

Rick Scott  
GOVERNOR



Hunting F. Deutsch  
EXECUTIVE DIRECTOR

**FLORIDA DEPARTMENT *of*  
ECONOMIC OPPORTUNITY**

December 14, 2012

The Honorable Craig Cates, Mayor  
City of Key West  
Post Office Box 1409  
Key West, Florida 33041-1409

Dear Mayor Cates:

The State Land Planning Agency (the Agency) has completed its review of the proposed comprehensive plan amendment for the City of Key West (Amendment No. 12-3ER), which was received and determined complete on October 15, 2012. Copies of the proposed amendment have been distributed to the appropriate reviewing agencies for their review, and their comments are enclosed. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S., and the Principles for Guiding Development for the Key West Area of Critical State Concern, Rule 28-36.003, Florida Administrative Code.

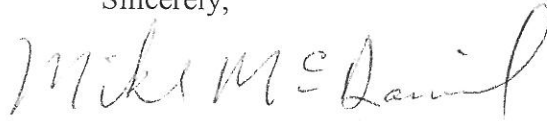
The attached Objections, Recommendations, and Comments Report outlines our findings concerning the amendment. We have identified one objection and have included a recommendation regarding measures that can be taken to address the objection. We are also providing eight technical assistance comments consistent with Section 163.3168(3), F.S. The Agency's technical assistance comments will not form the basis of a challenge. They are offered as suggestions which can strengthen the City's comprehensive plan in order to foster a vibrant, healthy community or are technical in nature and designed to ensure compliance with the provisions of Chapter 163, F.S.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(4)(e)1, F.S., provides that if the second public hearing is not held and the amendment adopted within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment.



My staff and I are available to assist the City in addressing the issues identified in our report. If you have any questions, please contact Rebecca Jetton, at (850) 717-8494, or by email at [rebecca.jetton@deo.myflorida.com](mailto:rebecca.jetton@deo.myflorida.com).

Sincerely,



Mike McDaniel, Chief  
Bureau of Community Planning

MM/jk

Enclosures: Objections, Recommendations and Comments Report  
Review Agency Comments  
Adoption Procedures

cc: Donald Leland Craig, Planning Director, City of Key West  
James F. Murley, Executive Director, South Florida Regional Planning Council

**OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT  
FOR THE CITY OF KEY WEST  
PROPOSED COMPREHENSIVE PLAN AMENDMENT  
(DEO NO. 12-3ER)**

**I. Consistency with Chapter 163, Part II and Chapter 380, Part I, Florida Statutes**

The Department has the following objection and recommendation for the proposed Evaluation and Appraisal Report (EAR)-based amendments:

**Objection 1: Water Supply Amendments**

The City submitted its proposed Water Supply Plan and associated goals, objectives and policies for incorporating the findings of the plan into the Comprehensive Plan. However, several policies proposed for the Conservation and Intergovernmental Coordination Elements in Exhibits C and D of the Water Supply Plan were not incorporated into the EAR-based amendments pursuant to Sections 163.3177(6)(d)2.b and 163.3177(6)(h)1., Florida Statutes (F.S.).

**Authority:** Sections 163.3177(4)(a), 163.3177(6)(d)2.b and 163.3177(6)(h)1., F.S.

**Recommendation:** The Department recommends that the City revise the Conservation and Intergovernmental Coordination Elements to include the goals, objectives and policies included in Exhibits C and D of the Water Supply Plan Amendment Support Documentation.

**II. Technical Assistance Comments**

**Technical Assistance Comment 1: Zoning Districts**

Proposed Future Land Use Element (FLUE) Policies 1-1.1.8 and 1-1.1.9 indicates the allowable uses, densities and floor area ratios for areas under Historic Neighborhood Commercial and Historic Residential Commercial Core. However, FLUE Policies 1-1.1.8 and 1-1.1.9 reference “Historic Residential Commercial Core” and “Historic Neighborhood Commercial” Districts which are zoning districts, not Future Land Use Map (FLUM) Districts. The Department recommends the City revise FLUE Policies 1-1.1.8 and 1-1.1.9 to refer to FLUM Districts identified in FLUE Policy 1-1.1.5 and include the types of allowable uses, densities and intensities associated with those FLUM Districts.

