

**RESOLUTION NO. 24-12-139**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA,  
VILLAGE OF ISLANDS, FLORIDA, APPROVING AND ADOPTING  
THE VILLAGE'S LAND ACQUISITION ACTION PLAN; AND  
PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, The Islamorada, Village of Islands (the "Village"), Comprehensive Plan calls for maintaining programs for conservation of lands within the Village; and

**WHEREAS**, the Village's Comprehensive Plan states that the Village Council shall maintain an "Action Plan" which shall recommend the best means for land acquisition and conservation including retiring development rights from the vacant lands within the Village, while protecting private property rights; and

**WHEREAS**, the Village's Land Acquisition Advisory Committee has collaborated with the Village staff to complete a draft of the Action Plan, attached as Exhibit "A" hereto; and

**WHEREAS**, the result of the Action Plan is a set of recommendations to the Village Council regarding approaches by which land can be acquired and development rights can be retired from private, vacant lands within the Village; and

**WHEREAS**, upon approval of the Action Plan, the Village will continue to coordinate with regional, State, Federal and private non-profit programs for the acquisition of properties consistent with the Action Plan.

**NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA,  
VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are true and correct and incorporated into this Resolution by this Reference.

**Section 2.** **Approval of Action Plan.** The Village Council hereby approves and adopts the Land Acquisition Action Plan, a copy of which is attached hereto as Exhibit "A".

**Section 3.** **Authorization of Village Officials.** The Village Manager or designee and the Village Attorney are hereby authorized to take all actions necessary to implement the terms and conditions of this Resolution.

**Section 4.** **Effective Date.** This Resolution shall take effect immediately upon adoption.

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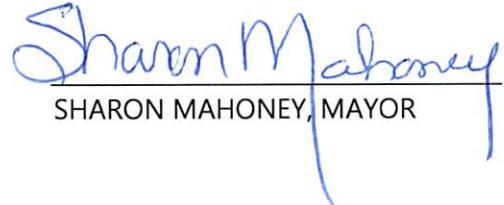
Motion to adopt by Don Horton, seconded by Deb Gillis.

**FINAL VOTE AT ADOPTION**

**VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS**

|                                 |     |
|---------------------------------|-----|
| Mayor Sharon Mahoney            | Yes |
| Vice Mayor Don Horton           | Yes |
| Councilman Steve Friedman       | Yes |
| Councilwoman Deb Gillis         | Yes |
| Councilman Joseph B. Pinder III | Yes |

**PASSED AND ADOPTED THIS 10th DAY OF DECEMBER, 2024.**

  
\_\_\_\_\_  
SHARON MAHONEY, MAYOR

ATTEST:

  
\_\_\_\_\_  
MARNE MCGRATH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY  
FOR THE USE AND BENEFIT OF  
ISLAMORADA, VILLAGE OF ISLANDS:

  
\_\_\_\_\_  
JOHN J. QUICK, VILLAGE ATTORNEY



# **ISLAMORADA, VILLAGE OF ISLANDS**

## **LAND ACQUISITION ACTION PLAN**



November 12, 2024

## LAND ACQUISITION ACTION PLAN EXECUTIVE SUMMARY

This Action Plan has been prepared by the Islamorada, Village of Islands Land Acquisition Advisory Committee (LAAC), in conjunction with Village Environmental and Planning staff. The mission and goals of the LAAC include:

- Provide a public forum to research, analyze and discuss ideas and strategies for land acquisition and to convey those ideas to the Village Council;
- Annually update the acquisition list and recommend budget allocations consistent with the land selection system criteria;
- Recommend strategies to carry out the comprehensive plan goals regarding land acquisition;
- Recommend the best means for land acquisition and conservation including retirement of development rights from vacant land;
- Maintain a working relationship with the Monroe County Land Authority and other public land acquisition entities;
- Identify potential funding sources and prepare grants for land acquisition; and
- Perform specific tasks on an ad hoc basis as assigned by the Village Council.

The result of this Action Plan is a set of recommendations to the Village Council regarding approaches, including policies and programs, by which land can be acquired and development rights can be retired from private, vacant lands within the Village. A listing and description of mechanisms that can achieve these goals is provided. A short list of strategies was prepared after considering possible mechanisms to achieve these goals. The LAAC also recognizes that land acquisition coincides with a need to ensure land management to protect and enhance the qualities for which properties are acquired. This Action Plan will be reviewed and updated by the LAAC as necessary.

This Action Plan specifically includes:

- Listing of private, vacant parcels in the Village that are targeted for acquisition by the Village and the State's Florida Forever Program and documented with the Monroe County Land Authority;
- Listing of a proposed Boundary Amendment to the Florida Forever Florida Keys Ecosystem project;
- Listing of additions proposed for a new project to the Florida Forever program;
- Listing of all publicly owned land in the Village;
- A selection system for acquiring land adopted by the Village Council;
- Comprehensive plan policies regarding land acquisition; and
- Additional information, supplementary to the Action Plan, regarding potential funding sources and other land acquisition strategies.

The Village Comprehensive Plan includes policies directing land acquisition which include developing a list of priority upland habitat sites for acquisition, an annual evaluation of this list including new potential acquisition sites, working cooperatively with the Monroe County land Authority to develop and administer the acquisition program, an annual preparation of budget recommendations for land acquisition and purchase of development rights and seeking local and nonlocal funding sources for land acquisition.

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# LAND ACQUISITION ACTION PLAN

## Purpose, Mission, and Plan Contents

The purpose of this document is to outline a plan that maintains and increases the conservation infrastructure of the Village, provides recreation and open space for the enjoyment of the citizens, and to document the status of land acquisition including the identification of lands targeted for acquisition. This Land Acquisition Action Plan has been prepared by the Islamorada Land Acquisition Advisory Committee (LAAC), in conjunction with Village Environmental Resources and Planning staff overseeing land acquisition. The result is a set of recommendations to the Village Council regarding land which should be targeted for acquisition, including the retirement of development rights through various methods. It also includes sections containing potential funding sources and other strategies for land acquisition, documentation of the partnership with the Monroe County Land Authority, and policies regarding land acquisition from the Village's comprehensive plan.

The mission and goals of the LAAC include:

- To provide a public forum to research, analyze and discuss ideas and strategies for land acquisition and to convey those ideas to the Village Council;
- To annually update the acquisition list and recommend budget allocations consistent with the land selection system criteria;
- Recommend strategies to carry out the comprehensive plan goals regarding land acquisition;
- Recommend the best means for land acquisition and conservation including retirement of development rights from vacant land;
- To maintain a working relationship with the Monroe County Land Authority and other public land acquisition entities;
- Identify potential funding sources and prepare grants for land acquisition; and
- Perform specific tasks on an ad hoc basis as assigned by the Village Council.

The LAAC was initially formed in 1999, through Resolution 99-05-23, to assist coordination of a land acquisition program between the Village Council and the Monroe County Land Authority. Recently, the LAAC recommended a partnership with the Monroe County Land Authority which was adopted through Resolution 23-07-59. This Resolution identifies 61 parcels (161 acres) on the Florida Forever Acquisition developed by the Florida Department of Environmental Protection's (DEP) State Lands Division. The parcels represent habitat containing tropical hardwood hammock, mangrove, buttonwood and submerged lands. The Resolution recommends that the MCLA purchase the parcels and resell them to the DEP and once purchased, the parcels will be managed by the Village of Islamorada. These parcels are currently appraised at a value over \$9.3 Million. These parcels are indicated in Table 1.

The Land Acquisition Action Plan includes:

- Listing of land that is currently targeted for acquisition by the Village, the State's Florida Forever Program and documented with the Monroe County Land Authority;
- Listing of a Boundary Amendment to the Florida Forever Program;
- Listing of additions proposed to the Florida Forever Land Acquisition List;
- Listing of publicly owned land;
- A selection system for acquiring land adopted by the Village Council;
- Comprehensive plan policies regarding land acquisition; and
- Potential funding sources and other strategies.

Within the Village, there are approximately 11,748 acres of combined land and water. There are 166 parcels containing about 1,215 acres within public ownership within the Village. Most of this land has been purchased by the Village or by the Monroe County Land Authority through various means, including the Florida Forever Program (Florida Department of Environmental Protection). A map of publicly owned land can be found on the Village website. A listing of publicly owned land within Islamorada is contained within Appendix A at the end of Section 2.

## **Comprehensive Plan Policy Summary of Intent**

The Village Comprehensive Plan includes policies directing land acquisition which are summarized below.

1. Annual preparation of budget recommendations for land acquisition and purchase of development rights;
2. Annual evaluation of the priority acquisition list including new potential acquisition sites in the Village;
3. Work cooperatively with the Monroe County Land Authority to develop and administer the acquisition program;
4. Develop a list of priority, native upland habitat sites for acquisition that include
  - Land determined to be high quality habitat;
  - Land with plant species of special status;
  - Land documented with habitat for wildlife species of special status;
  - Land located within Improved Subdivisions;
  - Land documented as significant coastal upland natural communities by the Florida Natural Areas Inventory;
  - Nesting sites of the southern bald eagle, osprey, brown pelican and the roseate tern;
  - Wintering grounds for the peregrine falcon and the piping plover;
  - Native upland habitats used by the Schaus' swallowtail butterfly, eastern indigo snake and the white-crowned pigeon;

- Disturbed or transitional habitat that provides wildlife corridors between existing environmentally sensitive lands and tropical flyways; and
- Land suitable for utilities

5. Seek local and non-local funding. The Village shall continue to coordinate with regional, State, Federal and private non-profit programs, including but not limited to Department of Environmental Protection (Florida Forever Program & Florida Communities Trust), and the Trust for Public Lands, other non-profit groups and land acquisition funding groups for the acquisition of properties consistent with the Action Plan.

