



**Kevin Madok, CPA**

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

October 26, 2023

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 022-2023 by the Monroe County Board of County Commissioners amending Monroe County Land Development Code Section 130-141 to create the Ocean Reef Overlay District and establish a Purpose and Intent, Boundary, Exemptions for Nonconforming Uses and Structures, Exemptions from Development Standards established within Land Development Code Chapter 114, and Modifications to Setbacks for Accessory Structures as proposed by Smith/Hawks PL on behalf of the applicant Ocean Reef Club, Inc.; providing for severability; providing for repeal of conflicting provisions; providing for transmittal to the State Land Planning Agency and the Secretary of State; providing for inclusion in the Monroe County Code; providing for an effective date.

This Ordinance was adopted by the Monroe County Board of County Commissioners at a regular meeting, held in formal session, on October 18, 2023. 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*

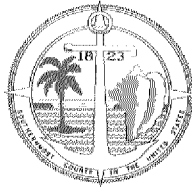
cc: Planning and Environmental Resources  
County Administrator  
County Attorney  
BOCC  
File

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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



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

**ORDINANCE NO. 022-2023**

**AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY LAND DEVELOPMENT CODE SECTION 130-141 TO CREATE THE OCEAN REEF OVERLAY DISTRICT AND ESTABLISH A PURPOSE AND INTENT, BOUNDARY, EXEMPTIONS FOR NONCONFORMING USES AND STRUCTURES, EXEMPTIONS FROM DEVELOPMENT STANDARDS ESTABLISHED WITHIN LAND DEVELOPMENT CODE CHAPTER 114, AND MODIFICATIONS TO SETBACKS FOR ACCESSORY STRUCTURES AS PROPOSED BY SMITH/HAWKS PL ON BEHALF OF THE APPLICANT OCEAN REEF CLUB, INC.; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE.<sup>1</sup>**

**WHEREAS**, on June 8, 2020, the Monroe County Planning and Environmental Resources Department (“Department”) received an application from Bart Smith of Smith/Hawks PL (the “Agent”) on behalf of Ocean Reef Club, Inc., and Ocean Reef Community Association, Inc. (cumulatively, the “Applicant,”) to amend the Monroe County Land Development Code (“LDC”) to establish LDC Section 130-141 to create the Ocean Reef Overlay District to establish site specific development standards, deviations and exemptions; and

**WHEREAS**, the Ocean Reef master planned community is a 100+ acre community which is inaccessible to the surrounding community and has a distinct community character which has additional regulations and is monitored and maintained by their homeowners association or similar community association entity; and

**WHEREAS**, on October 19, 2021, the Agent submitted a revised application to provide information, data and analysis to support the amended and restated Application; and

**WHEREAS**, on March 7, 2022, the Agent submitted revised language and additional data and analysis to support the proposed text amendment; and

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<sup>1</sup> Monroe County Planning and Environmental Resources Department File No. 2019-025.

1       **WHEREAS**, the Applicant has also requested a corresponding Comprehensive Plan Text  
2 amendment to establish site specific development standards, deviations and exemptions for Ocean  
3 Reef<sup>2</sup>; and  
4

5       **WHEREAS**, the Applicant has also requested a corresponding Land Use District Map  
6 Amendment to apply the proposed Ocean Reef Overlay District to a defined area<sup>3</sup>; and  
7

8       **WHEREAS**, the Monroe County Development Review Committee (“DRC”) reviewed and  
9 considered the proposed amendment at a regularly scheduled meeting held on January 25, 2022;  
10 and  
11

12       **WHEREAS**, the Monroe County Planning Commission held a public hearing on April 26,  
13 2023, for review and recommendation on the proposed amendment, provided for public comment,  
14 and adopted Resolution No. P12-23 recommending approval of the proposed amendment; and  
15

16       **WHEREAS**, at a regularly scheduled meeting on the 18<sup>th</sup> day of October, 2023, the Board  
17 of County Commissioners of Monroe County, Florida (“Monroe County”, “BOCC”, “Board”, or  
18 the “County”) held a public hearing to consider adoption of the proposed Land Development Code  
19 text amendment and provided for public participation;  
20

21       **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**  
22 **COMMISSIONERS OF MONROE COUNTY, FLORIDA:**  
23

24       **Section 1. Recitals and Legislative Intent.** The foregoing recitals, findings of fact,  
25 conclusions of law, and exhaustive statements of legislative purpose and legislative intent are true  
26 and correct and are hereby incorporated as if fully stated herein.  
27