**Technical Assistance Comment 2: Future Land Use Element Policy 1-1.16.3**

FLUE Policy 1-1.16.3 refers to the hurricane evacuation model as the “Monroe County Model”. In the past, there has been several hurricane evacuation models used to measure evacuation clearance times for the local governments of the Florida Keys which included the Monroe County Model. As there has been much debate in selecting the current model as well as a need for consistency with the Hurricane Evacuation Clearance Time Memorandum of Understanding, the Department recommends the City revise the policy

and change the name referenced for the hurricane evacuation model to “Transportation Interface for Modeling Evacuations, or TIME, Model”.

**Technical Assistance Comment 3: Future Land Use Element Policy 1-1.16.4**

FLUE Policy 1-1.16.4 indicates that, in order to facilitate the redevelopment of the Truman Waterfront,

“equivalent single-family units values and associated development rights may be transferred from anywhere within the city to land use classifications within the Truman Waterfront Parcel which allow residential development.”

The City proposed to redesignate ±3.0 acres from existing Historic Residential Commercial Core-4: Truman Waterfront District to proposed Military District. This would remove the only potential FLUM District on the City’s revised FLUM series that would allow for residential development within the Truman Waterfront area. The rest of the Waterfront consists of the Fort Zachary Taylor Historic State Park and other military and historic commercial parcels. Department staff recommends that the City revise the policy to remove the reference for residential development as there is currently no land use available in which such development would be allowed.

**Technical Assistance Comment 4: Transportation Element Policy 2-1.1.3**

Transportation Element Policy 2-1.1.1 indicates that the City intends to keep using its established level of service standards for its roadway system. Transportation Element Policy 2-1.1.3 indicates it will utilize the level of service standards to “prioritize improving the safety and function of existing roads and multi-modal transportation improvements”. However, Transportation Element Policy 2-1.1.3 also indicates that the City is “exempted from transportation concurrency requirements for roadways” because it is a dense urban land area (DULA).

Under current state law, the DULA exemption only applies to the criteria within the Development of Regional Impact, or DRI, program pursuant to Section 380.06(29), F.S. Section 163.3180(1), F.S., has been revised to make transportation concurrency optional statewide and is not tied to a DULA designation. The Department recommends that the City remove the exemption language since the DULA exemption language is out-of-date and the City has indicated it intends to continue using transportation concurrency for the upkeep of its roadway systems.

**Technical Assistance Comment 5: Level of Standards**

Revisions to the Capital Improvements and Public Facilities Elements included updates to Public Facilities Element Policy 4-1.1.1 and Capital Improvements Element Policy 9-1.6.1 which contain the City’s level of service standards. However, revisions to one policy are not reflected in the other, creating internal inconsistencies regarding facility names, state law references and development applications which impacts solid waste disposal needs for the City. The Department recommends the City revise both Public Facilities Element Policy 4-1.1.1 and Capital Improvements Element Policy 9-1.6.1 as follows:

- Use the same facility name: Richard Heyman Environmental Protection Facility;
- Delete all out-dated waste water quality standards for Biochemical Oxygen Demand, Total Suspended Solids and fecal coliform;
- Delete all references for Chapter 17-3 and 17-6, Florida Administrative Code, and revise references to Chapter 62-302, Florida Administrative Code;
- Correct all typos for those updated references to Chapter 62-302, Florida Administrative Code; and
- Clarify what is to happen to development applications which impacts solid waste disposal in the City.

**Technical Assistance Comment 6: Wetland Protection**

Conservation Element Policy 6-1.7.2 indicates that new development shall protect “as a minimum, all wetlands”. This policy is consistent with FLUE Policy 1-1.1.2 which indicates that “no density or floor ratio (FAR) credit shall be granted for undevelopable environmentally sensitive land, including wetlands”.

However, these policies are internally inconsistent with Conservation Element Policies 6-1.4.1 and 6-1.4.2. Conservation Element Policy 6-1.4.1 states that “[n]o development is permitted in wetlands, except where state and/or federal agencies having jurisdiction provide for development rights”. Conservation Element Policy 6-1.4.2 states that “[w]etland protection regulations shall as a minimum be consistent with applicable State and federal regulatory policies affecting the specific sites.” The Department recommends that the City revise Conservation Element Policy 6-1.7.2 to be internally consistent.

**Technical Assistance Comment 7: Hurricane Evacuation Procedures**

Between 2005 to 2006, the local governments of the Florida Keys adopted into their Comprehensive Plans 48-hour phased evacuation procedures in case of a Category 3-5 hurricane storm event. These procedures are used for hurricane evacuation modeling for the island chain. During this time, the City of Key West was unable to update its Comprehensive Plan and adopted the hurricane evacuation procedures by resolution in 2006 (Resolution No. 06-244). Although the City has adopted revised objectives and policies regarding hurricane evacuation into its Coastal Management Element, the 48-hour phased evacuation procedures were not included with these revisions. To continue consistency with the rest of the local governments of the Florida Keys, the Department recommends that the City include the 48-hour phased evacuation procedures according to Resolution No. 06-244 into the Coastal Management Element.