## **SITE SELECTION CRITERIA, CATEGORIES AND PROCESS FOR PROPERTY NOMINATIONS**

### **Land Acquisition Procedures**

1. Prior to a Land Acquisition Advisory Committee (LAAC) meeting, any individual, property owner, LAAC or staff member submitting property for consideration for Village acquisition will provide to the Village's Environmental Resources Manager a completed *Property Nomination Form* (see Appendix B) containing the basic site information listed below. If necessary, staff will assist in gathering this information, prior to the meeting.
  - o Aerial map indicating site location
  - o Monroe County Property Records
  - o Legal Description (RE number)
  - o Size
  - o Multiple Listing Service Property Data
  - o Owner(s) including interest in donating property
  - o Contact/Agent
  - o General physical description
  - o Nature and reason for nomination
  - o Proposed use(s)
  - o If available, copies of deed, title insurance and survey.

Property to be considered for utility purposes often requires specialized expertise to properly evaluate. Accordingly, if a property is submitted for utility purposes, including without limitation, for wastewater or storm water improvements, in lieu of LAAC action described below, staff will follow steps 2 through 9 below and will develop information and reports as required therein. Professional internal and outside assistance will be used as necessary to provide a detailed recommendation for the Village Council as described up to and through Step 9.

2. Village staff members from appropriate departments provide comments, make recommendations on land acquisition proposals and offer input on key land management activities to LAAC.
3. Completed *Property Nomination Form* is reviewed at LAAC meeting. Discussion should include the key assets of property, how its acquisition furthers goals and policies of adopted Village comprehensive plan and any factors of urgency. Based upon this preliminary assessment, LAAC determines whether property should be further evaluated for placement on the potential acquisition list.
4. With staff assistance as necessary, LAAC develops a report about the property based upon the following general criteria. This report will also contain a series of recommendations.

## LAND ACQUISITION CATEGORIES (And Support Information)

- **Affordable Housing**
- **Conservation**
- **Recreation**
- **Waste Water**
- **Storm Water Facilities**
- **Other Village Use**

### Affordable Housing Criteria

1. Presence of structure(s)
2. Compatibility with Future Land Use Map (FLUM)
3. Existing habitat conditions
4. Proximity to services (approximate distance to food store, pharmacy, post office, transportation services & public infrastructure)
5. Type of potential occupancy (rental or homeownership)

### Waste Water & Storm Water Facilities Criteria

1. Adequacy of parcel size to accommodate facility type
2. Compatibility with Future Land Use Map (FLUM)
3. Character of existing vegetation

### General Criteria for all categories

1. Consistency with comprehensive plan goals & policies and Land Development Regulations
2. Availability
3. Funding
4. Potential for multiple benefits
5. Ecological value
6. Scenic value
7. Geologic, historic, archaeological value
8. Accessibility

5. After evaluating the above criteria, the LAAC will discuss the items listed below and outline its recommendations for staff use in completing the detailed site report to Village Council.

Recommendations should include:

- Most appropriate future specific use(s) for site after acquisition;
- Most appropriate potential funding source; and
- Level of acquisition urgency (high, medium or low).

The LAAC shall then forward to the Village Manager the legal description of the property and owner/agent information.

6. Village Manager or designee or the Monroe County Land Authority is authorized to solicit and obtain from the landowner/agent one of the following:

- An exclusive negotiating rights agreement and letter of intent;
- A purchase option contract (followed by step 11); or

- o If appropriate, assistance from the Monroe County Land Authority or Trust for Public Land (TPL) or a similar conservation organization in immediately acquiring property, allowing the Village Council to approve the method of funding (followed by step 10).
- 7. Guided by LAAC discussion and recommendations from other committees and departments, staff summarize these comments.
- 8. (Optional) LAAC holds public information meeting on potential acquisition of site and proposed use(s).
- 9. LAAC submits a written report about the site containing results of its criteria evaluation (Step 3 above), recommendation regarding placement on potential acquisition list and other important elements (listed below) through Village Manager to Village Council and presents this information at a regularly scheduled Village Council meeting.
  - o Acquisition category: affordable housing, conservation, recreation, affordable housing, wastewater or storm water facilities, or other Village uses;
  - o Most appropriate future specific use(s) for site after acquisition;
  - o Most appropriate potential funding source;
  - o Level of acquisition urgency (high, medium or low) within acquisition category;
  - o Conceptual land management plan; and
  - o All supporting documentation including completed property nomination form and site information listed in #1 above.
- 10. The Village Council will consider LAAC or staff recommendations, as applicable, and may take the following actions:
  - o Not approve property for placement on the potential Village Land Acquisition List; or
  - o Approve property for placement on potential Village Land Acquisition List; and
  - o Approve method of funding the acquisition and direct staff to implement *subsequent steps of land acquisition procedures as appropriate:*
    - A. *If the method of funding is through Monroe County Land Authority (MCLA), then a resolution is submitted from the Village Council requesting MCLA to pursue site acquisition. Staff will coordinate with MCLA to draft a suitable conservation easement agreement if necessary. Once proposed conservation easement is approved by MCLA, then an interlocal agreement and the conservation easement is presented to the Village Council for acceptance and the MCLA Governing Board approves purchase and conveyance to Village of the conservation easement.*
    - B. *If the method of funding is through Village operating funds or state grants, then Village Council authorizes expenditures to gather*

documents required as part of due diligence or by grantor (see items 11A-J listed below).

C. *Acquisition of lands with FCT grant funds* shall be performed in accordance with Sec. 253.025, F.S. and Rule Chapter 18-1, F.A.C. This includes provisions that every appraisal, offer, or counteroffer must be in writing; and that such appraisals, offers, and counteroffers are not available for public disclosure or inspection and are exempt from Sec. 119.07(1) until an option contract is executed; if no option contract is executed, until 30 days before a contract or agreement for purchase is considered for approval by the Village Council.

- o Establish level of urgency for site acquisition (high, medium or low) based upon acquisition category, specific proposed use(s) and potential funding source;
- o The Village Council may at its discretion authorize the Village Manager to request assistance from the MCLA or the Trust for Public Land (TPL) or other similar entity in acquiring the property in a timely manner and a commitment to repurchase the property (from TPL) if the purchase price is approved by the Village Council. The council also may authorize staff to coordinate with TPL or other similar entity in preparing state or federal grant applications to aid the Council in leveraging acquisition funds for the property, if appropriate.
- o Direct staff to negotiate purchase option contract (site control), described in Step 11.

11. Appropriate staff verifies receipt of necessary documents (11 A-J below) and carries out other relevant acquisition activities, including but not limited to referring property acquisition to MCLA or other appropriate organizations and preparing grant applications.

**A. Purchase Option Contract** - Purchase Option Contract with owner to sell property to Village that includes the purchase price and a contingency period to determine acceptability with a right to terminate if unacceptable, and exclusive option to sell to Village and obtain an appraisal; and

**B. Monroe County Land Authority Approval** - If utilizing the assistance of the Monroe County Land Authority, the MCLA is required to bring all purchases using MCLA funds to an advisory committee which recommends denial or approval; and

**C. Appraisal** - An appraisal of the fair market value of property that shall be prepared by a certified appraiser and submitted to staff *prior to* any offer being made. If using the assistance of the MCLA, the MCLA uses all DEP approved appraisers. If the MCLA resells the land to the DEP through the Florida Forever program, the appraiser and appraisal then meets the requirements. There is no time limit on the DEP approved appraisals; and

**D. Title Commitment** - Written agreement by a Florida licensed title insurer agreeing to issue an owner's policy of title insurance showing marketable title free and clear of all liens and encumbrances. If using the assistance of the MCLA, the MCLA does not get an agreement. They order a title commitment and then review it. If there are title issues, the contract purchase requires sellers be able to sell with a clear title; and

**E. Payment of Taxes** - Evidence of full payment of all taxes due the County, as well as all outstanding fees owed to the Village, unless specifically waived by the Village Council; and

**F. Certified Survey** - (can occur *after* binding contract is produced). A Class 1 survey shall be prepared conforming to minimum standards of FL Board of Professional Land Surveyors. This document shall contain an adequate legal description of the subject property, identify and locate all title exceptions shown in the title commitment, and identify all areas which are to be preserved for open space purposes. If using the assistance of the MCLA, the MCLA only order surveys if they think it is necessary. If there are no visible encroachments after one of their land stewards inspects the property, they may not order a survey; and

**G. Environmental/Contamination Assessment** - (can occur *after* purchase option contract) A narrative analysis of subject property including soils and groundwater performed by an environmental engineer, licensed in the State of Florida, shall determine any places or areas from or at which a release of petroleum products or hazardous materials has occurred or where a threat of such a release exists. Signs of contamination indicated in the report may lead to termination of purchase option contract. Upon receipt of a favorable analysis, staff may be required to prepare a Land Management Plan (depends on requirements of funding source). If using the assistance of the MCLA, the MCLA only conducts an Environmental Assessment if within their initial research, there were uses on the property that may have contaminants or if they observed dumping on the site; and

**H. Grant Application (if appropriate)** - Completed application package including required forms, supporting documentation and resolution of support from the Village Council is prepared and submitted to appropriate funding source; and

**I. Land Management Plan** - (can be finalized *after* closing) Narrative statement, including map of property identifying areas proposed for open space acquisition, and a description of proposed activities, provisions for public access to property (if any), responsibility for property maintenance, protection of habitat and any special conditions; and

**J. Other Due Diligence** -Any other due diligence inspections deemed necessary prior to implementation of the Land Management Plan.