28       **Section 2.** The text of the Monroe County Land Development Code is hereby amended as  
29 follows (deletions are shown stricken through; additions are shown underlined):  
30

31 **Sec. 130-141. Ocean Reef Overlay District**

32 **(a) Purpose and Intent.** The purposes of the Ocean Reef Overlay District are to implement  
33 applicable goals, objectives, and policies of the Comprehensive Plan established under Goal 112  
34 and to allow development that primarily serves the needs of the permanent residents of the Ocean  
35 Reef master planned community, a gated 100+ acre master planned community.  
36

37 The intent is to protect and maintain the character of Ocean Reef Club, Inc., and the Ocean Reef  
38 master planned community by establishing specific standards, exemptions and reductions for  
39 properties owned by Ocean Reef Club, Inc., and Golf Manor I Condominium Association, within  
40 the Ocean Reef master planned community.  
41

42 **(b) Boundary.** The Ocean Reef Overlay District shall be shown as an overlay district on the  
43 Official Land Use District (Zoning) Map.  
44

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<sup>2</sup> Monroe County Planning and Environmental Resources Department File No. 2019-142.

<sup>3</sup> Monroe County Planning and Environmental Resources Department File No. 2020-088.

1 (c) **Applicability.** In order for a property owner to utilize the standards, exemptions and reductions  
2 established within the Ocean Reef Overlay District, the property must be owned and operated by  
3 Ocean Reef Club, Inc., or Golf Manor I Condominium Association, an amendment to the Official  
4 Land Use District (Zoning) Map shall be required, and such overlay shall be shown on the Official  
5 Land Use District (Zoning) Map.

6  
7 **(d) NONRESIDENTIAL DEVELOPMENT STANDARDS AS PROVIDED IN POLICY**  
8 **112.1.1.**

9 The following provisions shall control and supersede existing provisions of the Land Development  
10 Code relating to nonresidential structures and uses within the Ocean Reef Overlay District.

11 **1. Nonconforming Structures and Uses.** Notwithstanding Section 102-56  
12 *Nonconforming Use*, Section 102-57 *Nonconforming Structures* and Section 102-58  
13 *Nonconforming Accessory Uses and Accessory Structures*, the following provisions shall  
14 control:

15 a. Notwithstanding Section 5 and 6 below, lawfully established nonconforming  
16 nonresidential principal and accessory structures and uses located within the Ocean  
17 Reef Overlay District, that are destroyed, substantially damaged, or substantially  
18 improved may be repaired, restored and/or replaced, even if 100 percent destroyed,  
19 provided that they are rebuilt to preexisting use and that the nonconformity is not  
20 expanded.

21  
22 b. Notwithstanding Section 5 and 6 below, accessory uses or structures associated  
23 with a lawfully established nonconforming nonresidential principal use may be  
24 permitted.

25  
26 c. A nonconforming nonresidential accessory use or structures may continue if its  
27 principal use or structure is destroyed, substantially damaged, or substantially  
28 improved, discontinued, or removed; for redevelopment, provided that the owner is  
29 moving forward with redevelopment of a principal use or structure; with active  
30 concurrent permits for redevelopment of a principal use or structure without  
31 expansion.

32  
33 In the absence of an active concurrent permit for redevelopment of a principal use  
34 or structure on the parcel, the accessory structure and use may remain for up to five  
35 years from the date on which the principal use or structure is destroyed,  
36 substantially damaged, or substantially improved, discontinued, or removed; for  
37 redevelopment. The Board of County Commissioners may extend the five-year  
38 time limit by resolution, if needed.

39  
40 **2. Open Space.** Notwithstanding Section 130-164 *Maximum Nonresidential Intensities*  
41 *and District Open Space*, the following provisions shall control:

42  
43 a. Lawfully established nonresidential structures and uses, on property owned by  
44 Ocean Reef Club, Inc., may be repaired, restored and/or replaced using the  
45 previously approved open space ratio, provided stormwater management is in  
46 compliance with Land Development Code (LDC) Section 114-2(5):

1 1. Lawfully existing nonresidential principal structures and uses, on  
2 property owned by Ocean Reef Club, Inc., which are nonconforming as to  
3 open space, may remain, be repaired, substantially improved, restored, or  
4 replaced without expansion provided the lawfully existing shoreline setback  
5 is-maintained.