**Technical Assistance Comment 8: 2012 Stormwater Master Plan**

The City has recently finalized its 2012 Stormwater Master Plan. The creation of the 2012 Stormwater Master Plan was one of the objectives under the City’s existing Comprehensive Plan according to Public Facilities Objective 4-2.1d. Revisions to the Public Facilities Element include renumbering this objective to Objective 4-2.4 and deleting portions of objective which included the goal for development of the stormwater

master plan. The Department recommends that the City revise Objective 4-2.4 to acknowledge the adopted 2012 Stormwater Master Plan and indicate that the City will use the stormwater master plan as a guide for its capital improvements planning.

SUBMITTAL OF  
ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR STATE COORDINATED REVIEW

Section 163.3184(4), Florida Statutes

May 2011

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

\_\_\_\_\_ State Land Planning Agency identification number for adopted amendment package;

\_\_\_\_\_ Summary description of the adoption package, including any amendments proposed but not adopted;

\_\_\_\_\_ Ordinance number and adoption date;

\_\_\_\_\_ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

\_\_\_\_\_ Name, title, address, telephone, FAX number and e-mail address of local government contact;

\_\_\_\_\_ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

\_\_\_\_\_ In the case of text amendments, changes should be shown in strike-through/underline format;

\_\_\_\_\_ In the case of future land use map amendment, an adopted future land use map, **in color format**, clearly depicting the parcel, its existing future land use designation, and its adopted designation;

\_\_\_\_\_ A copy of any data and analyses the local government deems appropriate.

**Note:** If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

\_\_\_\_\_ Copy of executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for state coordinated review:

The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

\_\_\_\_\_ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

\_\_\_\_\_ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

\_\_\_\_\_ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency to the ORC report from the State Land Planning Agency.





**FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION**

MARJORY STONEMAN DOUGLAS BUILDING  
3900 COMMONWEALTH BOULEVARD  
TALLAHASSEE, FLORIDA 32399-3000

RICK SCOTT  
GOVERNOR

JENNIFER CARROLL  
LT. GOVERNOR

HERSCHEL T. VINYARD JR.  
SECRETARY

November 29, 2012

Mr. Ray Eubanks  
Plan Review Administrator  
Department of Economic Opportunity  
Bureau of Community Planning  
Caldwell Building  
107 East Madison Street, MSC 160  
Tallahassee, FL 32399-6545

11/29/12

<sup>ER</sup>  
Re: Key West 12-30052 Proposed; Comprehensive Plan Amendment Review

Dear Mr. Eubanks:

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment proposal under the procedures of Chapter 163, *Florida Statutes*. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; water and wastewater treatment; and, where applicable, the Everglades ecosystem.

Based on our review of the adopted amendment, the Department has found no provision that requires comment under laws that form the basis of the Department's jurisdiction. Thank you for the opportunity to comment on the proposed amendment package. Should you have any questions or require further assistance, please call me at (850) 245-2169.

Sincerely,

Chris Stahl  
Office of Intergovernmental Programs



## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

November 7, 2012

Mr. Ray Eubanks  
Administrator, Plan Review & Processing  
Department of Economic Opportunity  
Division of Community Planning and Development  
107 East Madison Street  
Tallahassee, Florida 32399-4120

11/9/12

Dear Mr. Eubanks:

**Subject: City of Key West, DEO Amendment #12-3ER  
Comments on Proposed Comprehensive Plan Amendment**

The South Florida Water Management District (District) has completed its review of the proposed amendment package submitted by the City of Key West (City). The amendment package consists of proposed Evaluation and Appraisal Report amendments and the City's proposed Water Supply Facilities Work Plan. There appear to be no regionally significant water resource issues; therefore, the District forwards no comments on the proposed amendment package.

The District offers its technical assistance to the City and the Department of Economic Opportunity in developing sound, sustainable solutions to meet the City's future water supply needs and to protect the region's water resources. Please forward a copy of the adopted amendments to the District. For assistance or additional information, please contact Terry Manning, Policy and Planning Analyst, at (561) 682-6779 or [tmanning@sfwmd.gov](mailto:tmanning@sfwmd.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Rod A. Braun".