12. Appropriate staff negotiates suitable purchase prices with the seller. A purchase

contract is then brought to the Village Council for formal approval. All offers or counteroffers shall be documented in writing and shall be confidential and exempt from the provisions of Sec. 119.07(1) F.S. until an option contract is executed, or if no option contract is executed, until two weeks before a contract or agreement for purchase is considered for approval by the MCLA and Village Council. Staff shall maintain complete and accurate records of all offers and counteroffers for all projects.

13. Village Council holds public meeting to consider granting final approval to the following:

- Process for execution of agreements to purchase property
- Purchase Price
- Agreement terms
- Purchase option contract
- Draft Land Management Plan
- Execution of agreements to purchase property.

A final offer shall be in the form of a purchase option contract or agreement for purchase and shall be signed and attested to by the owner and the designated representative of the Village. Before the Village Council executes the purchase option contract or agreement for purchase, the contract or agreement shall be reviewed for form and legality by Village legal staff. Before the Village signs the agreement for purchase or exercises the purchase option contract, the provisions of Sec. 286.23 F.S. (public disclosure in form of a written affidavit of every person having a beneficial interest in the real property) shall be complied with.

14. Upon final approval by the Village Council, staff are authorized to execute the property closing process, disburse funding and finalize the Land Management Plan, if necessary.

15. Land recommended for acquisition by the Division of State Lands as a boundary amendment or new project will follow the State of Florida Statutes, Rules, and application procedures.

### **MONROE COUNTY LAND AUTHORITY PARTNERSHIP**

The Village has entered into an Interlocal Agreement with the Monroe County Land Authority (MCLA) to purchase land on behalf of the Village (Resolution No. 23-12-137). The MCLA currently acts as the purchasing agent on behalf of the Village for the Florida Forever Program and can be reimbursed for purchases made from the adopted Florida Forever Program acquisition list.

The MCLA annually receives funding from the half of 1 cent Tourist Impact tax (pursuant to s. 125.018, F.S.) which provides an annual revenue for the Florida Keys Area of Critical State Concern (ACSC) of approximately \$1.8 million. This tax also generates the same amount for the City of Key West ACSC that must be used for land acquisition or affordable

housing. The second reoccurring fund revenue is through a State Park surcharge that generates approximately \$470,000 annually countywide. Any land purchased with Florida Forever funds must identify a land manager which can be the Village of Islamorada, the Land Authority in unincorporated Monroe County or a State or Federal Agency depending on the land lease and management plan between the MCLA and DEP. Additionally, Monroe County dedicated over \$7.5 Million in County Infrastructure Sales Tax funds to further land acquisition efforts, primarily used for density reduction or less than fee purchases.

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## ANNUAL ACTION LIST FOR LAND ACQUISITION By QUARTER

### January to March

1. Review and revise acquisition list as needed
2. Conduct public open house at one property
3. Review/adopt management plans when necessary
4. Develop maintenance schedules

### April to June

1. Review and Update Action Plan as necessary
2. Conduct site visits and schedule exotic/invasive vegetation removal
3. Plan public engagement opportunities
4. Review potential contracts for management activities

### July to September

1. Assess past year expenditures including appraisals, studies, management, equipment, supplies, title research and acquisitions
2. Estimate budget demand for upcoming budget year
3. Prepare budget recommendation, present to advisory committee and Village Manager
4. Make annual budget recommendation to Council and make any necessary revisions to the Action Plan

### October to December

1. Meet with MCLA to review final land acquisition budget
2. Remove developed properties from land acquisition list as appropriate
3. Assess property naming needs

**Table 1. VILLAGE OF ISLAMORADA LAND ACQUISITION PRIORITY LIST  
(As of November 12, 2024)**

This list indicates vacant properties within the Village that have been identified by the LAAC and Village staff as a priority for acquisition. The last column on this list indicates if the property is located on the Florida Forever acquisition list established by DEP State Lands. These Forever Florida properties shown on this list are contained within the agreement made between the Village and the MCLA. Properties in the last column noted “No” must be purchased with Village or other non MCLA funding sources.

Properties highlighted in green are those that were identified as highly desirable vacant developable lands due to their significant habitat during the Villages vacant developable lands analysis.

| PARCEL ID       | ACRES | FLUM/<br>Zoning | Habitat           | KEY                | Florida<br>Forever |
|-----------------|-------|-----------------|-------------------|--------------------|--------------------|
| 00418770-000600 | 0.23  | RM              | Hammock           | Plantation         | Yes                |
| 00403900-000000 | 0.35  | MU/HC           | Buttonwood        | Upper<br>Matecumbe | Yes                |
| 00395590-000000 | 1.65  | RL/RE           | Hammock/disturbed | Lower<br>Matecumbe | Yes                |
| 00404260-000000 | 0.86  | RC              | Mangrove          | Upper<br>Matecumbe | Yes                |
| 00093170-000000 | 3.45  | RL/RE           | Hammock           | Plantation         | Yes                |
| 00404270-000000 | 0.86  | RC/NR           | Hammock           | Upper<br>Matecumbe | Yes                |
| 00402150-000000 | 0.29  | VC              | Hammock           | Upper<br>Matecumbe | Yes                |
| 00093800-000000 | 6.10  | RL/RE           | Hammock           | Windley            | Yes                |
| 00419400-000300 | 0.77  | RM/R1           | Hammock           | Plantation         | Yes                |
| 00092250-000101 | 0.28  | RM/R1           | Hammock           | Plantation         | Yes                |
| 00092250-000100 | 1.00  | MU/HC           | Hammock           | Plantation         | Yes                |
| 00092510-000100 | 0.36  | RC/NR           | Hammock           | Plantation         | Yes                |
| 00093900-000000 | 0.99  | RC/NR           | Mangrove          | Windley            | Yes                |
| 00093900-000200 | 2.13  | RC/NR           | Hammock           | Windley            | Yes                |

|                 |       |       |                    |                 |     |
|-----------------|-------|-------|--------------------|-----------------|-----|
| 00395500-000000 | 2.12  | RL/RE | Hammock/waterfront | Lower Matecumbe | Yes |
| 00395520-000000 | 1.81  | RM/R1 | Hammock/waterfront | Lower Matecumbe | Yes |
| 00395510-000000 | 2.18  | RL/RE | Hammock/waterfront | Lower Matecumbe | Yes |
| 00093360-000000 | 10.00 | RC/NR | Hammock            | Plantation      | Yes |
| 00093350-000000 | 4.55  | Na    | Submerged          | Plantation      | Yes |
| 00415850-000000 | 0.28  | RC/NR | Hammock            | Plantation      | Yes |
| 00415860-000000 | 0.28  | RC/NR | Hammock            | Plantation      | Yes |
| 00092450-000100 | 0.30  | RC/NR | Hammock            | Plantation      | Yes |
| 00092350-000100 | 0.59  | RC/NR | Hammock            | Plantation      | Yes |
| 00412980-000000 | 0.14  | MU/HC | Hammock            | Plantation      | Yes |
| 00404280-000000 | 0.91  | RC/NR | Hammock            | Upper Matecumbe | Yes |
| 00404520-000000 | 3.80  | RC/NR | Wetlands           | Upper Matecumbe | Yes |
| 00404290-000000 | 1.05  | RC/NR | Hammock/waterfront | Upper Matecumbe | Yes |
| 00418770-000400 | 0.23  | RM/R1 | Hammock            | Plantation      | Yes |
| 00419380-000100 | 0.33  | RM/R1 | Hammock            | Plantation      | Yes |
| 00419390-000100 | 0.25  | C/C   | Hammock            | Plantation      | Yes |
| 00414560-000000 | 1.33  | RM/R1 | Hammock            | Plantation      | Yes |
| 00092030-000000 | 1.00  | IND.  | Hammock            | Plantation      | Yes |
| 00092120-000000 | 20.25 | RC/NR | Hammock/wetland    | Plantation      | Yes |
| 00092000-000000 | 1.00  | RC/NR | Hammock            | Plantation      | Yes |
| 00091880-000500 | 0.42  | RM    | Hammock            | Plantation      | Yes |

