

**Comprehensive Plan
Amendment to eliminate the
1-for-1 exchange for the
remaining workforce
affordable housing early
evacuation unit building
permit allocations.**

Community Meeting November 24, 2025

**Comprehensive Plan Text Amendment
File 2025-220**

Proposed Amendment: deletions are shown in ~~red strike through~~; additions are shown in red underline.

Objective 101.2

As mandated by the State of Florida, pursuant to Section 380.0552, F.S. and Rule 28-20.140, F.A.C., and to maintain the public health, safety, and welfare, Monroe County shall maintain a maximum hurricane evacuation clearance time of 24 hours and will coordinate with the State Land Planning Agency relative to the 2012 Memorandum of Understanding that has been adopted between the County and all the municipalities and the State agencies.

Policy 101.2.1

Monroe County shall maintain a memorandum of understanding with the State Land Planning Agency, Division of Emergency Management, Marathon, Islamorada, Key West, Key Colony Beach, and Layton to stipulate, based on professionally acceptable data and analysis, the input variables and assumptions, including regional considerations, for utilizing the Florida Division of Emergency Management's (DEM) Transportation Interface for Modeling Evacuations ("TIME") Model to accurately depict evacuation clearance times for the population of the Florida Keys.

Policy 101.2.2

Monroe County shall coordinate with all the municipalities, the State Land Planning Agency and Division of Emergency Management to update the variables and assumptions for the evacuation clearance time modeling and analyses of the build-out capacity of the Florida Keys Area of Critical State Concern based upon the release of the decennial Census data. Pursuant to the 2012 ~~completed~~ hurricane evacuation clearance time modeling by the State Land Planning Agency, which incorporates the 2010 Census data, the County may allocate 10 years' worth of growth ($197 \times 10 = 1,970$ allocations, 197 annual ROGO rate based on Rule 28-20.140, F.A.C.) through the year 2023, while maintaining an evacuation clearance time of 24 hours. The County adopted a slower rate of annual allocations for market rate development to extend the allocation timeframe to 2026 without exceeding the total of 1,970 allocations (see Policy 101.3.2). The County shall reevaluate the annual ROGO allocation rate based on: 1) statutory changes for hurricane evacuation clearance time requirement standards; 2) new hurricane evacuation modeling by the State Land Planning Agency and Division of Emergency Management; and 3) a new or revised memorandum of understanding with the State Land Planning Agency, Division of Emergency Management, Marathon, Islamorada, Key West, Key Colony Beach and Layton (see Policy 101.2.1).

Notwithstanding the foregoing and pursuant to Policies 101.3.2, 101.3.3 and 101.3.12, Monroe County shall establish a new allocation category to accept and award 300 affordable workforce housing early evacuation unit building permit allocations pursuant

to the Workforce-Affordable Housing Initiative (Policy 101.3.12 Workforce Initiative). These allocations are in addition to the maximum allocations identified in Rules 28-20, F.A.C., and shall be required to evacuate in Phase 1 of the 48-hr evacuation of a pending major hurricane.

Policy 101.2.3

The County will consider capital improvements based upon the need for improved hurricane evacuation clearance times, including potential impacts from sea level rise to the County's evacuation route. The County will coordinate with the FDOT, the state agency which maintains U.S.1, to ensure transportation projects that maintain and improve clearance times are prioritized.

Policy 101.2.4

In the event of a pending major hurricane (Category 3—5) Monroe County shall implement the following staged/phased evacuation procedures to achieve and maintain an overall 24-hour hurricane evacuation clearance time for the resident population.

1. Approximately 48 hours in advance of tropical storm winds, a mandatory evacuation of non-residents, visitors, recreational vehicles (RVs), travel trailers, live-aboard vessels (transient and non-transient), military personnel, units approved, and deed restricted as affordable workforce housing early evacuation units from the Florida 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 Key Bridge to CR 905 and CR 905A intersection (MM 63-106.5 and MM 1-9.5 of CR 905)
 - 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-these~~ staged evacuation procedures should be embodied in the appropriate County 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.

