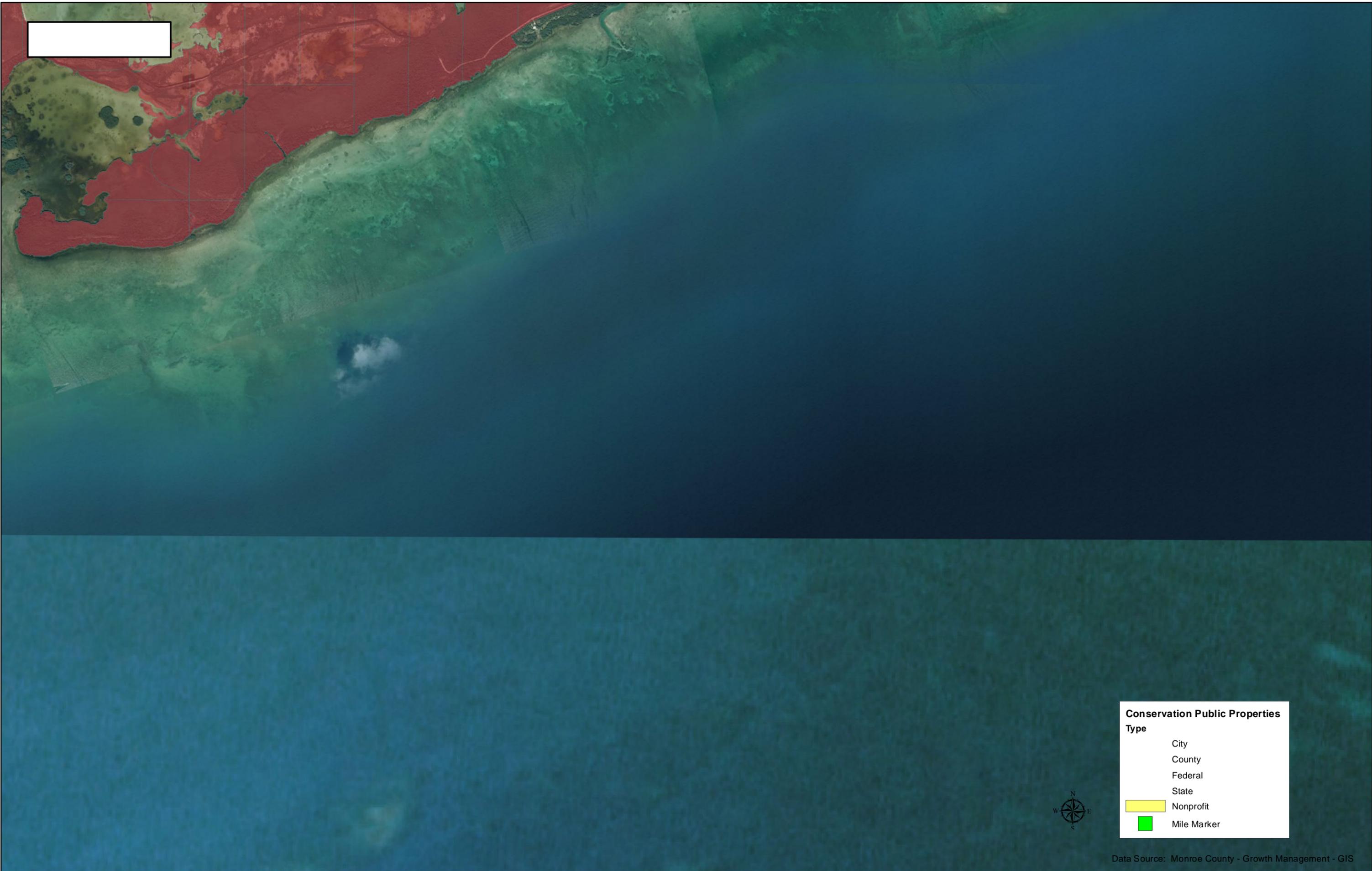
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Conservation Public Properties
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- State
- Nonprofit
- Mile Marker



Data Source: Monroe County - Growth Management - GIS



[Redacted]

Conservation Public Properties

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