|                 |       |       |                      |                 |     |
|-----------------|-------|-------|----------------------|-----------------|-----|
| 00414570-000000 | 0.91  | RM/R1 | Hammock/disturbed    | Plantation      | Yes |
| 00092250-000102 | 0.41  | RM/R1 | Hammock              | Plantation      | Yes |
| 00093790-000000 | 0.10  | RL/RE | Hammock              | Windley         | Yes |
| 00092570-000000 | 1.20  | RC/NR | Hammock              | Plantation      | Yes |
| 00092320-000000 | 0.97  | RC/NR | Hammock              | Plantation      | Yes |
| 00092390-000000 | 0.33  | RC/NR | Hammock              | Plantation      | No  |
| 00097690-000000 | 3.49  | C/C   | Mangrove/submerged   | Lower Matecumbe | Yes |
| 00097680-000000 | 67.88 | C/C   | Mangrove/buttonwood  | Lower Matecumbe | Yes |
| 00402210-000000 | 0.41  | RM/R1 | Hammock              | Upper Matecumbe | Yes |
| 00096840-000100 | 0.41  | C/C   | Hammock              | Upper Matecumbe | Yes |
| 00095580-000200 | 1.58  | C/C   | Hammock/Mangrove     | Upper Matecumbe | Yes |
| 00412800-000000 | 0.14  | MU/HC | Hammock              | Plantation      | Yes |
| 00092110-000000 | 1.17  | C/C   | Mangrove             | Plantation      | Yes |
| 00092070-000000 | 3.0   | I/I   | Hammock/disturbed    | Plantation      | Yes |
| 00419390-000200 | 0.27  | C/C   | Hammock              | Plantation      | Yes |
| 00097680-000100 | 0.37  | C/C   | Mangrove/disturbed   | Lower Matecumbe | Yes |
| 00415890-000000 | 0.28  | MU/HC | Hammock/disturbed    | Plantation      | No  |
| 00093770-000000 | 37.31 | C/C   | Mangrove             | Windley         | No  |
| 00093780-000000 | 0.69  | C/C   | Hammock              | Windley         | No  |
| 00093290-000000 | 2.70  | RL/RE | scarified waterfront | Plantation      | No  |
| 00401260-000000 | 2.87  | RL/RE | Hammock              | Upper Matecumbe | No  |

|                 |      |       |                    |                 |    |
|-----------------|------|-------|--------------------|-----------------|----|
| 00405180-000000 | 0.51 | RL/RE | Hammock            | Upper Matecumbe | No |
| 00405190-000000 | 0.25 | RL/RE | Hammock            | Upper Matecumbe | No |
| 00413240-000000 | 0.14 | RM/R1 | Hammock/disturbed  | Plantation      | No |
| 00413250-000000 | 0.07 | RM/R1 | Hammock            | Plantation      | No |
| 00419390-000300 | 0.27 | C/C   | Hammock            | Plantation      | No |
| 00091880-000200 | 0.45 | RM/R1 | Hammock            | Plantation      | No |
| 00395550-000000 | 2.43 | RL/RE | hammock/waterfront | Lower Matecumbe | No |
| 00395560-000000 | 2.53 | RL/RE | hammock/waterfront | Lower Matecumbe | No |
| 00400860-000000 | 1.56 | RL/RE | hammock/canal      | Upper Matecumbe | No |
| 00095920-000000 | 5.33 | RC/NR | Hammock/wetlands   | Upper Matecumbe | No |
| 00396950-000200 | 3.20 | RC/NR | Hammock            | Lower Matecumbe | No |
| 00397060-000000 | 5.00 | RC/NR | hammock/waterfront | Lower Matecumbe | No |
| 00094700-000000 | 0.22 | RC/NR | hammock/exotics    | Upper Matecumbe | No |
| 00403940-000000 | 0.33 | RC/NR | hammock/exotics    | Upper Matecumbe | No |

## **BOUNDARY AMENDMENT TO FLORIDA FOREVER LIST** **(Proposed – October 2025)**

Village staff, with assistance from the LAAC developed a list of desirable properties which are not currently on the Florida Forever Acquisition List. The list was submitted to DEP for evaluation as a 'Boundary Amendment' to the Florida Forever List. Staff at DEP State Lands indicated that the following two parcels are eligible as a boundary amendment, but that the balance of the list must be submitted as a "New" Additions Project due to the cost of the land.

| <b>Parcel Id</b> | <b>Key</b>      | <b>Acreage</b> | <b>FLUM</b>                   |
|------------------|-----------------|----------------|-------------------------------|
| 00093770-000000  | Windley         | 37.31          | (C) Conservation              |
| 00396950-000200  | Lower Matecumbe | 3.2            | (RC) Residential Conservation |

Staff at DEP State Lands indicated that the remainder of the list must be submitted as a "new additions project" for full review and evaluation by the Florida Forever Acquisition and Restoration Council (ARC). The ARC reviews proposals and decides evaluation needs. The ARC determines final project boundaries and establishes the priority ranking of projects. The Florida Natural Areas Inventory (FNAI) conducts a scientific review of all proposed land acquisition projects using the "Conservation Needs Assessment". The lots that meet these criteria may be added to the State Lands Acquisition List following site evaluations by various state agencies.

## **ADDITIONS TO FLORIDA FOREVER TO BE SUBMITTED APRIL 2025**

The following "Additions" are currently under analysis by LAAC and staff. The "Additions" will be analyzed according to the DEP protocol. The list and staff analysis will be submitted to DEP State Lands in April 2025 for consideration as a new project. New projects are accepted twice a year and require detailed analysis based upon the Conservation Needs Assessment protocol.

| <b>Parcel Id</b> | <b>Key</b>      | <b>Acreage</b> | <b>FLUM</b>          |
|------------------|-----------------|----------------|----------------------|
| 00394870-000000  | Lower Matecumbe | 1.45           | (RL) Residential Low |
| 00395550-000000  | Lower Matecumbe | 2.37           | (RL) Residential Low |
| 00395560-000000  | Lower Matecumbe | 2.46           | (RL) Residential Low |

|                 |                 |       |                               |
|-----------------|-----------------|-------|-------------------------------|
| 00397060-000000 | Lower Matecumbe | 5.02  | (RC) Residential Conservation |
| 00397130-000000 | Lower Matecumbe | 0.99  | (C) Conservation              |
| 00096850-000200 | Upper Matecumbe | 6.52  | (C) Conservation              |
| 00400220-000000 | Upper Matecumbe | 0.38  | (MU) Mixed Use                |
| 00400210-000000 | Upper Matecumbe | 0.38  | (MU) Mixed Use                |
| 00400860-000000 | Upper Matecumbe | 1.56  | (RL) Residential Low          |
| 00403940-000000 | Upper Matecumbe | 0.33  | (RC) Residential Conservation |
| 00094700-000000 | Upper Matecumbe | 0.22  | (RC) Residential Conservation |
| 00404540-000000 | Upper Matecumbe | 1.96  | (RC) Residential Conservation |
| 00091900-000000 | Plantation      | 5.7   | (C) Conservation              |
| 00091910-000000 | Plantation      | 18.38 | (C) Conservation              |
| 00091900-000100 | Plantation      | 9.18  | (C) Conservation              |
| 00091880-000200 | Plantation      | 0.46  | (RM) Residential Medium       |
| 00415180-000000 | Plantation      | 1.09  | (C) Conservation              |
| 00414380-000000 | Plantation      | 0.40  | (MU) Mixed Use                |
| 00414370-000000 | Plantation      | 0.31  | (MU) Mixed Use                |
| 00414390-000000 | Plantation      | 0.26  | (RM) Residential Medium       |
| 00413070-000000 | Plantation      | 0.14  | (MU) Mixed Use                |
| 00413080-000000 | Plantation      | 0.14  | (MU) Mixed Use                |
| 00412810-000000 | Plantation      | 0.14  | (MU) Mixed Use                |
| 00415280-000000 | Plantation      | 0.54  | (RL) Residential Low          |

|                 |            |      |                               |
|-----------------|------------|------|-------------------------------|
| 00415310-000000 | Plantation | 0.70 | (RL) Residential Low          |
| 00415300-000000 | Plantation | 0.66 | (RL) Residential Low          |
| 00415290-000000 | Plantation | 0.59 | (RL) Residential Low          |
| 00415880-000000 | Plantation | 0.14 | (RC) Residential Conservation |
| 00415890-000000 | Plantation | 0.28 | (MU) Mixed Use                |
| 00415560-000100 | Plantation | 0.96 | (RL) Residential Low          |
| 00415560-000200 | Plantation | 0.90 | (RL) Residential Low          |
| 00415590-000000 | Plantation | 0.85 | (RL) Residential Low          |
| 00419390-000300 | Plantation | 0.27 | (C) Conservation              |