For the purpose of implementing Policy 101.2.4, this Policy shall not increase the number of allocations to more than 197 residential units a year, except for affordable housing. Any increase in the number of allocations shall be for affordable housing. Monroe County hereby accepts 300 affordable workforce (~~affordable~~) housing early evacuation unit building permit allocations pursuant to the Workforce-Affordable Housing Initiative (Policy 101.3.12 Workforce Initiative) authorized by the Florida Administration Commission, Chapter 2023-17, Laws of Florida, and the State Land Planning Agency Florida Department Economic Opportunity. These early evacuation allocations are in addition to the maximum allocations identified in Rules 28-20, F.A.C., and shall be restricted to rental occupancy for those who derive at least 70% of their income as members of the workforce in Monroe County and who meet the affordable housing income categories of the Monroe County Land Development Code. The early evacuation allocations shall be required to evacuate in Phase 1 of the 48-hr evacuation as provided in Policy 101.2.4 of a pending major hurricane. No new additional residential dwelling unit allocations shall be authorized within the Phase 1 of the 48-hr evacuation unless approved and provided by the Florida Administration Commission and the State Land Planning Agency Florida Department Economic Opportunity after review of hurricane evacuation modeling results by the State Land Planning Agency and the Division of Emergency Management of available evacuation capacity and a review of the level of service and available capacity for all public facilities.

Objective 101.3

Monroe County shall regulate new residential development based upon the finite carrying capacity of the natural and man-made systems and the growth capacity while maintaining a maximum hurricane evacuation clearance time of 24 hours.

Policy 101.3.1

Monroe County shall maintain a Permit Allocation System for new residential development known as the Residential Rate of Growth Ordinance (ROGO) System. The Permit Allocation System shall limit the number of permits issued for new residential dwelling units. The ROGO allocation system shall apply within the unincorporated area of the county, excluding areas within the county mainland and within the Ocean Reef planned development (Future development in the Ocean Reef planned development is based upon the December 2010 Ocean Reef Club Vested Development Rights Letter recognized and issued by the Department of Community Affairs). New residential

dwelling units included in the ROGO allocation system include the following: affordable housing units; market rate dwelling units; mobile homes; institutional residential units (except hospital rooms) and affordable workforce housing early evacuation units.

Vessels are expressly excluded from the allocation system, as the vessels do not occupy a distinct location, and therefore cannot be accounted for in the County's hurricane evacuation model. Under no circumstances shall a vessel, including live-aboard vessels, or associated wet slips be transferred upland or converted to a dwelling unit of any other type. Vessels or associated wet slips are not considered ROGO allocation awards, and may not be used as the basis for any type of ROGO exemption or TRE (Transfer of ROGO Exemption).

ROGO Allocations for rooms, hotel or motel; campground spaces; transient residential units; and seasonal residential units are subject to Policy 101.3.5.

For purposes of this Policy, the redevelopment or replacement of any lawfully established unit within the Venture out community, which is located in the Lower Keys at MM23 on Cudjoe Key, that does not increase the number of units, above that which existed on or before January 4, 1996, shall be exempt from the permit allocation (ROGO) system. Policies 101.3.5 and 101.6.8 shall not apply to Venture Out, and the units within Venture Out may be developed as either detached dwelling, mobile home or recreational vehicle use through the approval of a building permit, provided the following are met:

1. To not increase the hurricane evacuation clearance time of permanent residents, in the event of a pending major hurricane (Category 3—5), a mandatory evacuation of all occupants of units within Venture Out, regardless of unit type, is required at least 48 hours in advance of tropical storm winds. Approximately 48 hours in advance of tropical storm winds, a mandatory evacuation of occupants residing in a permanent unit shall be initiated and a mandatory evacuation of both the occupants of recreational vehicles (RVs) and the RVs shall be initiated;
2. Notwithstanding the provisions of Policy 101.5.5, the interchangeability of detached dwelling (permanent), mobile home (permanent) and recreational vehicles (transient) uses may occur only within the gated Venture Out community with a managing entity responsible for evacuation;
3. Recreational Vehicle occupancies or tenancies of six (6) months or more is prohibited;
4. Recreational Vehicles must meet all land development regulations, floodplain management regulations and any building code requirements for recreational vehicles;
5. A recreational vehicle must have current licenses required for highway travel, be attached to the site only by the quick disconnect-type utilities, and no permanent additions such as sun rooms or state rooms shall be permitted;

