



## Kevin Madok, CPA

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Clerk of the Circuit Court & Comptroller – Monroe County, Florida

April 21, 2026

Department of State  
Administrative Code & Register  
500 S Bronough Street  
Tallahassee FL 32399-0250

To Whom It May Concern,

Attached is a copy of Ordinance 012-2026 by the Monroe County Board of County Commissioners amending the County's Code of Ordinances, by amending Sections 2-426(1) and 2-426(2) of the Monroe County Code of Ordinances, Monroe County Conservation Lands; providing for conflicts; providing for severability; providing for codification; and providing for transmittal and an effective date.

This Ordinance was adopted by the Monroe County Board of County Commissioners at a regular meeting, held in formal session, on April 15, 2026. Should you have any questions please feel free to contact me at (305) 292-3550.

Respectfully Submitted,

Kevin Madok, CPA, Clerk of  
the Circuit Court & Comptroller &  
ex-officio to the Monroe County  
Board of County Commissioners  
*by: Liz Yongue, Deputy Clerk*

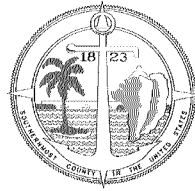
cc: County Administrator  
County Attorney  
MuniCode  
BOCC  
File

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KEY WEST  
500 Whitehead Street  
Key West, Florida 33040

MARATHON  
3117 Overseas Highway  
Marathon, Florida 33050

PLANTATION KEY  
88770 Overseas Highway  
Plantation Key, Florida 33070



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5 **MONROE COUNTY, FLORIDA**  
6 **MONROE COUNTY BOARD OF COUNTY COMMISSIONERS**

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8 **ORDINANCE NO. 012 -2026**  
9

10 **AN ORDINANCE OF THE BOARD OF COUNTY**  
11 **COMMISSIONERS OF MONROE COUNTY, FLORIDA,**  
12 **AMENDING THE COUNTY’S CODE OF ORDINANCES, BY**  
13 **AMENDING SECTIONS 2-426(1) AND 2-426(2) OF THE**  
14 **MONROE COUNTY CODE OF ORDINANCES, MONROE**  
15 **COUNTY CONSERVATION LANDS; PROVIDING FOR**  
16 **CONFLICTS; PROVIDING FOR SEVERABILITY;**  
17 **PROVIDING FOR CODIFICATION; AND PROVIDING FOR**  
18 **TRANSMITTAL AND AN EFFECTIVE DATE.**  
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20  
21 **WHEREAS**, the Monroe County Board of County Commissioners (BOCC) recognizes  
22 that the work of ordinance codification is an ongoing process that requires a continuing effort by  
23 various County officials and staff, and it is the goal of the BOCC to ensure that the Monroe County  
24 Code of Ordinances is kept current and of maximum use and clarity; and  
25

26 **WHEREAS**, the Legislature of the State of Florida has, in Chapter 125, “County  
27 Government,” of the Florida Statutes, conferred upon local governments the authority to adopt  
28 laws and regulations designed to promote the public health, safety, and general welfare of its  
29 citizenry; and  
30

31 **WHEREAS**, pursuant to Article VIII of the Florida Constitution and Section 125.66,  
32 Florida Statutes, Monroe County possesses the police powers to enact ordinances in order to  
33 protect the health, safety, and welfare of the County’s citizens; and  
34

35 **WHEREAS**, under F.S. 125.01(1)(j) the BOCC is granted the authority, among others, to  
36 establish and administer programs of conservation, and Monroe County and the Monroe County  
37 Land Authority have acquired and continue to acquire parcels to protect sensitive assemblages of  
38 native habitats, native plants and native species; and  
39

40 **WHEREAS**, in May 2023, the BOCC amended Article VII of Chapter 2 of the Code of  
41 Ordinances to add Division 4. - Monroe County Conservation Lands, currently Section 2-424 of  
42 the Monroe County Florida Code of Ordinances, which was adopted to: establish a definition of  
43 Monroe County Conservation Lands, define the role of the County Land Stewardship Program in  
44 the management of said lands, and create a process to add properties to the inventory of Monroe  
45 County Conservation Lands; and

CODING: Words in ~~strikethrough~~ type are deletions from existing text.  
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A line of \*\*\* indicates existing text not shown.