6 2. Lawfully existing nonresidential accessory structures and uses, on  
7 property owned by Ocean Reef Club, Inc., which are nonconforming as to  
8 open space, may remain, be repaired, substantially improved, restored, or  
9 replaced without expansion provided that the lawfully existing shoreline  
10 setback is maintained.

11 b. Notwithstanding subsection 2(a) above, new nonresidential principal and  
12 accessory structures, on property owned by Ocean Reef Club, Inc., may be  
13 developed using the following open space standards, provided stormwater  
14 management is in compliance with Land Development Code (LDC) Section 114-  
15 2(5):

16 1. New nonresidential principal and accessory structures, on properties  
17 owned by Ocean Reef Club, Inc., development shall have an open space  
18 requirement of twenty percent (20%), provided the clearing limits in  
19 Section 118-9(d) are not exceeded and development is not proposed within  
20 a wetland area identified in Section 118-4.

21 2. Notwithstanding Section 130-164, nonresidential parcels designated  
22 within the Sparsely Settled (SS) zoning district and designated Residential  
23 Low (RL) on the Future Land Use Map (FLUM), with lawfully established  
24 nonresidential floor area, shall have a minimum zoning land use open space  
25 requirement of twenty percent (20%).

26  
27 **3. Stormwater.** The specific standards, exemptions and reductions contained within the  
28 Ocean Reef Overlay District shall govern nonresidential structures and uses, on property  
29 owned by Ocean Reef Club, Inc., within Ocean Reef master planned community provided  
30 stormwater facilities adhere to the 25-year, 72-hour South Florida Water Management  
31 District Standard, and eliminate off-property discharges and demonstrate that post  
32 development total nitrogen and total phosphorous loads are less than pre-development  
33 loads to the receiving water body (net improvement) or demonstrate a ninety five percent  
34 (95%) reduction in stormwater total nitrogen load and total phosphorus load. Treatment  
35 and disposal facilities must be designed and operated so that off-site discharges meet State  
36 water quality standards.

#### **4. Development Standards.**

37  
38  
39 a. Nonresidential structures and uses, on property owned by Ocean Reef Club, Inc.,  
40 within Ocean Reef master planned community are exempt from the below listed  
41 Land Development Code Sections related to **level of service / concurrency**,  
42 because the Ocean Reef Club, Inc., is responsible for providing financing,  
43 operating, and regulating of its facilities and services, as needed to serve  
44 development of its properties, within the Ocean Reef master planned community:

45 1. Sec. 114-2. Adequate Facilities and Review Procedures.

1                   2. Sec. 114-3. Surface Water Management Criteria. (provided any  
2                   required state or federal stormwater requirements are met and the  
3                   stormwater management facilities are in place and available to serve the  
4                   development no later than the issuance a certificate of occupancy)

5                   3. Sec. 114-6. Curbs and Gutters.

6                   4. Sec. 114-7. Sidewalks and Shared Use Paths.

7                   5. Sec.114-8. Installation of Utilities and Driveways.

8                   6. Sec. 114-9. Water Supply and Sanitary Sewer Service.

9                   7. Sec. 114-10. Road and Private Drive Name Signs.

10                  8. Sec. 114-11. Traffic-Control Signs and Devices.

11                  b. Sanitary sewer system availability shall be in place and available to serve new  
12                  nonresidential development no later than the issuance of a certificate of occupancy  
13                  or its functional equivalent. The Ocean Reef sanitary system must be constructed,  
14                  operated, and connected to central wastewater management facilities pursuant to s.  
15                  403.086(11), F.S., or the upgrade of onsite sewage treatment and disposal systems  
16                  must be pursuant to s. 381.0065(4)(l), F.S.

17                  c. Nonresidential structures and uses, on property owned by Ocean Reef Club, Inc.,  
18                  within Ocean Reef master planned community are exempt from the following  
19                  sections contained within Chapter 114 related to development standards to maintain  
20                  and implement its community character and vision:

21                         1. Sec. 114-66. [Parking and Loading] Purpose and Intent.

22                         2. Sec. 114-67. Required Off-Street Parking.

23                         3. Sec. 114-68. Parking Agreements.

24                         4. Sec. 114-69. Required Number and Size of Loading/Unloading Spaces.

25                         5. Sec. 114-70. Restriction on Use of Parking and Loading Spaces.