6. Notwithstanding the transfer provisions within Policy 101.6.8, no unit, regardless of use type, within the Venture Out community may be transferred to another site outside of the Venture Out community; and
7. In no case shall recreational vehicles (transient units) be developed as a hotel/motel.

Policy 101.3.2

The number of permits issued for residential dwelling units under the Rate of Growth Ordinance shall not exceed a total of 1,970 new allocations for the time period of July 13, 2013 through July 12, 2026, plus any available unused ROGO allocations from a previous ROGO year and 300 affordable workforce housing early evacuation unit building permit allocations authorized by the Florida Administration Commission, Chapter 2023-17, Laws of Florida, and the State Land Planning Agency Florida Department Economic Opportunity. A ROGO year means the twelve-month period beginning on July 13. Market rate allocations shall not to exceed 126 residential units per year. Unused allocations for market rate shall be available for Administrative Relief.

In 2012, pursuant to Rule 28-20.140, F.A.C., the State Land Planning Agency Department of Economic Opportunity 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 time. This creates challenges for State of Florida and Monroe County as there are 8,168 privately owned vacant parcels [3,979 Tier I; 393 Tier II, 260 Tier III-A (SPA); 3,301 Tier III, and 235 No tier (ORCA, etc.)] and with 1,970 new allocations this may result in a balance of 6,198 privately held vacant parcels at risk of not obtaining permits in the future. In recognition of the possibility that the inventory of vacant parcels exceeds the total number of allocations which the State will allow the County to award, the County adopted a slower rate of annual allocations for market rate development to extend the allocation timeframe to 2026 and is accepting 300 affordable workforce (~~affordable~~) housing early evacuation unit building permit allocations pursuant to the Workforce-Affordable Housing Initiative (Policy 101.3.12 Workforce Initiative) authorized by the Florida Administration Commission, Chapter 2023-17, Laws of Florida, and the State Land Planning Agency Florida Department Economic Opportunity. These affordable workforce housing early evacuation allocations that are in addition to the maximum building permit allocations identified in Rules 28-20, F.A.C. The County will consider adopting an extended timeframe for distribution of the ROGO allocations through 2033 with committed financial support from its State and Federal partners. This timeframe can provide a safety net to the County and provide additional time to implement land acquisition and other strategies to reduce the demand for ROGO allocations and help transition land into public ownership.

The County is actively engaged in acquisitions and is requesting its State and Federal partners for assistance with implementing land acquisitions in Monroe County. The County will allocate the 1,970 new dwelling unit allocations through July 12, 2026. If

substantial financial support is provided by July 12, 2023, the County will reevaluate the ROGO distribution allocation schedule and consider an extended timeframe for the distribution of market rate allocations (through a comprehensive plan amendment). Further, the State and County shall develop a mutually agreeable position defending inverse condemnation cases and Bert J. Harris, Jr. Private Property Rights Protection Act cases, with the State having an active role both directly and financially in the defense of such cases.

The County shall distribute ROGO allocations by ROGO year, as provided in the table below.

ROGO Year	Annual Allocation		
	Market Rate	Affordable Housing	<u>Affordable Workforce Housing Early Evacuation Initiative</u>
July 13, 2013—July 12, 2014	126	71	N/A
July 13, 2014—July 12, 2015	126	71	
July 13, 2015—July 12, 2016	126	568 total AFH (total available immediately)	
July 13, 2016—July 12, 2017	126		
July 13, 2017—July 12, 2018	126		
July 13, 2018—July 12, 2019	126		
July 13, 2019—July 12, 2020	126		
July 13, 2020—July 12, 2021	64		
July 13, 2021—July 12, 2022	64		
July 13, 2022—July 12, 2023	64		
July 13, 2023—July 12, 2024	62		300**
July 13, 2024—July 12, 2025	62		
July 13, 2025—July 12, 2026	62		
TOTAL	1,260	710*	300**

*Includes two annual affordable ROGO allocations for the Big Pine Key/No Name Key subarea) through the Incidental Take Permit (ITP) ending in 2023.