## APPENDIX A

### LISTING OF PUBLICLY OWNED LAND WITHIN ISLAMORADA

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| Parcel ID       | Ownership | Habitat Classification  | Acres  |
|-----------------|-----------|-------------------------|--------|
| 00091836-000000 | VILLAGE   | Commercial and Services | 0.112  |
| 00413900-000000 | VILLAGE   | Hammock                 | 0.155  |
| 00096820-000000 | VILLAGE   | Hammock                 | 1.775  |
| 00096440-000100 | VILLAGE   | Hammock                 | 1.72   |
| 00413890-000000 | VILLAGE   | Hammock                 | 0.176  |
| 00413470-000000 | VILLAGE   | Hammock                 | 0.208  |
| 00413870-000000 | VILLAGE   | High Intensity Urban    | 0.209  |
| 00396950-000201 | VILLAGE   | Mangrove Swamp          | 26.323 |
| 00403670-000000 | VILLAGE   | Hammock                 | 0.172  |
| 00403910-000000 | VILLAGE   | Hammock                 | 0.344  |
| 00092230-000000 | VILLAGE   | Hammock                 | 15.86  |
| 00096830-000100 | VILLAGE   | Commercial and Services | 3.635  |
| 00413880-000000 | VILLAGE   | Hammock                 | 0.195  |
| 00398780-000000 | VILLAGE   | Transportation          | 1.258  |
| 00097900-000000 | VILLAGE   | Transportation          | 1.407  |
| 00418280-000000 | VILLAGE   | Utilities               | 0.135  |
| 00418090-000000 | VILLAGE   | Utilities               | 0.162  |
| 00097910-000000 | VILLAGE   | Transportation          | 0.435  |

|                 |         |                         |       |
|-----------------|---------|-------------------------|-------|
| 00397800-000000 | VILLAGE | Hammock                 | 4.54  |
| 00418100-000000 | VILLAGE | Utilities               | 0.138 |
| 00419400-000000 | VILLAGE | Hammock                 | 1.608 |
| 00398790-000000 | VILLAGE | Transportation          | 1.028 |
| 00413480-000000 | VILLAGE | Hammock                 | 0.191 |
| 00403680-000000 | VILLAGE | Hammock                 | 0.07  |
| 00411290-000000 | VILLAGE | High Intensity Urban    | 0.196 |
| 00414410-000000 | VILLAGE | Hammock                 | 0.335 |
| 00392160-000000 | VILLAGE | Mangrove Swamp          | 0.226 |
| 00416520-000000 | VILLAGE | Hammock                 | 0.152 |
| 00392150-000000 | VILLAGE | Mangrove Swamp          | 0.18  |
| 00096350-000000 | VILLAGE | Hammock                 | 3.841 |
| 00095990-000000 | VILLAGE | Hammock                 | 1.479 |
| 00417250-000000 | VILLAGE | Hammock                 | 0.176 |
| 00413090-000000 | VILLAGE | Commercial and Services | 0.138 |
| 00093420-005401 | VILLAGE | Hammock                 | 0.224 |
| 00418040-000000 | VILLAGE | Urban Open Land         | 0.568 |
| 00418030-000000 | VILLAGE | High Intensity Urban    | 0.498 |
| 00095940-000000 | VILLAGE | Marine                  | 0.982 |
| 00418060-000000 | VILLAGE | Hammock                 | 0.571 |
| 00415800-000000 | VILLAGE | Hammock                 | 0.275 |

|                 |         |                         |       |
|-----------------|---------|-------------------------|-------|
| 00415820-000000 | VILLAGE | Hammock                 | 0.275 |
| 00415870-000000 | VILLAGE | Commercial and Services | 0.138 |
| 00418050-000000 | VILLAGE | Hammock                 | 0.771 |
| 00095970-000000 | VILLAGE | Hammock                 | 1.502 |
| 00421670-000000 | VILLAGE | High Intensity Urban    | 0.152 |
| 00418770-000500 | VILLAGE | Hammock                 | 0.284 |
| 00418770-000000 | VILLAGE | Hammock                 | 0.281 |
| 00419295-000200 | VILLAGE | Hammock                 | 0.482 |
| 00093301-000000 | VILLAGE | Hammock                 | 4.631 |
| 00415810-000000 | VILLAGE | Hammock                 | 0.275 |
| 00415790-000000 | VILLAGE | Hammock                 | 0.25  |
| 00419401-000000 | VILLAGE | Hammock                 | 2.204 |
| 00418150-000000 | VILLAGE | Utilities               | 0.138 |
| 00419390-000000 | VILLAGE | Hammock                 | 1.03  |
| 00419380-000000 | VILLAGE | Hammock                 | 1.102 |
| 00091820-000200 | VILLAGE | Parks and Zoos          | 0.596 |
| 00418220-000000 | VILLAGE | High Intensity Urban    | 0.031 |
| 00091820-000103 | VILLAGE | Parks and Zoos          | 1.68  |
| 00418210-000000 | VILLAGE | High Intensity Urban    | 0.125 |
| 00419295-000100 | VILLAGE | Hammock                 | 0.169 |
| 00418160-000000 | VILLAGE | Utilities               | 0.138 |

|                  |              |                   |        |
|------------------|--------------|-------------------|--------|
| 00418270-000000  | VILLAGE      | Utilities         | 0.121  |
| 00403660-000000  | VILLAGE      | Hammock           | 0.172  |
| 00095190-000100  | VILLAGE      | Transportation    | 0.059  |
| 00091820-000101  | VILLAGE      |                   | 0.14   |
| 00093300-000000  | VILLAGE      |                   | 8.71   |
| 00096230-000000  | VILLAGE      |                   | 5.15   |
| 00400330-000000  | VILLAGE      |                   | 1.15   |
| 00437491-005501  | VILLAGE      |                   | 0.14   |
| 00420200-000100  | VILLAGE      | Hammock           | 0.195  |
| Glynn lots (149) | VILLAGE      | Wetland & Hammock | 84.85  |
| 00396950-000100  | BOT TIIIF    | Mangrove Swamp    | 11.998 |
| 00096460-000000  | BOT TIIIF    | Marine            | 2.314  |
| 00397110-000000  | DOT/ST.OF FL | Rockland Hammock  | 0.687  |
| 00097320-000000  | BOT TIIIF    | Mangrove Swamp    | 5.199  |
| 00396970-000000  | BOT TIIIF    | Estuarine         | 19.699 |
| 00096450-000000  | BOT TIIIF    | Rockland Hammock  | 4.851  |
| 00097310-000000  | BOT TIIIF    | Rockland Hammock  | 0.221  |
| 00396950-000000  | BOT TIIIF    | Mangrove Swamp    | 23.808 |
| 00097600-000000  | BOT TIIIF    | Marine            | 3.552  |
| 00403930-000000  | BOT TIIIF    | Rockland Hammock  | 0.344  |
| 00397100-000000  | DOT/ST.OF FL | Rockland Hammock  | 5.132  |

|                 |   |                         |        |
|-----------------|---|-------------------------|--------|
| 00403920-000000 | BOT TIIF  | Rockland Hammock        | 0.344  |
| 00091940-000000 | MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY | Mangrove Swamp          | 17.564 |
| 00390120-000000 | BOT TIIF  | Marine                  | 0.14   |
| 00396940-000000 | BOT TIIF  | Mangrove Swamp          | 49.713 |
| 00092140-000000 | BOT TIIF  | Tidal Flat              | 28.522 |
| 00419400-000100 | BOT TIIF  | Rockland Hammock        | 0.413  |
| 00092220-000000 | BOT TIIF  | Rockland Hammock        | 68.942 |
| 00092130-000000 | BOT TIIF  | Mangrove Swamp          | 6.149  |
| 00092270-000100 | MONROE COUNTY                                   | Transportation          | 0.561  |
| 00096980-000000 | DOT/ST.OF FL                                    |                         | 16.626 |
| 00428280-000000 | SCHOOL BOARD OF MONROE COUNTY                   | Commercial and Services | 0.121  |
| 00428540-000000 | SCHOOL BOARD OF MONROE COUNTY                   | Commercial and Services | 0.138  |
| 00412830-000000 | BOT TIIF  | Rockland Hammock        | 0.138  |
| 00412840-000000 | BOT TIIF  | Rockland Hammock        | 0.132  |
| 00092340-000000 | MONROE COUNTY BOARD OF COUNTY COMMISSIONERS     | Rockland Hammock        | 0.943  |
| 00092530-000100 | BOT TIIF  | Rockland Hammock        | 0.442  |
| 00096880-000000 | BOT TIIF  | Mangrove Swamp          | 44.397 |
| 00095630-000100 | BOT TIIF  | Marine                  | 0.391  |
| 00096850-000000 | BOT TIIF  | Rockland Hammock        | 1.785  |
| 00096910-000000 | BOT TIIF  | Mangrove Swamp          | 36.333 |
| 00093600-000000 | BOT TIIF  | Mangrove Swamp          | 68.719 |