26                  **5. Setbacks.** The following setback provisions shall control and supersede for  
27                  nonresidential development and redevelopment on properties owned by Ocean Reef Club,  
28                  Inc., within the Ocean Reef master planned community-except where a property line is  
29                  contiguous to a residential use, in which case only the shared contiguous boundary line  
30                  shall be subject to the setback requirements contained in Section 131-1.

31                  For the purposes of this subsection, "contiguous to a residential use" shall mean all  
32                  residentially used or zoned property that shares a common boundary line with the property  
33                  subject to the application and shall not apply to on-site employee housing or commercial  
34                  apartments. For purposes of this subsection, contiguity is broken by a canal or a public  
35                  right-of-way.

36                  **a. Front yard Setback:** Development and redevelopment shall comply with all front  
37                  yard setback requirements contained within Sections 131-1 and 131-3, except the  
38                  following allowances are permitted:

39                                 1. The total combined area of accessory structures shall be permitted to  
40                                 occupy up to one hundred percent (100%) of the front yard setback within

the Ocean Reef Overlay District, provided compliance with the open space requirements established in Land Development Code (“LDC”) Sections 118-4, 130-162 and 130-164 is maintained and all stormwater is retained on the property; and

**2.** The required front yard setback for nonresidential accessory structures, limited to driveways walkways, off-street parking, and outdoor lighting shall be zero (0) feet provided all stormwater is retained on the property and all outdoor lighting complies with Chapter 114, Article VI *Outdoor Lighting*.

**b. Side Setback:** Development and redevelopment shall comply with all side yard setback requirements contained within Sections 131-1 and 131-3(d), except the following allowances are permitted:

**1.** The required front yard setback for nonresidential accessory structures, limited to driveways walkways, off-street parking, and outdoor lighting shall be zero (0) feet provided all stormwater is retained on the property and all outdoor lighting complies with Chapter 114, Article VI *Outdoor Lighting*.

**c. Rear Setback:** Development and redevelopment shall comply with all rear yard setback requirements contained within Sections 131-1 and 131-3(e), except the following allowances are permitted:

**1.** Accessory structures, including off-street parking, shall be setback a minimum of five (5) feet from the rear property line provided all stormwater is retained on the property.

**6. Shoreline setback.** Pursuant to Policy 112.1.1, and notwithstanding Section 118-12(c), nonresidential accessory structures will be permitted in shoreline setbacks on property owned by Ocean Reef Club, Inc. within the Ocean Reef master planned community as follows:

**a.** Along lawfully altered shorelines adjacent to manmade canals, channels, and basins:

**1.** The combined area of all accessory structures may occupy up to ninety percent (90%) of the upland area of the required 20-foot shoreline setback.

**2.** Accessory structures, including, but not limited to, pools, spas, and any screen enclosure over pools or spas shall be set back a minimum of five (5) feet from the MHW line. With the exception of docks and erosion control structures (as to which no shoreline setback applies), an accessory structure other than those listed above not exceeding 18 inches in height as measured from grade may be permitted within the 20-foot shoreline setback if the structure is-constructed to avoid any off-site discharge of stormwater from the subject parcel.

b. Along unaltered or unlawfully altered shorelines located along natural non-dredged waterways and open water:

1. The combined area of all accessory structures may occupy up to seventy percent (70%) of the upland area of the required 50-foot shoreline setback.

2. Accessory structures, including, but not limited to, pools, spas, and any screen enclosure over pools or spas shall be set back a minimum of ten (10) feet from the MHW line or the landward extent of the mangroves, whichever is farther landward, and shall be located in upland areas. With the exception of docks and erosion control structures (as to which no shoreline setback applies), an accessory structure other than those listed above not exceeding 18 inches in height as measured from grade may be permitted within the 50-foot shoreline setback if the structure is constructed to avoid any off-site discharge of stormwater from the subject parcel.

c. All other shoreline setback provisions for principal and accessory structures within Policy 212.2.4 shall apply.

7. Height. The maximum height of any structure or building shall comply with Section 131-2(a) and Comprehensive Plan Policy 101.5.31.

**(b) RESIDENTIAL DEVELOPMENT STANDARDS AS PROVIDED IN POLICY 112.1.1.**

Monroe County shall exempt or minimize its development standards for lawfully established residential dwelling units within the Ocean Reef master planned community, which self-governs its internal land development in order to provide uniform development standards and architectural guidelines to protect the distinct community character within the Ocean Reef master planned community as specified in the policies below.