** Affordable Workforce housing early evacuation unit building permit allocations shall be available countywide (unincorporated county) in the Upper and Lower Keys subareas and distributed on a first-come first-serve basis. Requests for dwelling units developed and/or deed-restricted utilizing the affordable workforce housing early evacuation unit building permit allocations are subject to the provisions of Policy 101.3.12.

The State of Florida, pursuant to Administration Commission Rules, may modify the annual allocation rate. Monroe County will request a Rule change from the Administration Commission to authorize the above allocation timeframe and rate.

Policy 101.3.3

Monroe County shall allocate at least 20% of the annual allocation, or as may be established by the State of Florida, pursuant to Administration Commission Rules, to affordable housing units as part of ROGO. Any portion of the allocations not used for affordable housing shall be retained and be made available for affordable housing from ROGO year to ROGO year. Affordable housing eligible for this separate allocation and affordable workforce housing early evacuation units shall meet the criteria specified in Policy 601.1.4 and the Land Development Code, but shall not be subject to the competitive Residential Permit Allocation and Point System in Policy 101.6.4. Any parcel proposed for affordable housing or affordable workforce housing early evacuation units shall not be located within an area designated as Tier I as set forth under Goal 105 or within a Tier III-A Special Protection Area as set forth in Policy 205.1.1.

Notwithstanding the foregoing, and notwithstanding Policy 101.6.2. affordable housing ROGO allocations may be awarded to Tier I or Tier III-A properties which meet all of the following criteria:

1. The property contains an existing market rate dwelling unit that meets the criteria in LDC Section 138-22(a) and is determined to be exempt from ROGO;
2. The proposed replacement affordable dwelling unit meets current Florida Building Code and is not a mobile home;
3. The proposed replacement dwelling unit shall be deed restricted for a period of at least 99 years as affordable housing pursuant to the standards of the Land Development Code; and
4. The proposed site plan for the replacement affordable dwelling unit does not propose any additional clearing of habitat.

Policy 101.3.4

The Permit Allocation System (or Rate of Growth Ordinance) for new residential development shall specify procedures for:

1. establishing the annual number of ~~permits~~-allocations for new residential units to be issued during the next ROGO year based upon, but not limited to the following:
 - a. expired allocations and building permits in previous year;
 - b. allocations available, but not allocated in previous year;
 - c. number of allocations borrowed from future quarters;
 - d. vested allocations;
 - e. modifications required or provided by Administration Commission Rules;
 - f. modifications required or provided by this plan or agreement pursuant to Chapter 380, Florida Statutes; and
 - g. receipt or transfer of affordable housing allocations by intergovernmental agreement; and
 - h. receipt or transfer of allocations pursuant to the 2012 Hurricane Evacuation Clearance Time Memorandum of Understanding.
2. allocation of affordable housing, affordable workforce housing early evacuation units building permit allocations and market rate housing units in accordance with Policies 101.3.2 and 101.3.3; and
3. timing of the acceptance of applications, evaluation and scoring of applications, and issuance of permits for new residential development during the calendar year.

Policy 101.3.5

Due to the limited number of allocations and the State's requirement that the County maintain a maximum hurricane evacuation clearance time of 24 hours, Monroe County shall prohibit new transient residential allocations for hotel or motel rooms, campground spaces, or spaces for parking a recreational vehicle or travel trailer July 2026. Lawfully established transient units shall be entitled to one unit for each type of unit in existence before January 4, 1996, for use as a ROGO exemption.