|                 |   |                         |         |
|-----------------|---|-------------------------|---------|
| 00093610-000000 | BOTTIIF   | Mangrove Swamp          | 140.461 |
| 00096970-000000 | DOT/ST.OF FL                                    |                         | 82.007  |
| 00094290-000100 | BOTTIIF   | Rockland Hammock        | 3.816   |
| 00399360-000000 | MONROE COUNTY                                   |                         | 0.535   |
| 00092480-000000 | BOTTIIF   | Rockland Hammock        | 7.664   |
| 00428260-000000 | SCHOOL BOARD OF MONROE COUNTY                   | Commercial and Services | 0.121   |
| 00428240-000000 | SCHOOL BOARD OF MONROE COUNTY                   | Commercial and Services | 0.121   |
| 00428270-000000 | SCHOOL BOARD OF MONROE COUNTY                   | Commercial and Services | 0.121   |
| 00428520-000000 | SCHOOL BOARD OF MONROE COUNTY                   | Commercial and Services | 0.138   |
| 00428530-000000 | SCHOOL BOARD OF MONROE COUNTY                   | Commercial and Services | 0.138   |
| 00428510-000000 | SCHOOL BOARD OF MONROE COUNTY                   | Commercial and Services | 0.138   |
| 00428550-000000 | SCHOOL BOARD OF MONROE COUNTY                   | Commercial and Services | 0.138   |
| 00428250-000000 | SCHOOL BOARD OF MONROE COUNTY                   | Commercial and Services | 0.121   |
| 00092360-000100 | BOTTIIF   |                         | 1.48    |
| 00094435-000000 | MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY | Mangrove Swamp          | 0.315   |
| 00403470-000000 | MONROE COUNTY FLA                               | Mangrove Swamp          | 0.498   |
| 00096870-000000 | BOTTIIF   | Rockland Hammock        | 11.03   |
| 00096890-000000 | BOTTIIF   | Mangrove Swamp          | 9.299   |
| 00096860-000000 | BOTTIIF   | Mangrove Swamp          | 23.49   |
| 00096500-000000 | DOT/ST.OF FL                                    | Urban Open Land         | 2.446   |

|                 |   |                  |        |
|-----------------|---|------------------|--------|
| 00418550-000000 | BOARD OF PUBLIC INSTRUCTION MONROE COUNTY       | Rockland Hammock | 0.266  |
| 00418580-000000 | BOT TIIF  | Rockland Hammock | 0.293  |
| 00419295-001400 | BOT TIIF  | Rockland Hammock | 1.352  |
| 00418590-000000 | BOT TIIF  | Rockland Hammock | 0.294  |
| 00412910-000000 | BOT TIIF  | Rockland Hammock | 0.138  |
| 00412850-000000 | BOT TIIF  | Rockland Hammock | 0.128  |
| 00412900-000000 | BOT TIIF  | Rockland Hammock | 0.138  |
| 00092890-000000 | BOT TIIF  | Rockland Hammock | 0.493  |
| 00092270-000000 | BOT TIIF  | Mangrove Swamp   | 62.956 |
| 00092890-000100 | BOT TIIF  | Rockland Hammock | 1.071  |
| 00092290-000000 | BOT TIIF  | Marine           | 15.282 |
| 00415650-000200 | MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY | Rockland Hammock | 0.172  |
| 00091790-000100 | BOT TIIF  | Mangrove Swamp   | 65.977 |
| 00419295-001201 | BOT TIIF  | Rockland Hammock | 0.356  |
| 00419295-000400 | MONROE COUNTY BOARD OF COUNTY COMMISSIONERS     | Rockland Hammock | 0.523  |
| 00418690-000000 | BOT TIIF  | Rockland Hammock | 0.253  |
| 00419295-001202 | BOT TIIF  | Rockland Hammock | 0.356  |
| 00437750-000100 | DOT/ST.OF FL                                    | Transportation   | 0.068  |
| 00418620-000000 | BOT TIIF  | Rockland Hammock | 0.139  |
| 00435990-000100 | BOT TIIF  | Transportation   | 0.008  |

|                 |   |                         |        |
|-----------------|---|-------------------------|--------|
| 00419295-001401 | BOT TIIIF                                       | Rockland Hammock        | 0.819  |
| 00418610-000000 | BOT TIIIF                                       | Rockland Hammock        | 0.294  |
| 00418570-000000 | BOT TIIIF                                       | Rockland Hammock        | 0.291  |
| 00418600-000000 | BOT TIIIF                                       | Rockland Hammock        | 0.294  |
| 00412820-000000 | BOT TIIIF                                       | Transportation          | 0.138  |
| 00411090-000000 | DOT/ST.OF FL                                    | Commercial and Services | 0.371  |
| 00412860-000000 | MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY | Rockland Hammock        | 0.138  |
| 00091970-000000 | BOT TIIIF                                       | Mangrove Swamp          | 0.002  |
| 00412890-000000 | BOT TIIIF                                       | Rockland Hammock        | 0.138  |
| 00092170-000000 | MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY | Marine                  | 11.201 |
| 00092080-000000 | MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY | Mangrove Swamp          | 0.059  |
| 00092100-000000 | BOT TIIIF                                       | Mangrove Swamp          | 2.046  |
| 00412870-000000 | MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY | Rockland Hammock        | 0.138  |
| 00092190-000000 | MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY | Mangrove Swamp          | 35.682 |
| 00096840-000000 | BOT TIIIF                                       | Rockland Hammock        | 5.408  |
| 00091837-000000 | MONROE COUNTY FLORIDA                           | Commercial and Services | 0.085  |
| 00418880-000300 | MONROE COUNTY BOARD OF COUNTY COMMISSIONERS     | Rockland Hammock        | 0.345  |
| 00093820-000000 | BOT TIIIF                                       | Mangrove Swamp          | 47.348 |
| 00412880-000000 | BOT TIIIF                                       | Rockland Hammock        | 0.138  |

|                 |                  |                |        |
|-----------------|------------------|----------------|--------|
| 00093600-000100 | BOT TIIF         | Mangrove Swamp | 26.856 |
| 00093590-000000 | BOT TIIF         |                | 3.42   |
| 00396950-000400 | BOT TIIF         |                | 10.46  |
| 00396950-000300 | BOT TIIF         |                | 25.1   |
| 00094490-000100 | MONROE COUNTY FL |                | 0.82   |

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**APPENDIX B****PROPERTY NOMINATION FORM**

|  |       |        | <u>MTG. DATE<br/>REVIEWED</u> |
|--|-------|--------|-------------------------------|
| Aerial map showing site location ( <i>Attached</i> ):  | Yes   | No     | _____                         |
| Monroe Co. Property Record Sheets ( <i>Attached</i> ): | Yes   | No     | _____                         |
| Legal Description ( <i>RE number</i> ):                |       |        | _____                         |
| Size:  | Acres |        | _____                         |
| MLS Property Data Sheet ( <i>Attached, if any</i> ):   | Yes   | No     | _____                         |
| Owner Name(s):   |       |        | _____                         |
| Has owner stated interest in donation of land?         | Yes   | No     | _____                         |
| Contact/Agent Name:                                    | _____ | Phone: | _____                         |
| Email:   |       |        | _____                         |
| General physical description:                          |       |        | _____                         |
| Reason for Nomination:                                 |       |        | _____                         |
| Proposed Use(s):                                       |       |        | _____                         |

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## **Additional Information**

### **VILLAGE COMPREHENSIVE PLAN POLICIES REGARDING LAND ACQUISITION**

#### **Policy 1-3.1.2: Maintain Programs for Conservation of Lands Within Islamorada**

The Islamorada Village of Islands Council shall maintain an Action Plan for the Village, developed by the Village's Land Acquisition Advisory Committee, in conjunction with Village staff. This Action Plan shall recommend the best means for land acquisition and conservation including retiring development rights from the vacant lands within the Village, while protecting private property rights, and may include programs such as: a general tax; a transfer tax; tax reduction for easements; unity of title; voluntary dedication; establishment of a Land Trust; outright acquisition; grantsmanship and/or fundraising events. The Action Plan shall include a system for continued monitoring, evaluation and update of the adopted programs.

The Land Acquisition Selection System shall be maintained to affirm the Village's future conservation/ecological infrastructure, in coordination with the Monroe County Land Authority, current and proposed Land Development Regulations, and Comprehensive Plan policies. Evaluation of each of the current LAAC priority properties and other potential conservation properties in the Village shall be completed and shall result in an amended conservation lands listing. Subsequently, during the following budget cycle, the Village shall prepare a Capital Investment Plan for land acquisition and purchase of development rights in coordination with regional, State, Federal and private non-profit programs, including but not limited to the Department of Environmental Protection (CARL), the Monroe County Land Authority, the Department of Community Affairs and other agencies with an interest in conservation lands. This Capital Investment Plan shall be incorporated into the Village's Capital Improvement Program.

The Village shall continue to coordinate with regional, State, Federal and private non-profit programs, including but not limited to the Department of Environmental Protection (CARL/Florida Forever), the Monroe County Land Authority, the Trust for Public Lands, and the Department of Community Affairs (Florida Communities Trust) for the acquisition of properties consistent with the Action Plan.

#### **Policy 6-1.4.8: Develop A List of Priority Upland Habitat Acquisition Sites**

As part of the Land Acquisition Program a list of priority, native upland habitat acquisition sites shall be drafted and updated annually. This list shall be developed in consultation with Department of Community Affairs, the Department of Environmental Protection, the National Audubon Society Research Department, the Nature Conservancy, the Monroe County Land Authority and other agencies as appropriate. Priority native upland vegetation acquisition sites shall include those which:

1. Are determined to be high quality habitat;
2. Include plant species of special status;
3. Are documented habitat for wildlife species of special status;
4. Are located within Improved Subdivisions; and/or
5. Are documented as significant coastal upland natural communities by the Florida Natural Areas Inventory.

Policy 6-1.4.9: Cooperate with The Monroe County Land Authority to Acquire Land Within Islamorada, Village of Islands

Islamorada, Village of Islands Planning and Development Services Department shall work cooperatively with the Monroe County Land Authority to develop and administer the acquisition program established in Policy 1-3.1.3 to acquire environmentally sensitive lands. Islamorada, Village of Islands shall work cooperatively with the Monroe County Land Authority to develop land acquisition lists.