1. Open Space. Notwithstanding Section 130-157, parcels designated within the Sparsely Settled (SS) zoning district, with a lawfully established residential dwelling unit, shall have a minimum land use open space requirement of fifty percent (50%).

2. Height. The maximum height of any structure or building shall comply with Section 131-2 and Comprehensive Plan Policy 101.5.31.

\*\*\*\*\*

**Section 3. Construction and Interpretation.** This Ordinance and its interpretation shall be liberally construed and enforced in favor of the Board of County Commissioners of Monroe County and such construction and interpretation shall be entitled to great weight in adversarial administrative proceedings, at trial, bankruptcy, and on appeal. The construction and interpretation of this Ordinance and all Monroe County Comprehensive Plan provision(s), Florida Building Code, Florida Statutes, and Monroe County Code(s) provision(s) whose interpretation arises out of, relates to, or is interpreted in connection with this Ordinance shall be liberally construed and enforced in favor of the Board of County Commissioners of Monroe County ("BOCC") to effectuate the public purpose(s) and objective(s) of the Monroe County BOCC and shall be construed in favor of the Monroe County BOCC and such construction and interpretation shall be

entitled to great weight in adversarial administrative proceedings, at trial, bankruptcy, and on appeal.

**Section 4. Inconsistency, Partial Invalidity, Severability, and Survival of Provisions.**

If any provision of this Ordinance, or any portion thereof, is held to be invalid or unenforceable in or by any administrative hearing officer or court of competent jurisdiction, the invalidity or unenforceability of such provision, or any portion thereof, shall neither limit nor impair the operation, enforceability, or validity of any other provision of this Ordinance, or any remaining portion(s) thereof. All other provisions of this Ordinance, and remaining portion(s) thereof, shall continue unimpaired in full force and effect.

**Section 5. Conflicting Provisions.**

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict. The repeal of an ordinance herein shall not repeal the repealing clause of such ordinance or revive any ordinance which has been repealed thereby.

**Section 6. Filing and Effective Date.**

This ordinance shall be filed in the Office of the Secretary of the State of Florida but shall not become effective until a notice is issued by the State Land Planning Agency or Administration Commission finding the amendment in compliance with Chapter 163, Florida Statutes and after any applicable challenges have been resolved.

**Section 7. Inclusion in the Land Development Code.**

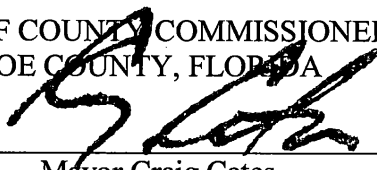
The text amendment shall be incorporated in the Monroe County Land Development Code. The numbering of the foregoing amendment may be renumbered to conform to the numbering in the Monroe County Land Development Code.

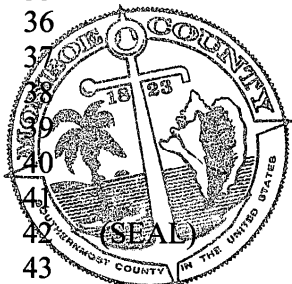
**PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County, Florida, at a regular meeting held on the 18<sup>th</sup> day of October, 2023.

Mayor Craig Cates, District 1	Yes
Mayor <i>Pro Tem</i> Holly Merrill Raschein, District 5	Yes
Commissioner Michelle Lincoln, District 2	Yes
Commissioner James K. Scholl, District 3	Yes
Commissioner David Rice, District 4	Yes


BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

By:

  
Mayor Craig Cates



ATTEST: KEVIN MADOK, CLERK

  
AS DEPUTY CLERK

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM

Date: 10/3/23

FILED FOR RECORD  
2023 OCT 26 AM 11:15  
CLK.  
MONROE COUNTY  
CLERK

KEYS CITIZEN  
Many Islands One Voice

The Florida Keys Only Daily Newspaper, Est. 1876

PO Box 1800, Key West FL 33041

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legals@keysnews.com

MONROE CO PLANNING DEPT  
102050 OVERSEAS HWY  
KEY LARGO FL 33037

Account: 423741

Ticket: 3905441

PUBLISHER'S AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF MONROE

[legal.text]

Before the undersigned authority personally appeared

\_\_\_\_\_Melinda Prescott\_\_\_\_\_, 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, September 30, 2023

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.

