



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### Planning Board

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Wednesday, July 19, 2023

5:00 PM

City Hall

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**ADA Assistance:** It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

**FOR VISUAL PRESENTATIONS:** For City Commission meetings the City Clerk's Office will need a copy of all presentations for the agenda at least 7 days before the meeting.

**Call Meeting To Order - 5:01 P.M.**

#### Roll Call

**Absent** 1 - Ms. Henderson

**Present** 6 - Mr. Batty, Mr. Browning, Mr. Gilleran, Mr. Russo, Vice Chair Varela, and Chairman Holland

#### Pledge of Allegiance to the Flag

**Approval of Agenda - The agenda was unanimously approved as amended.**

#### Administering the Oath by the Clerk of the Board

#### Approval of Minutes

1 June 1, 2023 (Workshop)

**Attachments:** [Minutes](#)

2 June 15, 2023 (Regular)

**Attachments:** [Minutes](#)

A motion was made by Mr. Russo, seconded by Mr. Browning, to approve the Minutes for the June 1, 2023 Workshop and June 15, 2023 Regular meeting. The motion passed unanimously.

#### Action Items

- 3 Change the December Planning Board meeting date from December 14, 2023 to December 12, 2023

The Planning Board voted by acclamation to change the December 14, 2023 Planning Board meeting date to December 12, 2023.

### Old Business

- 4 **Request for Postponement by Staff: Text Amendment of the Comprehensive Plan** - A Resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission to amend development review procedures, dissolve the Development Review Committee (DRC) and assign to the Planning Board any quasi-judicial responsibilities currently held by the DRC by amending Comprehensive Plan Chapter 1, entitled "Future Land Use Element", Objective 1-1.13, entitled "Intergovernmental Coordination.", Policy 1-1.13.6, entitled "Naval Air Station Key West Representation Development Review Committee."; and Chapter 8: - Intergovernmental Coordination Element, Goal 8-1, entitled "Provide mechanisms for improved intergovernmental coordination.", and Policy 8-1.1.3, entitled "Principles and Guidelines to be used in Coordination of Development and Growth Management Issues."; providing for severability; providing for repeal of inconsistent provisions; and providing for an effective date.

Withdrawn

- 5 **Request for Postponement by Staff: Text Amendment of the Land Development Regulations** - A Resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission to amend the Land Development Regulations to amend development review procedures, dissolve the Development Review Committee (DRC) and assign to the Planning Board any quasi-judicial

responsibilities currently held by the DRC, by amending Land Development Regulations Chapter 2, entitled "Administration", Article VIII, entitled "City Property", Division 3, entitled "Real Property Disposition", Section 2-940, entitled "Summary procedure."; Chapter 30, entitled "Fire Prevention and Protection", Article I, entitled "False Alarms", Section 30-9, entitled "Schedule of inspection fees."; Chapter 90, Article V, Entitled "Permits, Certificate of Occupancy, Variances, Appeals", Division 3, entitled "Variances", Section 90-398, entitled "Administrative variances"; Article VII, entitled "Vacation of easements and right-of-way", Section Sec. 90-587, entitled "Application and review by development review committee."; Section 90-588, entitled "Findings of no public purpose."; Section 90-589, entitled "Public hearing, notice and final determination by city commission."; Chapter 90, entitled "Administration", Article IX, entitled "Development Agreements," Section 90-682, entitled "Content"; Chapter 94, entitled "Concurrency management", Article II, entitled "Administration", Section 94-31, entitled "Responsibilities of city planner."; and Section 94-32, entitled "Application for concurrency review."; Chapter 108, entitled "Planning and Development", Article II, entitled "Development Plan", Division 3, entitled "Applicability and filing procedure," Section 108-93, entitled "Filing, application and fee.", Section 108-94, entitled "Review by staff."; Section 108-95, entitled "Performance guarantee.", Chapter 118, entitled "Subdivisions", Article II, entitled "Administration", Division 2, entitled "Waiver or Modification", Section 118-70, entitled "Resolution of technical issues by administrative official."; and Article III, entitled "Plats and Plans", Division 2, entitled "Lot Split and Minor Subdivision Procedures", Section 118-169, entitled "Lot splits."; Chapter 122, entitled "Zoning", Article II, entitled "Nonconformities", Section 122-28, entitled "Replacement or reconstruction."; Article III, entitled "Conditional Uses", Section 122-63, entitled "Review; enforcement"; and Article V, entitled

“Supplementary district regulations”, Division 6, entitled “Transient Units”, Section 122-1340, entitled “Development review committee and planning board review.”; and by repealing Section 108-61, entitled “Established and membership.”, Section 108-62, entitled “Offices and procedures.”, Section 108-63, entitled “Powers and Duties.”, and Section 108-64, entitled “General considerations.” of Chapter 108, entitled “Planning and Development”, Article II, entitled “Development Plan”, Division 2, entitled “Development Review Committee”; and by creating Section 108-61, entitled “Coordinated development review; applicability.”, Section 108-62, entitled “Coordinated development review; purpose and intent.”, and Section 108-63, entitled “Coordinated development review procedures.”, and Section 108-64, entitled “Development review meeting”, and Section 108-65, entitled “General considerations.”, and Section 108-66, entitled “Life safety review.” in Chapter 108, entitled “Planning and Development”, Article II, entitled “Development Plan”, Division 2, entitled “Development Review Committee”; providing for concurrent and conditional adoption upon adoption of comprehensive plan amendments; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

Withdrawn

## New Business

6

### **Text Amendment of the Land Development**

**Regulations** - Consideration of an ordinance of the City of Key West, Florida, proposing amendments to the Section 90-52 of the Code of Ordinances titled “Membership, Terms and Removal” to provide for a direct removal of a planning board member by the appointing Mayor or City Commissioner; providing for severability; providing for an effective date.

- Attachments:**     [Staff Report](#)  
                                  [Amendment - Staff Report](#)  
                                  [Sec 90-52 Amended Planning Board Membership Ordinance](#)

**A motion was made by Mr. Gilleran, seconded by Mr. Browning, to approve the Text Amendment with the modified language of "...up to, but not to include Big Coppitt." The motion carried by the following vote:**

- No:** 1 - Mr. Russo
- Absent:** 1 - Ms. Henderson
- Yes:** 5 - Mr. Batty, Mr. Browning, Mr. Gilleran, Vice Chair Varela, and Chairman Holland

Enactment No: PB Resolution 2023-13

7

**Conditional Use Amendment - 114 Simonton Street (RE# 00000290-000000)** - A request for an amendment to a conditional use approval for an existing recreational rental vehicle operation, to allow for the addition of fifty (50) golf carts at a property located at 114 Simonton Street in the Historic Residential Commercial Core (HRCC-1) zoning district pursuant to Sections Sec. 18-358, 122-62(b), 122-62(c), 122-63(e), and 122-688 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

- Attachments:**     [Planning Package](#)  
                                  [Applicant's Traffic Impact Analysis](#)  
                                  [2021 Traffic Study by KCI for the City of Key West](#)  
                                  [Noticing Package](#)  
                                  [Planning Board Resolution 2019-40 - Conditional Use Amendment](#)  
                                  [Planning Board Resolution 2016-60 Conditional Use Approval](#)  
                                  [Multimodal Transportation Comments](#)  
                                  [Engineering Comments](#)  
                                  [Utilities Comments](#)  
                                  [Keys Energy Comments](#)  
                                  [Urban Forestry Comments](#)  
                                  [Public Comment](#)

**Postponed to August 17, 2023.**

**Reports**

**Public Comment**

**Board Member Comment**

**Adjournment - 5:28 P.M.**