- 90 a. "Monroe County Conservation Lands" are defined as properties that are managed by  
 91 the County for the purpose of conservation and include:
- 92 (i) Properties that were purchased by the Monroe County Comprehensive Plan  
 93 Land Authority for conservation purposes;
  - 94 (ii) Properties owned by the Board of County Commissioners that have been  
 95 acquired through the Rate of Growth Ordinance (ROGO) land dedication  
 96 process for conservation purposes;
  - 97 (iii) Properties owned by the Board of County Commissioners that have been  
 98 dedicated for conservation through the Transferable Development Rights  
 99 procedure;
  - 100 (iv) Properties acquired by the County utilizing grant funding where the terms of the  
 101 grant require long-term conservation of the property; and
  - 102 (v) Properties owned by the Board of County Commissioners (BOCC) that have  
 103 been designated as conservation.
- 104 b. "State-owned Conservation Lands that are managed by the County" are those  
 105 properties owned by the State of Florida for which the County is the designated land  
 106 manager through a management lease with the State of Florida.
- 107 c. "Extreme hardship" means a significant burden that is unique to the applicant and  
 108 not shared by property owners in the area. Self-imposed circumstances caused to any  
 109 degree by actions of any requester shall not be construed as an extreme hardship.  
 110 Extreme hardship shall not be construed to include any hardship which arises in  
 111 whole or in part from the effect of other federal, state or local laws, ordinances, rules  
 112 or regulations.
- 113 d. "Public necessity" means the works or improvements required for the protection of  
 114 the health and safety of the public, for which no other less environmentally damaging  
 115 alternative exists.
- 116 e. "Requestor" means any City, Village, Monroe County, Monroe County  
 117 Comprehensive Plan Land Authority, or other local government entity requesting an  
 118 exemption for use of Conservation land for any other purpose than conservation.
- 119 (2) Lands designated Monroe County Conservation Lands shall be preserved in perpetuity and  
 120 shall not be considered or used for any other purpose. Nothing herein prohibits the Land  
 121 Steward from removing invasive exotics or performing other restoration work.
- 122 ~~(i)a.~~ Exemptions to Paragraph (2). Any uses approved for exemption pursuant to this  
 123 subsection shall be subject to all other local, state and federal regulations, as applicable.
- 124 (i) Temporary Use: The Board of County Commissioners or Land Authority Governing  
 125 Board may allow the use of conservation lands for temporary uses by a Requestor,  
 126 subject to the requirements for temporary uses provided for in the Monroe County Code  
 127 and Land Development Code, provided that such uses that do not impact the native  
 128 habitat, native plants, or native species by license agreement to be approved by the  
 129 Board prior to use. A temporary exemption to Paragraph (2) granted by the BOCC, and

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130 a license agreement granted by either the BOCC or Land Authority Governing Board,  
131 whichever holds title on the property, must be approved prior to use. Such use shall be  
132 limited in time, and the site, if damaged, shall be fully restored by the licensee or  
133 requestor within one year~~user~~ under the supervision of and by coordination with the  
134 County Land Steward. No license agreement for temporary use shall exceed ninety (90)  
135 days.

136 (ii) Permanent Use: An exemption to Paragraph (2) for a permanent use may only be  
137 granted after the BOCC makes a finding by a super majority vote in a public meeting  
138 that a Requestor has demonstrated:

139 (a) an extreme hardship, where a significant burden unique to the requester exists and is  
140 not shared by property owners in the area; and

141 (b) the proposed activity is a public necessity, in addition to addressing the hardship; and

142 (c) that the proposed activity is necessary; and

143 (d) the parcel is the only parcel available to serve the proposed paramount public purpose,  
144 and

145 (e) that no less environmentally damaging alternative exists; and

146 (f) written confirmation that any party holding any recorded restriction on the subject  
147 parcel, such as deed restrictions and conservation instruments, has been notified in  
148 writing about the proposed use by the Requestor; and

149 (g) written confirmation that property owners within three hundred feet have been  
150 notified in writing of the proposed use by the Requestor; and

151 (h) The BOCC shall consider the following factors in making its finding to grant an  
152 exemption to Paragraph (2):

153 1. the amount of time the subject parcel has been designated conservation and the  
154 amount of funds expended from the County's Environmental Land Management  
155 and Restoration Fund for the management of the subject parcel; and

156 2. whether State or Federal funds have been used for the management of the subject  
157 parcel and whether use of such funds included any limitations on the use of the  
158 subject parcel; and

159 3. whether State or Federal funds were used to acquire the subject parcel and whether  
160 use of such funds included any limitation on the use of the subject parcel; and

161 4. whether there are any other recorded documents such as deed restrictions or  
162 conservation easements which may prohibit or limit any use of the subject parcel.