Policy 6-1.4.10: Establish Criteria for Prioritizing Sites for Conservation Purposes.

Islamorada, Village of Islands shall continuously identify, in cooperation with the FWS and FWCC, the following as priority sites for acquisition or protection:

1. Nesting sites of the southern bald eagle (*Haliaeetus leucocephala*), osprey (*Pandion haliaetus*), the brown pelican (*Pelecanus occidentalis*) and the roseate tern (*Sterna dougallii*); and
2. Wintering grounds for the peregrine falcon (*Falco peregrinus*) and the piping plover (*Charadrius melodus*); and
3. Native upland habitats in private ownership used by species listed by a State or Federal agency as threatened or endangered, such as the Schaus' swallowtail butterfly, eastern indigo snake (*Drymarchon corais couperi*) and the white-crowned pigeon (*Columba leucocephala*); and
4. Disturbed habitat with potential for restoration or that provides wildlife corridors between existing environmentally sensitive lands or buffers environmentally sensitive lands from the encroachment of development; and
5. Transitional habitat with potential for wildlife corridors or tropical flyways.

Particular emphasis shall be placed upon acquisition of identified native upland sites located within residential subdivisions. These priority sites shall be identified on the Existing Conditions and Threatened and Endangered Animal Species Map.

OBJECTIVE 7-1.1: PROVIDE A SYSTEM OF RECREATION AND OPEN SPACE SITES AND FACILITIES.

The Village shall comprehensively review the need for new recreation and open space sites and facilities, predicated on data, standards and policies contained in the Comprehensive Plan, and shall adequately maintain the provided sites and facilities.

Policy 7-1.4.4: Seek Grants and Alternative Sources to Finance Recreation And Open Space Acquisition, Planning, Design And Development

Islamorada, Village of Islands shall ensure that local and non-local sources of financial and technical assistance for land acquisition, planning, design and development of

recreation and open spaces are sought and received to ensure that recreation objectives are achieved in a cost effective and fiscally equitable manner.

## LESS THAN FEE PROGRAM

A parcel of land contains multiple development rights. Purchase of all the rights and the land is called Fee Simple. There are other ways to purchase portions of development rights. The MCLA manages a 'Less than Fee Program' which was launched by Monroe County in October 2018. With the program, the county purchases some of the rights, such as "density" from owners of lots zoned residential when the adjacent lot to the seller's primary residence is vacant. The Property owners can continue to use the land for non-habitable accessory structures such as a pool, garage, parking or recreational open space. The adjacent lot owner continues to own and manage the land but loses all development rights on it. As of September 2024, approximately \$7.5 million has been dedicated by the County to the program and the program has resulted in the acquisition of development rights for 104 less than fee lots.

**Less Than Fee Process.** Upon sale, owners must execute a restrictive covenant agreeing to unify the parcels and agreeing to never seek a building permit allocation to develop detached habitable space.

The Village staff identified approximately one hundred and two vacant adjacently owned lots which could be candidates for this program with identified Village funding in the budget. If the Village elects to implement a "Less Than Fee" Program, the interlocal agreement with the MCLA must be amended.

The purchase of development rights under the "less than fee" Program could be coordinated with the MCLA through a dedicated line item in the Village budget. A source of funding for the program is Islamorada's share of the County's 304 one half cent infrastructure sales taxes. To justify the use of infrastructure sales surtax funds for land acquisition, the County has relied upon F.S. 212.055(2)(d).

Applicants submit the Less than Fee application

- The Village will conduct a review of the property to determine its eligibility for the program and provide written determination that a whole density right (1 TDR) exists on the lot.
- If the property is eligible, the MCLA will send the owner an agreement to purchase the building development rights (TDR), along with the sample Unity of Title for their review. Once the owner has returned the signed agreement, the MCLA will determine if there is a mortgage on the property, the MCLA will require the mortgage company to sign a Joinder.
- The agreement will be placed on a Village Council meeting agenda for consideration. All agreements are subject to final approval by the Village Council at a public meeting. The agreement must also be approved by the MCLA Governing Board. At closing, the deed restriction (a Covenant of Unity of Title & Restriction on Future Development and/or Conveyances) will be recorded in the public records.

1. The Village will pay for the costs of the title search and all recording fees.
2. If there is a mortgage or other lien on the lot, the owner will need to gain the bank or lienholder's consent. There may be some expenses in resolving these issues.
3. If the owner chooses to designate a representative (e.g., attorney, realtor, etc.) as their contact person, they will be responsible for paying lawyer or agents.

## MECHANISMS TO RETIRE DEVELOPMENT RIGHTS

### Provide an Ad Valorum Taxation Reduction for voluntary Conservation Easements

A conservation easement is a legal agreement effected under Chapter 704.06, Florida Statutes, between a landowner and a charity, land trust or government agency that perpetually limits uses of land in order to protect its conservation and open space values, while the landowner continues to own the property. A conservation easement may apply to just a portion of the property and need not require public access. Future owners also will be bound by the easement's terms. The land trust or government agency is responsible for ensuring the easement's terms are followed. Conservation easements can provide a strong incentive for private landowners to protect their land.

A landowner sometimes sells a conservation easement, but usually easements are donated. If the donation benefits the public by permanently protecting important conservation resources and meets other federal tax code requirements it can qualify as a tax-deductible charitable donation. The amount of the donation is the difference between the land's value with the easement and its value without the easement. The Village requires conservation easements on parcels clearing low, moderate and high-quality hammock. This paragraph does not apply to mandatory conservation easements.

Currently, according to staff at the Monroe County Property Appraiser, tax assessments do not differentiate between the market value of parcels with conservation easements or restrictive covenants and those without. Therefore, there are currently no tax deductions for properties with conservation easements regardless of the terms of the easement.

Assessment for taxation purposes of 'environmentally endangered' properties on which a conservation easement has been placed, is governed by Chapter 193.501, Florida Statutes. Section 193.501(3)(a) specifies for qualifying covenants that are enacted for longer than 10 years, "...*the property appraiser, in valuing such land for tax purposes, shall consider no factors other than those relative to its value for the present use, as restricted by any conveyance or covenant under this section.*"

Experts consulted indicated that a property owner can petition the Property Appraiser or challenge the appraised value based on demarcation of a conservation easement which is registered on the property deed. The Property Appraiser must assign value to the land which exists, based on the utility of the land. If there is no utility or use of the land, then it has no value as the value of land is reflected in the right to build as placed in the development interest of a parcel. Therefore, this provision for ad valorum taxation reductions extends to the retirement of voluntary removal of partial rights from a portion of parcel. The rights given up, considering the size of lot, permitted density, or whether accessory uses will be allowed on it would be reflected as a prorated scale of taxation incentives for the various levels of protection. Other rights associated with a parcel (mineral, underground) may have value.

### Purchase Development Rights or Less than Fee

The purchase of development rights can save taxpayer dollars. The purchase of less than fee simple can offset the need for public investments in infrastructure to support land development. In this mechanism, the local government buys the future development rights from willing sellers but allows continued ownership and use of the land for purposes such as limited recreation access or green space. A permanent conservation easement or restrictive covenant is recorded in the property deed and transfers with the land, thus ensuring its long-term protection. This cost- effective mechanism provides both a cash incentive and eligibility for an ad valorum tax reduction and helps ensure ongoing land management by the property owner.

### **Establish a Mitigation Bank of Restoration Funds**

By creating a bank of available land restoration funds for restricted properties, the Village could encourage owners of scarified or disturbed properties to protect them through placing a conservation easement or restrictive covenant on them. Funds could be accessed by landowners for replanting the lots with native vegetation to restore the habitat. An inventory of lots for which restoration funds have been expended would need to be kept by the Village and an annual inspection undertaken to ensure that the properties are being protected.

### **Transfer of Development Rights**

To protect land from development in an area designated for conservation, the development rights are separated from the land and transferred to another area that can better accommodate the development. These rights can thereby be sold to compensate the owner of the land designated for conservation. To have value, TDR's must allow increased levels of development elsewhere that are not already permitted.

### **Regulations That Promote TDRs for Land Conservation**

The Village's Comprehensive Plan includes policies to encourage TDR's. Sender and receiver sites will be designated through the Land Development Regulation process. The Village has provided such a program in the land development regulations.

### **Establish a Community Land Trust**

Community Land Trusts (CLT's) are increasingly being used to provide affordable housing and preserve farmland and open space. There are over 1,200 local and regional land trusts in the United States, which acquire land and then put it to the use for which the trust was created. As a tax-exempt charitable organization, a land trust can acquire land through charitable donations that may result in tax savings for the grantor landowners. A municipality can establish a land trust as a 501(C)(3) and appoint people to the governing unit of the trust, but not the majority. A key benefit of a non-governmental organization (NGO) establishing a trust is that people may be more likely to donate to an NGO than a governmental entity. Often, the trust may recoup its investment by selling the property to the local government at a lower price than the government would otherwise have to pay.