Rod A. Braun  
Director  
Office of Intergovernmental Programs

RAB/tm

c: Donald Leland Craig, Key West  
Christine Hurley, Monroe County  
Rebecca Jetton, DEO  
Rachel Kalin, SFRPC



## Florida Department of Transportation

RICK SCOTT  
GOVERNOR

1000 NW 111 Avenue  
Miami, Florida 33172-5800

ANANTH PRASAD, P.E.  
SECRETARY

November 7, 2012

Ray Eubanks, Plan Review & Processing Administrator  
Department of Economic Opportunity  
Community Planning and Development  
107 East Madison Street  
Caldwell Building, MSC 160  
Tallahassee, Florida 32399

11/9/12

**Subject: Comments for the Proposed Comprehensive Plan Amendments, City of Key West #12-3ER**

Dear Mr. Eubanks:

The Florida Department of Transportation, District Six, completed a review of the *Proposed Comprehensive Plan Amendments, City of Key West #12-3ER*. The District has reviewed the amendment package per *Chapter 163 Florida Statutes* and has found no adverse impacts to transportation resources and facilities of state importance.

The District offers the following comment for the City's consideration. Please include in the comprehensive plan a map or list of zoning categories for each parcel as of January 1, 2012; to support the new Future Land Use Map (FLUM). This information will facilitate agency reviews of future FLUM amendments. This does not constitute as an objection and is only a recommendation.

Please contact Ken Jeffries at 305-470-5445 if you have any questions concerning our response.

Sincerely,

Phil Steinmiller  
District Planning Manager

Cc: Harold Desdunes, PE, Florida Department of Transportation, District 6  
Aileen Boucle, AICP, Florida Department of Transportation, District 6  
Donald Leland Craig, City of Key West  
Mayte Santamaria, Monroe County

# County of Monroe

## Growth Management Division

### Office of the Director

2798 Overseas Highway  
Suite #400  
Marathon, FL 33050  
Voice: (305) 289-2517  
FAX: (305) 289-2854



### Board of County Commissioners

Mayor David Rice, Dist. 4  
Mayor Pro Tem Kim Wigington, Dist. 1  
Heather Carruthers, Dist. 3  
George Neugent, Dist. 2  
Sylvia Murphy, Dist. 5

*We strive to be caring, professional and fair*

**SENT VIA US CERTIFIED MAIL 7011 2970 0002 5873 5838**

November 5, 2012

# Received

DEC 03 2012

Ray Eubanks, Plan Processing Administrator  
Department of Economic Opportunity  
Community Planning and Development  
107 East Madison Street  
Caldwell Building, MSC 160  
Tallahassee, Florida 32399

Department of Economic Opportunity  
Division of Community Development  
Bureau of Community Planning

### **Re: Key West Proposed Comprehensive Plan Amendment (12-3ER)**

Dear Mr. Eubanks,

Pursuant to Section 163.3184(3)(b3., Florida Statutes (F.S.), Monroe County is submitting comments to Key West Amendment Package 12-3ER.

Unfortunately, this letter is being sent from the staff level only, since our deadline for submittal is prior to our next Board of County Commissioners meeting. We will add this letter to our November 20, 2012 Board of County Commissioners agenda for discussion.

The proposed Key West Land Use Element and the Intergovernmental Coordination Element include proposed amendments relative to potential annexations of South Stock Island and Key Haven. While the County does not have issues with the City of Key West completing an annexation study by 2017, the County does have concerns that the proposed policies do not **require** intergovernmental coordination with the County.

For example: Proposed Amendment to the Intergovernmental Coordination Element

***Policy 8-1.1.5: Annexation Studies.*** *The City of Key West acknowledges a need to prevent urban sprawl and disjointed urban service delivery systems. In addition, the City desires to develop a plan for managing potential annexation, including areas such as South Stock Island and Key Haven. The City may choose to enter into a joint agreement with Monroe County for the purpose of encouraging planning activities in advance of any potential jurisdictional changes.*

We request Policy 8-1.1.5 be amended as follows (Key West proposed language in underline-strikethrough; Monroe County proposed edits in double-underline-double strikethrough):

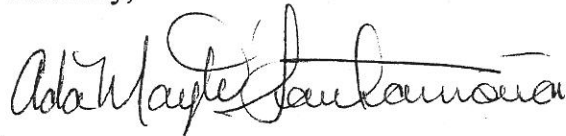
***Policy 8-1.1.5: Annexation Studies.** The City of Key West acknowledges a need to prevent urban sprawl and disjointed urban service delivery systems. In addition, the City desires to develop a plan for managing potential annexation, including areas such as South Stock Island and Key Haven. The City ~~may choose to~~ shall enter into a joint agreement with Monroe County for the purpose of encouraging planning activities and coordinating service delivery in advance of any potential jurisdictional changes.*

The County has embarked upon significant expansions of the emergency response system (fire/ambulance) on South Stock Island. This station would serve South Stock Island and Key Haven. Further, the County is currently underway planning and funding wastewater infrastructure to improve water quality and achieve the objectives of the rule adopted by the Administration Commission for Monroe County (Rule 28-20.140, F.A.C.)