163 (i) The BOCC must make a finding granting an exemption to Paragraph (2) by super  
164 majority vote prior to either the BOCC or Land Authority Governing Board granting  
165 any license agreement, easement, or any other authorization for any use other than  
166 conservation. Any exemption granted by the BOCC will be subject to the following  
167 conditions:

- 168 1. Destruction and degradation of natural resources that result in adverse impacts to  
169 native habitats, native plants or native species shall be avoided to the maximum  
170 extent practicable.
- 171 2. Unavoidable impacts to native habitats, native plants or native species shall be  
172 minimized and confined to the maximum extent practicable.
- 173 3. Unavoidable impacts to native habitats, native plants or native species will require  
174 mitigation consistent with the Monroe County Land Development Code, and other  
175 local, state and federal regulations, as applicable.

176 \*\*\*\*\*

177 **Section 3: Conflicts.** That all ordinances or parts of ordinances, all County Code  
178 sections or parts of County Code sections, and all resolutions or parts of resolutions in conflict  
179 with this ordinance are hereby repealed to the extent of such conflict.

180  
181 **Section 4: Severability.** That should any section or provision of this ordinance or any  
182 portion thereof, any paragraph, sentence, clause or word be declared by a court of competent  
183 jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a  
184 whole or part hereof other than the part declared invalid. If this ordinance or any provision thereof  
185 shall be held to be inapplicable to any person, property or circumstances, such holding shall not  
186 affect its applicability to any other person, property or circumstances.

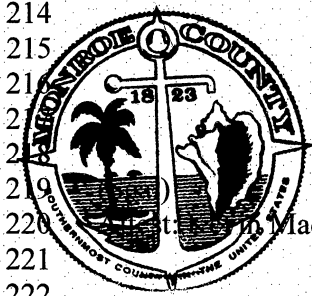
187  
188 **Section 5: Codification.** That the provisions of this ordinance shall be codified within  
189 the Code of Ordinances of Monroe County, Florida, and any paragraph or section may be  
190 renumbered to conform with the Code of Ordinances.

191  
192 **Section 6: Transmittal and Effective Date.** That this Ordinance shall be transmitted  
193 to and become effective upon filing with the Florida Department of State as provided in Section  
194 125.66, Fla. Stat., as may be amended from time to time.

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210 **PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County,  
211 Florida, at a regular meeting of said Board held on the 15th day of April, 2026.

212  
213 Mayor Michelle Lincoln Yes  
214 Mayor *Pro Tem* David Rice Yes  
215 Commissioner Craig Cates Yes  
216 Commissioner Holly Merrill Raschein Yes  
217 Commissioner James K. Scholl Yes



218 t. Madok, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

224  
225 By: Jatamy  
226 As Deputy Clerk

224  
225 By: Michelle Lincoln  
226 Michelle Lincoln, Mayor

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229  
230 Approved as to legal form and sufficiency:  
231 Jeni-Lee MacLaughlin Digitally signed by Jeni-Lee MacLaughlin  
Date: 2026.04.14 15:24:00 -04'00'  
232  
233 Jeni-Lee MacLaughlin, Assistant County Attorney

FILED FOR RECORD  
2026 APR 21 AM 9:01  
CLK. CIR. CL.  
MONROE COUNTY, FLA.

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KeysNews.com  
**KEYS CITIZEN**  
Many Islands One Voice

The Florida Keys Only Daily Newspaper, Est. 1876  
PO Box 1800, Key West FL 33041  
P: (941) 206-1025 F: (305) 294-0768  
legals@keysnews.com

MONROE CO PLANNING/ENVIRONMENTAL  
RES  
102050 OVERSEAS HWY  
KEY LARGO FL 33037

Account: 423741

Ticket: 3985953

**PUBLISHER'S AFFIDAVIT**

**STATE OF FLORIDA**  
**COUNTY OF MONROE**

[legal.text]

Before the undersigned authority personally appeared

\_\_\_\_\_ Jill Kelli Di Benedetto \_\_\_\_\_, who on oath says that he or she is

The legal advertising representative of the Key West Citizen, a five day newspaper published in Key West, in Monroe County, Florida; that the attached copy of advertisement, being a legal notice in the matter of \_\_\_\_\_ was published in said newspaper in the issues of:

Saturday, March 28, 2026

Affiant further says that the Key West Citizen is a newspaper published in Key West, in said Monroe County, Florida and that the said newspapers has heretofore been continuously published in said Monroe County, Florida Tuesday thru Saturday weekly, and has been entered as periodicals matter at the post office in Key West, in said Monroe County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Jill Kelli Di Benedetto  
(Signature of Affiant)

Affirmed and subscribed before me this 30th day of March 2026

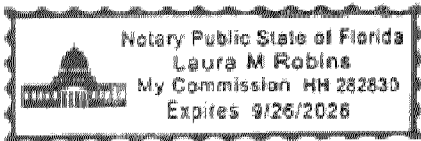
Laura M Robins  
(Notary Public Signature)

\_\_\_\_\_ Laura M Robins \_\_\_\_\_  
(Notary Public Printed Name) (Notary Seal)

My commission expires \_\_\_\_\_ 9/26/2026 \_\_\_\_\_

Personally Known  Produced Identification

Type of Identification Produced \_\_\_\_\_ (Notary Seal) \_\_\_\_\_



**Easter/** from A1

**MAUNDY THURSDAY**

April 2  
**Peace Covenant Presbyterian Church (PCUSA)**  
 2610 Flagler Ave., Key West  
 Worship at 5:30 p.m.  
 Service includes communion and special music by David Ward.  
**St. Paul's Episcopal Church**  
 401 Duval Street, Key West  
 7 p.m. in Parish Hall

**GOOD FRIDAY**

April 3  
**St Paul's Episcopal**  
 401 Duval Street, Key West  
 12 Noon (Spoken) and 7 p.m. (Choir) in Parish Hall  
**Key West United Methodist Church**  
 600 Eaton St., Key West  
 A dramatic presentation retelling Jesus' journey to the cross will include music by Chip Hendricks and the church choir, directed by Jordan Sommer.  
**Glad Tidings Tabernacle**  
 1209 United St., Key West  
 Service at 10:30 a.m.

**SUNRISE SERVICE**

April 5  
**Unity of the Keys**  
 Smathers Beach, entrance No. 7  
 6:30 a.m.  
 The beachside service features music, meditation and readings at sunrise. Attendees are encouraged to bring chairs, blankets and refreshments.  
 More information: unityofthekeys.org

**EASTER SUNDAY**

April 5  
**Glad Tidings Tabernacle**  
 1209 United St., Key West  
 Service at 10:30 a.m. No evening service.  
**Peace Covenant Presbyterian Church (PCUSA)**  
 2610 Flagler Ave., Key West  
 Service at 11 a.m.  
**Keys Vineyard Church**  
 100 County Road, Big Pine Key  
 Services at 8 a.m., 9:30 a.m. and 11 a.m.  
**The Basilica of Saint Mary Star of the Sea**  
 1010 Windsor Lane, Key West  
 Masses at 7:30 a.m., 9 a.m. and 10:30 a.m.  
 Spanish Mass at 12:30 p.m.; Haitian Creole Mass at 7 p.m.

Outdoor Masses in the Stations of the Cross Garden at 9:15 a.m. and 10:45 a.m.  
 Full schedule: stmarykeywest.com  
**Southernmost Baptist Church**  
 6751 Fifth St., Key West  
 Service at 11 a.m.  
**St Paul's Episcopal**  
 401 Duval Street, Key West  
 10 a.m. outside Parish Hall

**HOLY WEEK EVENTS**

**Key West United Methodist Church**  
 600 Eaton St., Key West  
 Interfaith Seder led by Rabbi Marc Kline at 6:30 p.m. April 1. Space is limited; call the church for details.  
 Easter Egg Hunt March 29. Free lunch at 12:15 p.m.; hunt begins at 1 p.m.  
 Easter Cantata, "From Silence to Song" by Joseph M. Martin, at 11 a.m. Easter Sunday. Performed by the church choir, directed by Jordan Sommer. Free; donations accepted.  
 More information: keywestumchurch.org

**CHURCHES THROUGHOUT THE FLORIDA KEYS**

**Key Largo**  
 St. Justin Martyr Catholic Church, 105500 Overseas Highway  
 Key Largo Baptist Church, 835 Largo Road  
 San Pedro Catholic Church, 89500 Overseas Highway, Tavernier  
**Marathon**  
 San Pablo Catholic Church, 550 122nd Street, Marathon, FL  
 Kirk of the Keys Presbyterian Church, 8877 Overseas Highway, Marathon, FL  
 New Life Church, 4711 Overseas Highway, Marathon, FL