Policy 101.3.6

All public and institutional uses (except hospital rooms) that predominately serve the County's non-transient population and which house temporary residents shall be subject to the Permit Allocation System for residential development, except upon factual demonstration that such transient occupancy is of such a nature so as not to adversely impact the hurricane evacuation clearance time of Monroe County.

Policy 101.3.9

For those ROGO applications and properties which have not received a ROGO award for four consecutive years and have applied for administrative relief, which are designated Tier I, II, or IIIA, the County or the State shall offer to purchase the property if funding for such is available. Refusal of the purchase offer shall not be grounds for granting a ROGO award.

Policy 101.3.10

Notwithstanding any other provision of the Plan, except the last sentence of this Policy 101.3.10, building allocations utilized for affordable housing projects may be pooled and transferred between ROGO sub-areas, excluding the Big Pine/No Name Keys ROGO subarea, and between local government jurisdictions within the Florida Keys Area of Critical State Concern (ACSC). Any such transfer of affordable housing allocations between local government jurisdictions must be accomplished through an interlocal agreement between the sending and receiving local governments. Interlocal agreements that involve assigning the County's affordable housing (not including affordable housing allocations banked for takings cases) allocations *to existing dwelling units within a municipality* with a requirement that the associated market rate ROGO/BPAS exemptions be transferred into the unincorporated County as an exchange for the affordable housing allocations transferred to the municipality, shall be accomplished through a minor conditional use permit approval and shall be subject to the receiver site criteria in Policy 101.6.8 and may be transferred to any subarea within the unincorporated County.

In no event shall the County:

- (1) pool and transfer affordable workforce housing early evacuation unit building permit allocations between ROGO sub-areas,
- (2) transfer affordable workforce housing early evacuation unit building permit allocations to another government jurisdiction,
- (3) receive affordable workforce housing early evacuation unit building permit allocations from another government jurisdiction; or
- (4) transfer affordable housing ROGO allocations received by the County in exchange for affordable workforce housing building permit early evacuation unit allocations to another government jurisdiction.

Notwithstanding Policy 101.3.10(2), affordable workforce early evacuation unit building permit allocations may be transferred to another government jurisdiction for County-initiated affordable housing projects within incorporated cities, as approved by an interlocal agreement as approved by the BOCC.

Policy 101.3.11

Monroe County may receive additional building permit allocations pursuant to the 2012 completed hurricane evacuation clearance time modeling and allocation

recommendations by the State Land Planning Agency and the Administration Commission's direction that the City of Key West \ transfer annually (by July 15th) any remaining unused allocations for that year to the other Florida Keys' local governments based upon the local governments' ratio of vacant land. Any transferred allocations from the City of Key West to Monroe County shall be made available for Administrative Relief. Monroe County may receive, and award 300 building permit allocations designated as affordable workforce housing early evacuation units pursuant to the Workforce-Affordable Housing Initiative (Policy 101.3.12 Workforce Initiative) as provided by the Florida Administration Commission and the State Land Planning Agency Florida Department Economic Opportunity. These early evacuation allocations that are in addition to the maximum allocations identified in Rules 28-20, F.A.C., and shall be required to evacuate in Phase 1 of the 48-hr evacuation of a pending major hurricane.

Policy 101.3.12

Affordable Workforce Housing Early Evacuation Initiative. To support Monroe County's workforce by alleviating constraints on affordable housing, to protect private property rights and address potential liability, the County is participating in the Workforce-Affordable Housing Initiative (Workforce Initiative), as approved during the June 13, 2018 meeting of the Florida Administration Commission. Monroe County accepts the 300 affordable workforce housing early evacuation building permit allocations pursuant to the Workforce-Affordable Housing Initiative authorized by the Florida Administration Commission, Chapter 2023-17, Laws of Florida, and the State Land Planning Agency Florida Department Economic Opportunity. The Workforce-Affordable Housing Initiative will require dwelling units constructed and/or deed restricted with workforce housing early evacuation building permit allocations to evacuate occupants in Phase 1 of the 48-hr evacuation of a pending major hurricane, pursuant to the criteria below.