CLT's are increasingly used to acquire land to create permanently affordable housing. By taking the land out of the speculative market, the trust insulates the property from future

price escalation. The CLT controls the type of housing that is built on the land and may lease it at very low rates to developers who are willing to build housing that meets criteria established by the trust.

There are specific costs associated with operating a land trust established for conservation purposes. Any donation to the trust above \$5,000 requires that an appraisal be conducted to assist the IRS with taxation of the property. Other costs include long-term scrutiny and management of the parcel. On Sanibel Island, when you donate or sell a conservation easement, at the time of the transfer an Easement Documentation Report is prepared, detailing the existing conditions on the property, to be used as evidence to resolve disagreements about changes to the property over time. In the past, the Nature Conservancy required \$10,000 for monitoring for large parcels and a donation of \$5,000 per parcel as a legal fund. The larger the acquisition, the more the donations sought from the owner or others for land management. Both non-profit and government need to ask for enough to cover these costs when donations are made. Small parcels are even more difficult to track than large, with small residential lots costing about \$100 per year. These numbers are from 1999 and likely have increased.

The Florida Keys Land and Sea Trust, located in Marathon, purchased the Crane Point Hammock property and continues to manage this reserve.

The creation of such a trust requires a sound legal foundation to ensure that land remains in public ownership should the trust become non-functional.

### **Encourage Donations of Land**

Donating land for conservation releases landowners from the responsibility of managing the land and can provide substantial income tax deductions if donations are made to 501(c)(3) organizations, and estate tax benefits, while avoiding any capital gains taxes that would have resulted from selling the property.

**Remainder Interest.** Donating a remainder interest in land is another way to give land. In this scenario, a landowner can continue to live on the land and retain a reserved life estate. In this arrangement, the property is donated during the owners' lifetime, but the owner continues to live on and use the property. Upon death (or sooner as desired by the landowner), the land trust or government agency gains full title and control over the property. By donating a "remainder interest", landowners may be eligible for an income tax deduction when the gift is made. The deduction is based on the fair market value of the donated property less the expected value of the reserved life estate.

**Donation by Will.** If a landowner wants to own and control their land during their lifetime, but assure its protection after death, wills can be used to donate land to the Village.

**Charitable Gift Annuity.** This option allows landowners to protect their property by donating it to a land trust, and to receive income during their lifetime by using the land as a charitable gift annuity. In a charitable gift annuity, an agreement is made to transfer certain property to a charity, and the charity makes regular annuity payments to one or two beneficiaries specified by the donor for life. This gift of land usually qualifies for a

charitable income tax deduction at the time of the gift, based on the value of the land less the expected value of the annuity payments.

**Charitable Remainder Unitrust.** Another option for donating property and receiving regular income is a charitable remainder unitrust. Using this mechanism, land is placed in a trust, first putting a conservation easement on it if it is to be protected. Then the trustee sells the land and invests the net proceeds from the sale. One or more beneficiaries specified by the donor receive payments each year for a fixed term or for life, then the trustee turns the remaining funds in the trust over to the land trust. The gift qualifies for a charitable income tax deduction when the land is put in the trust, based on the value of the land less the expected value of the payments.

Charitable gift annuities and charitable remainder unitrusts are most useful for highly appreciated land, the sale of which would incur high capital gains tax.

**Bargain Sale.** If a landowner needs immediate income from selling land yet would like the property to go to a land trust, a bargain sale might be the answer. In a bargain sale, land is sold to a land trust for less than its fair market value. This not only makes it more affordable for the land trust but offers several benefits to the seller: it provides cash, avoids some capital gains tax, and entitles the seller to a charitable income tax deduction based on the difference between the land's fair market value and its sale price.

### **Create an Endowment**

Endowments are defined as funds used to accumulate those assets that have been donated on the condition that the principle of the gift is to be kept intact and that only the investment income it produces can be used to meet the organization's needs. Endowment funds are investment vehicles whose principle is never touched and will continue in perpetuity. Only the interest or dividend earnings are spent.

Non-profit organizations are required to report assets and statements of activity under three funds: unrestricted, temporarily restricted, and permanently restricted. Unrestricted funds are those that may be used for any purpose deemed appropriate for the organization, such as the organization's operations. Both types of restricted funds are those funds that can only be used for the purpose defined, including donor restrictions and grants. In addition, the board may also launch campaigns to solicit donations for specific projects. When a solicitation is made for a stated purpose, even if the donor does not state specifically in the letter of transmittal that it is restricted, if the donor is responding to a solicitation for a specific purpose the donation can be considered restricted. Temporarily restricted funds include all monies restricted by outside donors and grantors. Permanently restricted funds are the true endowment funds. It is possible for a municipality to create an endowment, provided they specify that money would be spent in a particular manner, following clear criteria.

## **FINANCING OUTRIGHT ACQUISTION**

Public land acquisition can save local taxpayers money. Studies show that in many cases the taxpayer costs of providing, maintaining or operating infrastructure to accommodate growth are greater than the costs of outright acquisition of the development parcels.

#### **Dedicate a Percentage of the Annual Budget**

A budget line item for land acquisition would assure that dedicated revenue is annually available for land acquisition. This would also enable staff to obtain surveys and appraisals required for grant applications.

#### **Dedicate a Percentage of Unanticipated Excess Village Revenue**

This mechanism would dedicate all or a percentage of excess Village revenues to land acquisition rather than rolling it over into a future budget. This may happen if, for example, property values accrue faster than projected resulting in more money coming into the general fund. This would require that the Village Council adopt a policy to dedicate all or a percentage of unanticipated budget excesses to a land acquisition account. This would first require a budget amendment to account for excess revenues and an amendment to the expenditure to transfer the revenues to the acquisition account.

#### **Dedicate all TDR Funds in Lieu and Other Relevant Revenues**

Funds in lieu could be provided to the Village to be used to target acquisition of specific environmentally sensitive lands, restoration, or other Village priorities. Other revenues generated from planning activities, such as “funds- in lieu” of land acquisition points under the building permit allocation system could also be dedicated to a growing fund for land acquisition. Monroe County has adopted this process for increasing points instead of using land dedication to increase points. This accomplishes the same goal but provides more flexibility for the local government to select property with appropriate attributes.

#### **Purchase with Bonds**

Many local governments enact bonds to pay for land acquisition. Such a purchase would require a vote. This is typically done to get a fixed amount of money that is needed immediately, not so much for gradual acquisition. Choosing this option requires a comprehensive understanding of the long-term acquisition needs, goals and a strategic plan.

#### **Utilize Forms of Taxation with Exemptions**

Consider a non-binding referendum to fund land conservation. Broward County, for example, held a referendum for \$400 million dollars.

#### **Ad Valorum Tax**

An ad valorum or general tax refers to a raising of the millage rate. If the property goes up in value, a surcharge would be paid. If a house is valued at less than a certain amount, the additional millage would be waived. Alternatively, the extra millage could be paid only on non-homesteaded properties. There may be exemptions to payment of this tax, for example for affordable housing, primary residence (homestead), or commercial

exemptions. Vacation rental properties have greater impacts therefore should not have an exemption.

Any such referenda could specify a set period of time during which the tax will be effective, a limitation on use of the funds for matching grants only, or other provisions to stretch the public contribution.

### **Title Transfer Tax, Newcomer Tax or Documentary Stamps**

Transfer tax is a property sales tax either paid by the buyer or the seller.

### **Excise Tax**

An excise tax is a governmental levy on specific goods produced and consumed inside a country, including liquor, gasoline, tobacco and luxury goods. The Internal Revenue Service collects these taxes on behalf of the states and municipalities. Such a tax would impact businesses selling these goods.

### **Tourist Development Tax**

The Tourist Development Council (TDC) dedicates a portion of bed tax revenues to 'brick and mortar' investments to increase the quality of life for Florida Keys residents. In 2024, Monroe County was able to have legislation passed to use \$38 million of TDC funds for affordable housing. The mandates of the TDC could be expanded by an act of legislature to include land acquisition to protect the character and beauty of the Florida Keys.

### **Gas Tax**

Dade County added 5% to the gas tax to accomplish specified projects. Monroe County could do this as well. Again, tourists as well as locals would contribute to these funds.

### **Grantsmanship**

Grants may be available to fund land acquisition and related stewardship projects. The applications typically require completed surveys and appraisals to meet application requirements. Without a Village budget "set-aside" to pay for such costs, it is difficult to complete the required steps within 12 months. Federal and State grants generally do not pay for costs incurred prior to execution of grant documents. Other hurdles to good grantsmanship include planning to demonstrate qualification, the availability of staff resources to apply for potential grants and the ability to utilize the funding once it becomes available. Resources need to be available for this to be a viable option.

### **Community Fundraising and Educational Events**

Education is imperative to ensure land stewardship. The LAAC could lead the development of a brochure to draw attention to land stewardship issues. Brochures and other education materials can also be used to attract people who you want to make donations.

### **Contributor Recognition**

Kiosks, plaques, public art, plantings or other forms of recognition are essential to acknowledge donors who have helped preserve the ecology of Islamorada.

### **Existing Funding Programs**

Ongoing programs for funding land acquisition and management activities including Infrastructure Sales Tax, assistance of the Monroe County Land Authority, the Florida Forever Program, and applications to other agencies and non- profit organizations will be ongoing.