*Melinda Prescott*

(Signature of Affiant)

Affirmed and subscribed before me this 2nd day of October 2023

*Laura M Robins*

(Notary Public Signature)

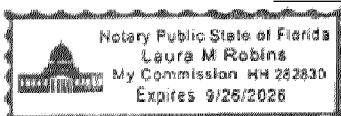
\_\_\_\_\_Laura M Robins\_\_\_\_\_

(Notary Public Printed Name)

My commission expires \_\_\_\_\_9/26/2026\_\_\_\_\_

Personally Known X Produced Identification \_\_\_\_\_

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





## NATION / WORLD

# Democratic Sen. Dianne Feinstein of California, dies at age 90

BY MARY CLARE JALONICK  
AND MICHAEL R. BLOOD  
The Associated Press

WASHINGTON — U.S. Sen. Dianne Feinstein of California, a centrist Democrat and champion of liberal causes who was elected to the Senate in 1992 and broke gender barriers throughout her long career in local and national politics, has died. She was 90.

Feinstein died on Thursday night at her home in Washington, D.C., her office said on Friday. Opening the Senate floor, Senate Majority Leader Chuck Schumer announced that "earlier this morning, we lost a giant in the Senate."

"Dianne Feinstein was one of the most amazing people who ever graced the Senate, who ever graced the country," Schumer said, his voice cracking. "As the nation mourns this tremendous loss, we know how many lives she impacted and how many glass ceilings she shattered along the way."

President Joe Biden, who served with Feinstein for years in the Senate, called her a "pioneering American," a "true trailblazer" and a "cherished friend."

California Gov. Gavin Newsom will appoint a temporary replacement, and there is sure to be a spirited battle to succeed her.

Feinstein, the oldest sitting U.S. senator, was a passionate advocate for liberal priorities



CLIFF OWEN/The Associated Press

Sen. Dianne Feinstein, D-Calif., smiles after announcing the introduction of a Senate bill to repeal the Defense of Marriage Act, on Capitol Hill in Washington, March 16, 2011.

important to her state — including environmental protection, reproductive rights and gun control — but was also known as a pragmatic lawmaker who reached out to Republicans and sought middle ground.

Her death came after a bout of shingles sidelined her for more than two months earlier this year — an absence that drew frustration from her most liberal critics and launched an unsuccessful attempt by Democrats to temporarily replace her on the Senate Judiciary Committee. When she returned to the Senate in May, she was frail and using a wheelchair, voting only occasionally.

On Friday morning, her Senate desk was draped in black and topped with a vase of white roses. Senators gave tearful tributes as members of the California House delegation

stood in the back of the chamber and former House Speaker Nancy Pelosi sat in the gallery with Feinstein's daughter, Katherine.

Senate Republican Leader Mitch McConnell was one of several Republicans who gave tributes to the Democratic icon, calling her his friend. "Dianne was a trailblazer, and her beloved home state of California and our entire nation are better for her dogged advocacy and diligent service," McConnell said.

She was elected to the San Francisco Board of Supervisors in 1969 and became its first female board president in 1978, the year Mayor George Moscone was gunned down alongside Supervisor Harvey Milk at City Hall by Dan White, a disgruntled former supervisor. Feinstein found Milk's body.

After Moscone's death, Feinstein became San Francisco's first female mayor. In the Senate, she was one of California's first two female senators, the first woman to head the Senate Intelligence Committee and the first woman to serve as the Judiciary Committee's top Democrat.

Although Feinstein was not always embraced by the feminist movement, her experiences colored her outlook through her five decades in politics.

Feinstein's bipartisan efforts helped her notch legislative wins throughout her career. But it also proved to be a liability in her later years in Congress, as her state became more liberal and as the Senate and the electorate became increasingly polarized.

A fierce debater who did not suffer fools, the California senator was long known for her verbal zingers and sharp comebacks when challenged on the issues about which she was most fervent. But she lost that edge in her later years in the Senate, as her health visibly declined and she sometimes became confused when answering questions or speaking publicly. In February 2023, she said she would not run for a sixth term the next year. And within weeks of that announcement, she was absent for the Senate for more than two months as she recovered from a bout of shingles.

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## McCarthy launches last-ditch plan to keep government open but with steep 30% cuts to many agencies

BY THE ASSOCIATED PRESS

WASHINGTON — House Speaker Kevin McCarthy rushed Friday into a last-ditch plan to keep the federal government temporarily open — but with steep spending cuts of nearly 30% to many agencies and severe border security provisions demanded by his hard-right flank though with almost no chance in the Democratic Senate.