To participate in the Workforce Initiative, Monroe County shall be responsible for the management, distribution, and enforcement of requirements associated with the affordable workforce housing early evacuation building permit allocations. Monroe County shall ensure adherence to these requirements through implementation of this policy and shall annually provide to the State Land Planning Agency Florida Department Economic Opportunity a report indicating the number of affordable workforce housing early evacuation units built and/or deed restricted, occupancy rates, and compliance with the requirement to evacuate the units in Phase I of an evacuation. The annual report shall be provided to the State in a timely manner such that the State may include the information in the required Annual Report to the Governor and Cabinet Florida Administration Commission on the County's progress toward completion of its Work Program pursuant to Rule 28-20, F.A.C.

Dwelling units developed and/or deed restricted utilizing the affordable workforce housing early evacuation unit building permit allocations are subject to the following:

(a) Requests for affordable workforce housing early evacuation unit building permit allocations ~~shall be available only for a 1 for 1 exchange for affordable allocations/exemptions and~~ require a reservation via BOCC resolution. The BOCC may, at its discretion, place conditions on any reservation as it deems appropriate such as establishing the income categories for allocations granted. ~~The BOCC may, at its discretion, exchange existing reserved affordable allocations for allocations under the Workforce Initiative to private development and nonprofit sector partners willing to meet the requirements of the workforce housing early evacuation unit allocations. Further, the BOCC may, at its discretion, approve the exchange of existing deed-restricted affordable housing units (lawful affordable exemptions) at existing multifamily residential developments for allocations under the Workforce Initiative to private development and nonprofit sector partners willing to meet the requirements of the workforce housing early evacuation unit allocations.~~

~~(1) The affordable allocations returned to the County in exchange for workforce housing early evacuation unit allocations shall be banked and used for future administrative relief, beneficial use determinations and to resolve inverse condemnation cases and Bert J. Harris, Jr. Private Property Rights Protection Act cases.~~

~~(2) To maintain consistency with Rule 28-20.140(2)(b), F.A.C., the affordable allocations returned to the County shall be maintained as affordable allocations and shall also be returned to the original affordable housing category (very low/low/median income vs. moderate income pool).~~

~~(3) The workforce housing early evacuation unit allocations must be utilized based on the original approved affordable housing income category or a lesser income category.~~

~~(4) Administrative relief means actions taken by the County granting the owner of real property relief from the continued application of the Rate of Growth Ordinance (ROGO) restrictions provided they meet the criteria established in the Comprehensive Plan and Land Development Code.~~

~~(5) Beneficial use means the use of property that allows an owner to derive a benefit or profit in the exercise of a basic property right. For the purpose of this policy, beneficial use shall mean the minimum use of the property necessary to avoid the finding of a regulatory taking under current land use case law.~~

~~(b) The construction of dwelling units, the redevelopment or the deed restriction of existing dwelling units utilizing workforce housing early evacuation unit allocations shall require approval of a resolution approving a contract between the BOCC and the applicant to officially exchange the allocations and confirm compliance with the requirements Workforce Initiative within this Policy.~~

(eb) All affordable workforce housing early evacuation units require a deed-restriction ensuring:

- (1) Before any building permit may be issued for any structure, portion or phase of a project subject to the Workforce Initiative, a restrictive covenant shall be approved by the Planning Director and County Attorney and recorded in the Office of the Clerk of the County to ensure compliance with the provision of this section running in favor of the County and enforceable by the County and, if applicable, a participating municipality. The following requirements shall apply to these restrictive covenants:
 - a. The covenants for any workforce housing early evacuation units shall be effective for 99 years.
 - b. The covenants shall not commence running until a certificate of occupancy has been issued by the Building Official for the dwelling unit or dwelling units to which the covenant or covenants apply.
 - c. For existing dwelling units that are deed-restricted as workforce housing early evacuation units, the covenants shall commence running upon recordation in the Official Records of Monroe County.
- (2) The covenants shall require that the workforce housing early evacuation units to be restricted to rental occupancy for those who derive at least 70% of their income as members of the workforce in Monroe County and who meet the affordable housing income categories of the Monroe County Land Development Code. The occupants are required to annually verify their employment and income eligibility.
- (3) The covenants shall require occupants to evacuate in Phase 1 of the 48-hr evacuation of a pending major hurricane. Persons living in the workforce housing early evacuation units who may be exempted from evacuation requirements are limited to law enforcement, correctional and fire personnel, health care personnel, and public employees with emergency management responsibilities. If there is an occupant that indicates their employment is considered a 'first-responder position' and not included in the list of exemptions above, then the Planning Director shall determine, in writing, whether the person may be exempted because of a requirement to remain during an emergency. Any person claiming exemption under this provision shall submit of an affidavit of qualification and faithfully certify their status with the onsite property management.
- (4) The covenants shall require rental agreements which contain a separate disclosure requiring rental occupants to acknowledge the existing restrictive covenant on the unit requiring evacuation in Phase 1 of the 48-hr evacuation and that failure to adhere to the Phase 1 evacuation requirement could result in severe penalties, including eviction, to the occupant.
- (5) The covenants shall require onsite property managers and a separate employment disclosure requiring the maintenance of training in evacuation procedures and an acknowledgement that failure to adhere to the Phase 1 evacuation requirement could result in severe penalties, including termination.

(~~dc~~) Affordable Workforce housing early evacuation units shall be restricted to rental occupancy for those who derive at least 70% of their income as members of the workforce in Monroe County and who meet the affordable housing income categories of the Monroe County Land Development Code. Workforce means individuals or families who are gainfully employed supplying goods and/or services to Monroe County residents or visitors.

(~~ed~~) Affordable Workforce housing early evacuation units shall require onsite property management with property managers trained in evacuation procedures and required to manage the evacuation of tenants in Phase I of an evacuation. During traditional working hours, the property manager must be at an office within the affordable workforce housing early evacuation unit development subject property. Outside the traditional working hours, the property manager must be available at all times to respond to evacuation orders.

(~~fe~~) The property management entity for the affordable workforce housing early evacuation units shall be required to annually verify the employment and income eligibility of tenants; report the total units on the site, the occupancy rates of units, and tenant compliance with the requirement to evacuate the units in Phase I of an evacuation, including the number of occupants that are exempt from the evacuation requirements. The property management entity must submit a report to the Planning and Environmental Resources Department by May 1 of each year. Further, each lease and this annual report shall be kept by the property manager and be available for inspection by the County during traditional working hours.

(~~gf~~) Affordable Workforce housing early evacuation units shall be located within an area designated as Tier III.

(~~hg~~) Affordable Workforce housing early evacuation units shall not be located in the V-Zone or within a Coastal Barrier Resource System (CBRS).

(~~ih~~) Affordable Workforce housing early evacuation units shall be located on a property which has all infrastructure available (potable water, adequate wastewater treatment and disposal wastewater meeting adopted LOS, paved roads, etc.).

(~~ji~~) All affordable workforce housing early evacuation units must demonstrate compliance with all applicable federal standards for accessibility for persons with disabilities (ADA Compliance).

(~~kj~~) To the greatest extent practicable, a development utilizing affordable workforce housing early evacuation unit building permit allocations shall incorporate sustainable and resilient design principles into the overall site design ~~and be accessible to employment centers in Key West, Stock Island and Marathon.~~

(k) To the greatest extent practicable, a development utilizing affordable workforce housing early evacuation unit building permit allocations shall be located in close proximity to employment centers in Key West, Stock Island and Marathon.

(l) For developments owned or operated by a government agency or public housing authority, property management is not required to be located onsite as indicated in Policy 101.3.12, but must be available at all times to respond to evacuation orders.

GOAL 601

Monroe County shall adopt programs and policies to facilitate access by residents to adequate and affordable housing that is safe, decent, and structurally sound, and that meets the needs of the population based on type, tenure characteristics, unit size and individual preferences.

