

**Sponsored By:** Garrett  
**Planning Commission Public Hearing Date:** February 23, 2026  
**City Council Public Hearing Date:** March 10, 2026  
**TBD**  
**Enactment Date:** **TBD**

**CITY OF MARATHON, FLORIDA  
ORDINANCE 2026-07**

**AN ORDINANCE OF THE CITY OF MARATHON, FLORIDA, AMENDING THE CITY OF MARATHON’S COMPREHENSIVE PLAN MODIFYING CHAPTER SEVEN, “TRANSPORTATION ELEMENT,” AND INTENDING TO MODIFY POLICY 7-1.1.3, “ADDRESS SHORT TERM AND LONG TERM STRATEGIES TO REDUCE CLEARANCE TIME,” PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE AFTER THE FIRST HEARING BY THE CITY COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Florida Statutes, provides for comprehensive plan implementation through the enactment of certain ordinances; and

**WHEREAS**, the City of Marathon is located within an Area of Critical State Concern (ACSC), pursuant to Sections 380.05 and 380.0552, Florida Statutes, hereinafter referred to the “Keys ACSCs”; and

**WHEREAS**, Keys’ Local Governments have adopted state-mandated Comprehensive Plans and Land Development Regulations pursuant to both Chapters 163 and 380.055, Florida Statutes, which have been approved by the State, as required by law, and;

**WHEREAS**, Chapter 166, *Florida Statutes*, grants the City of Marathon (the “City”) broad municipal home rule powers to provide for the health, safety and welfare of its residents, business owners and visitors by enacting regulations for the protection of the public; and

**WHEREAS**, in 2024 the legislature amended Section 20.60 of the Florida Statutes rebranding the State Land Planning Agency as the Department of Commerce; and

**WHEREAS**, the Ordinance, thus introduced, provides for the updates to the Comprehensive Plan based upon the renaming of the State Land Planning Agency; and

**WHEREAS**, the Planning Commission reviewed this Ordinance on February 23, 2026, providing a recommendation of approval to the City Council with no proposed changes; and

**WHEREAS**, the City Council reviewed this Ordinance on March 10, 2026, and again on **XXX, 2026** adopting the Ordinance in its second hearing and directing staff to transmit the Ordinance to the Florida Department of Commerce for final approval; and

**WHEREAS**, pursuant to the same legislative provision, the City Council accepted the ORC Report, considered the recommendation of the Planning Commission, accepted additional public input, and deliberated on the proposed amendment to the Land Development Regulations on **XXX, 2026** at a duly noticed public hearing, and directed that the amendment be transmitted to the Florida Department of Commerce as formally adopted by the City,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA THAT**

~~Strikethrough~~ = deletion      **bold underline** = addition

**SECTION 1.** The above recitals are true, correct, and incorporated herein by this reference.

**SECTION 2.** Chapter 7, is hereby amended as attached in Exhibit A.

**SECTION 3.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 4.** The provisions of this Ordinance constitute an amendment to the Land Development Regulations as defined by State law. Accordingly, the City shall forward a copy of this Ordinance to the Florida Department of Commerce for review and approval pursuant to Sections 380.05(6) and (11), Florida Statutes.

**SECTION 5.** This Ordinance shall be effective immediately upon approval by the Florida Department of Commerce pursuant to Chapters 163 and 380, Florida Statutes.

**ENACTED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS **XX**<sup>TH</sup> DAY OF **XXX** 2026.**

**THE CITY OF MARATHON, FLORIDA**

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**Lynny Del Gaizo, Mayor**

AYES:

NOES:

<sup>1</sup>Additions to existing text are shown by underline/red print; deletions are shown as ~~strikethrough~~

ABSENT:  
ABSTAIN:

**ATTEST:**

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Diane Clavier, City Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE  
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**

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Steven Williams, City Attorney

## Chapter 7 - Transportation Element Goals, Objectives And Policies

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### Policy 7-1.1.3 Address Short Term And Long Term Strategies To Reduce Clearance Time

The City shall address short term and long term strategies to reduce clearance time and coordinate permit allocations by implementing the following program in coordination with FDOT, ~~DEO~~[the State Land Planning Agency](#) and other local governments in the Keys:

#### Short Term

1. Revise the data and analysis to identify interim transportation system management (TSM) strategies which can be implemented prior to June 1, 2005 (beginning of the 2005 hurricane season), to reduce clearance time not to exceed 24 hours or minimum State requirement; estimate reduction in clearance time that will result from the proposed TSM strategies; and specify the operational requirements to implement the TSM strategies and identify any preliminary actions, such as purchase of equipment, which must occur prior to June 1, 2005.
2. Begin the process with the assistance of ~~DEO~~[the State Land Planning Agency](#) and FDOT to enter into an interagency/interlocal agreement with the intent to execute the agreement prior to the start of the hurricane season in order to adopt the TSM strategy as a joint proposal, specify agency/local government responsibilities for implementing the TSM strategy, including shared funding, based on the data and analysis, and determine the share of interim permit allocations available for each jurisdiction base on the estimated reduction in clearance times.

#### Long Term

1. Cooperate with ~~DEO~~[the State Land Planning Agency](#), FDOT, and affected local governments and the Tourist Development Council to achieve consensus on long term strategies to further reduce clearance time and accommodate proposed allocations Keys-wide through the Year 2020 and revise any short term interagency/interlocal agreements to provide a schedule for implementing strategies, specify responsibilities for implementing the strategy, including shared funding, and determine the share of allocation available for each jurisdiction based on the ability to maintain clearance time at or below 24 hours,
2. Amend data and analysis and plan to incorporate strategy and revise the Capital Improvements Schedule to incorporate necessary transportation projects adopted for Marathon.

3. Coordinate with the FDOT and the County, to continue the systematic traffic monitoring program initiated in March 1991, on an annual basis, to monitor peak season traffic volumes at permanent count stations and travel speeds on each study segment of US 1 within the City, and to determine the cumulative impact of development and through traffic. The City shall use the methodology developed by the US 1 LOS Task Force for conducting this analysis and shall request that the Task Force, which shall include representatives from the City, update and refine the methodology's assumptions on a periodic basis when new data becomes available.
4. The City shall request FDOT to conduct a travel survey which identifies local and visitor travel patterns and frequency rates for all transportation modes; trip origins and destinations; trip generation rates for the City's households (permanent and seasonal residents); and tourism and retail-oriented businesses. As such, this survey shall identify the proportion of vehicular traffic passing through Marathon to other destinations in the Florida Keys or the mainland. This data shall be used to identify the policy implications of existing and projected tourist versus resident generated traffic impacts, and the statistical effects of the growth policies of other jurisdictions on Marathon traffic levels, as well as aid planning for commercial redevelopment, pursuant to the Future Land Use Element of the Plan.

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