The package cleared a procedural vote Friday but final passage in the afternoon was uncertain, testing whether the embattled McCarthy has the support he needs from his slim Republican majority. So far, the right flank has rejected his efforts as they push McCarthy closer to their demands, threaten his ouster and risk a government shutdown.

The Republican speaker all but dared his hold-out colleagues to oppose it a day before Saturday's almost certain shutdown. The bill would keep operations open through Oct. 31.

"Every member will have to go on record where they stand," the Republican McCarthy said at the Capitol. Asked if he had the votes, McCarthy quipped, "We'll see."

As soon as the floor debate began, McCarthy's chief Republican critic, Rep. Matt Gaetz of Florida, announced he would be voting against the package, calling its

border security provisions insufficient and urging his colleagues to "not surrender."

The federal government is heading straight into a shutdown after midnight Saturday that would leave 2 million military troops without pay, furlough federal workers and disrupt government services and programs that Americans rely on from coast-to-coast. Congress has been unable to fund the agencies or pass a temporary bill to keep offices open.

While the Senate is pushing ahead Friday with its own widely bipartisan plan favored by Republicans and Democrats to keep government open, and bolster Ukraine aid and U.S. disaster accounts, the House has been in political chaos as the hard-right flank seized control.

The White House has declined McCarthy's overtures to meet with President Joe Biden after the speaker walked away from the debt deal they brokered earlier this year that set budget levels.

"Extreme House Republicans are now tripling down on their demands to eviscerate programs millions of hardworking families count on," said White House press secretary Karine Jean-Pierre.

Jean-Pierre said, "The path forward to fund the government has been laid out by the Senate with bipartisan support — House Republicans just need to take it."

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## ATTENTION!

TRANSPORTATION PUBLIC HEARING  
Come and learn about the Florida Department of Transportation's Five-Year Tentative Work Program for Fiscal Years 2024/2025 through 2028/2029

**Miami-Dade and Monroe County Projects**

Time: 6 p.m.  
Date: Tuesday, October 10, 2023

**Attend In-Person at**

FDOT District Six Auditorium  
1000 NW 111 Avenue  
Miami, FL 33172

**Space is Limited:** RSVP by October 2, visit [www.southfloridacommwork-program.org](http://www.southfloridacommwork-program.org) or scan the QR code.



**Attend Virtually or on Monroe County TV Channel 76**

To attend the Public Hearing via GoToWebinar from your computer, tablet or smartphone please register using the link below or scan the QR Code:



<https://attendee.gotowebinar.com/register/932479752026395737>  
Participants can also use their phone by dialing in to +1 (213) 929-4212; Access code: 370-265-845

The Public Hearing will also be streamed online at [www.monroecounty-fl.gov](http://www.monroecounty-fl.gov) and on Monroe County TV Channel 76 at the same time and date listed above. Viewers can submit questions or comments via email to [wpcomments@dot.state.fl.us](mailto:wpcomments@dot.state.fl.us) and responses will be provided timely.

### YOUR OPINION IS IMPORTANT TO US.

FDOT PROJECT MANAGERS WILL ATTEND IN-PERSON AND VIRTUALLY TO HEAR YOUR COMMENTS AND ANSWER YOUR QUESTIONS.

The Public Hearing is being held in accordance with Section 330.135, Florida Statutes and to offer the public an opportunity to comment on all projects for highway systems and public transportation within Florida Department of Transportation District Six includes Monroe-Dade and Monroe counties. The Five-Year Tentative Work Program is the period for 2024/2025–2028/2029.

Send written comments by October 20, 2023 to Tish Burgher, District Public Information Officer, by mail: 1000 NW 111 Avenue, Room 6134, Miami, Florida 33172; or email: [Tish.Burgher@dot.state.fl.us](mailto:Tish.Burgher@dot.state.fl.us). These comments will also be incorporated into the public document.

The proposed improvements have been developed in accordance with the Civil Rights Act of 1964 and the Civil Rights Act of 1968. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act, or persons who require translation services (free of charge) should contact: Tish Burgher at (305) 470-5277 or in writing to FDOT, 1000 NW 111 Avenue, Miami, FL 33172 or by email at: [Tish.Burgher@dot.state.fl.us](mailto:Tish.Burgher@dot.state.fl.us) at least seven days prior to the Hearing.