Objective 601.1

To ensure that affordable housing opportunities are available throughout the entire community and to maintain a balanced and sustainable local economy and the provision of essential services, Monroe County shall implement the following defined policies to reduce estimated affordable housing need for its workforce and households in the very low, low, median and moderate income classifications. [F.S. § 163.3177(6)(f)1.]

Policy 601.1.1

Monroe County shall maintain land development regulations, in conjunction with the Permit Allocation System, for apportioning future affordable housing development.

Policy 601.1.2

Monroe County shall continue its participation in Federal and State housing assistance programs to rehabilitate owner and rental housing for very low, low, median, and moderate income residents by seeking grants, loans, and technical assistance in conjunction with the Monroe County Housing Authority. Monroe County shall also participate, as appropriate, in FEMA Hazard Mitigation Grant Program (HMGP), Flood Mitigation Assistance (FMA) Program and Community Development Block Grant - Disaster Recovery (CDBG-DR) grant programs to support the completion of flood mitigation projects, such as the elevation of homes above base flood level to reduce the risk of future flood damage. [F.S. § 163.3177(6)(f)3.]

Policy 601.1.3

The Monroe County Land Authority shall maintain a list of buildable properties owned or targeted for acquisition by the Land Authority which potentially could be donated or made available for affordable housing. This list will be updated annually and made available to the public. The guidelines established in Policies 601.1.10 and 601.1.11 shall be considered in the formulation of this list.

Policy 601.1.4

All affordable housing projects which receive development benefits from Monroe County, including but not limited to ROGO allocation award(s) reserved for affordable housing, maximum net density, or donations of land, shall be required to maintain the project as affordable for a period of 99 years pursuant to deed restrictions or other mechanisms specified in the Land Development Code, and administered by Monroe County or the Monroe County Housing Authority.

Policy 601.1.5

If Monroe County funding or County-donated land is to be used for any affordable housing project, alternative sites shall be assessed according to the following guidelines:

1. The location of endangered species habitat. Sites within known, probable, or potentially suitable threatened or endangered species habitat shall be avoided.
2. The environmental sensitivity of the vegetative habitat. The habitat sensitivity shall be determined according to the ranking specified in the Environmental Design Criteria section of the Land Development Code. Disturbed sites shall be selected, unless no feasible alternative is available.
3. Sites located within V-Zones, on offshore islands, or within CBRS units shall be avoided.
4. The level of service provided in the vicinity for all public facilities. Areas which are at or near capacity for one or more public facility should be avoided.
5. Proximity to employment and retail centers. Sites within five miles of employment and retail centers shall be preferred.

Policy 601.1.6

Monroe County shall identify funding sources that could be made available to support community-based non-profit organizations such as Habitat for Humanity in their efforts to provide adequate affordable housing.

Policy 601.1.7

Monroe County shall continue to participate in the State Housing Incentives Partnership program as specified in the 1992 William Sadowski Affordable Housing Act. Monroe County shall also continue to maintain a Local Housing Assistance Plan and Affordable Housing Incentive Strategies as specified in the Act and recommended by the Monroe County Affordable Housing Advisory Committee.

Policy 601.1.8

Monroe County shall allocate at least 20% of the annual ROGO allocation, or as may be established by the State of Florida, pursuant to Administration Commission Rules, to affordable housing units, as specified in Policy 101.3.3. Affordable housing eligible for this separate allocation must meet the criteria established in the Land Development Code. Monroe County may award 300 additional building permit allocations designated as affordable workforce housing early evacuation units pursuant to the Workforce-Affordable Housing Initiative (Policy 101.3.12 Workforce Initiative) as provided by the Florida Administration Commission, Chapter 2023-17, Laws of Florida, and the State Land Planning Agency Florida Department Economic Opportunity. These building permit allocations are in addition to the maximum allocations identified in Rules 28-20, F.A.C., are restricted to rental occupancy for those who derive at least 70% of their income as members of the workforce in Monroe County and who meet the affordable housing income categories of the Monroe County Land Development Code, and shall be required to evacuate in Phase 1 of the 48-hr evacuation of a pending major hurricane.