**BEYOND WORSHIP: EASTER ACTIVITIES**

In addition to church services, the Florida Keys offer a range of family-friendly activities during Easter weekend, including community gatherings and seasonal events.  
 For those looking to extend the day, several locations throughout the Keys offer dolphin programs and eco-tours. Options include interactive experiences in controlled lagoons and guided excursions to observe dolphins in the wild. Many programs also include snorkeling, educational components and opportunities to learn about marine conservation.  
 katrinanichols@keynews.com

**Catch the action each weekend**

and all week at [keynews.com](http://keynews.com)

**MONROE COUNTY BOARD OF COUNTY COMMISSIONERS**  
**NOTICE OF PUBLIC HEARING**  
**NOTICE OF CHANGE TO MONROE COUNTY CODE OF ORDINANCES**

APRIL 15, 2026

NOTICE IS HEREBY GIVEN that on **Wednesday, April 15, 2026**, the **Monroe County Board of County Commissioners** will hold a public hearing, beginning at **9:00 AM**. The BCCC meeting will be held in hybrid format, allowing the public to attend either via Zoom Webinar or in person. The in-person meeting will be held at the **Marathon Government Center, located at 2798 Overseas Highway, Marathon, FL**. The following items will be considered at the **PUBLIC HEARING**:

**PUBLIC HEARINGS: 9:00AM** (or as soon thereafter as may be heard):

**AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING CHAPTER 2, ARTICLE VII MONROE COUNTY CONSERVATION LANDS, SECTIONS 2-48(1) THROUGH 2-48(2) TO ADD DEFINITIONS FOR "EXTREME HARSHNESS," "PUBLIC INTEREST," "PUBLIC NECESSITY" AND "REQUESTOR;" AND TO PROVIDE A PROCESS BY WHICH THE BOARD OF COUNTY COMMISSIONERS MAY CONSIDER A TEMPORARY OR PERMANENT USE OF CONSERVATION LANDS PROVIDED SUCH USE MEETS REQUIRED CONDITIONS AND IS APPROVED BY SUPER MAJORITY VOTE OF THE BOARD, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES, AND PROVIDING FOR TRANSMITTAL AND AN EFFECTIVE DATE.

Please visit the **Monroe County Website** at [www.monroecounty-fl.gov](http://www.monroecounty-fl.gov) for meeting agenda updates and information regarding the various options available to the public to view the live meeting and/or to make public comments on certain agenda items.

Pursuant to Section 286.005 Florida Statutes, if a person decides to appeal any decision of the Board of County Commissioners, with respect to any matter considered at the meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure a verbatim record of the proceedings is made, which record includes the testimony & evidence upon which the appeal is to be based.

**ADA ASSISTANCE:** If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call 711.

Publish: 3/28/26

sdm-036895-1

**PUT IT DOWN**  
 IT CAN WAIT

**FLORIDA TEXTING AND DRIVING LAW**  
 Texting while driving is a primary offense

**NO text.**  
**NO call.**  
**NO THING**  
 is worth losing a life over.

#PutItDown #FocusOnDrivingFL  
 fdotresources.com/PutItDown

**TARGET ZERO**  
 ZERO TOLERANCE FOR DRUGS AND ALCOHOL

The Key Largo Wastewater Treatment District's Board of Commissioners is soliciting resumes to fill a vacancy on the Board of Commissioners. Resumes should include contact information including telephone number and email address.

The term of office will expire in November 2026. Individuals must be a registered elector, residing within the boundaries of the District which include the territory consisting of Key Largo, extending from east of Tavernier Creek, up to and including Cross Key.

Resumes must be submitted no later than 5:00 PM on Wednesday, April 1, 2026. The Board of Commissioners will consider all resumes at a public meeting scheduled to begin at 4:00 PM on Tuesday, April 7, 2026. Note that all resumes are public records and subject to public records requests. Resumes may be submitted by mail or in person to the District's administrative office located at 103355 Overseas Highway, Key Largo, Florida, 33037 or by email to [clerk@klwtd.com](mailto:clerk@klwtd.com)

sdm-036895-1

**FLORIDA PUBLIC NOTICES**  
[FLORIDAPUBLICNOTICES.COM](http://FLORIDAPUBLICNOTICES.COM)

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