It is imperative that the City of Key West continue its coordination and communication efforts with unincorporated Monroe County to ensure both jurisdictions make informed and coordinated decisions which address the needs of the citizens of the Keys.

Thank you in advance for your timely review of these materials. Should you have any questions about the comments submitted, please contact Mayté Santamaria, Assistant Planning Director, at (305) 289-2562 and santamaria-mayte@monroecounty-fl.gov.

Sincerely,



Christine Hurley, AICP

Growth Management Division Director

Enclosures: Relevant Monroe County Comprehensive Plan Policies  
Relevant Florida Statute Citations  
DEO letter on Key West 13-2ER, dated October 16, 2012

cc: Don Craig, City of Key West  
Ron Demes, United States Navy, Boca Chica Naval Air Station  
Rachel M. Kalin, South Florida Regional Planning Council  
Terry Manning, South Florida Water Management District  
Phil Steinmiller, Florida Department of Transportation  
Chris Stahl, Florida Department of Environmental Protection  
Susan Harp, Bureau of Historic Preservation  
Linda Harless, Department of Agriculture and Consumer Services

Mary Ann Poole, Florida Fish and Wildlife Commission  
Board of County Commissioners (w/o enclosures)  
Bob Shillinger, County Attorney (w/o enclosures)  
Roman Gastesi, County Administrator (w/o enclosures)  
Townsley Schwab, Director of Planning and Environmental Resources (w/o enclosures)

## Key West Proposed Comprehensive Plan Amendment (12-3ER)

### Relevant Monroe County Comprehensive Plan citations:

**GOAL 1301:** Monroe County shall promote and encourage intergovernmental coordination between the County; the municipalities of Key West, Key Colony Beach, and Layton; the Counties of Dade and Collier; regional, state, and federal governments and private entities in order to anticipate and resolve present and future concerns and conflicts.

**Objective 1301.1:** Monroe County shall establish or maintain coordination mechanisms to ensure that full consideration is given to the impacts of development allowed by the Monroe County Comprehensive Plan upon the plans of adjacent municipalities, adjacent counties of Dade and Collier, the region, the State and the Federal Governments, as well as the impacts of those entities' plans on the County.

**Policy 1301.1.3:** Monroe County shall resolve conflicts including but not limited to annexation issues, with Broward, Collier and Dade Counties, the Cities of Key West, Key Colony Beach, and Layton, and the State of Florida through the South Florida Regional Planning Council's informal mediation process.

### Relevant Florida Statute citations:

163.3161(5), F.S. - It is the intent of this act to encourage and ensure cooperation between and among municipalities and counties and to encourage and ensure coordination of planning and development activities of units of local government with the planning activities of regional agencies and state government in accord with applicable provisions of law.

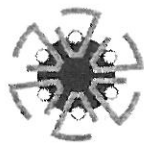
163.3177(4)(a), F.S. - Coordination of the local comprehensive plan with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region; with the appropriate water management district's regional water supply plans approved pursuant to s. 373.709; and with adopted rules pertaining to designated areas of critical state concern shall be a major objective of the local comprehensive planning process. To that end, in the preparation of a comprehensive plan or element thereof, and in the comprehensive plan or element as adopted, the governing body shall include a specific policy statement indicating the relationship of the proposed development of the area to the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, as the case may require and as such adopted plans or plans in preparation may exist.

163.3184(3)(b)3.b., F.S. - Comments to the local government from a regional planning council, county, or municipality shall be limited as follows: County comments shall be in the context of the relationship and effect of the proposed plan amendments on the county plan.

163.3177(6)(h)1., F.S. - An intergovernmental coordination element showing relationships and stating principles and guidelines to be used in coordinating the adopted comprehensive plan with the plans of school boards, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state comprehensive plan and with the applicable regional water supply plan approved pursuant to s. 373.709, as the case may require and as such adopted plans or plans in preparation may exist. This element of the local comprehensive plan must demonstrate consideration of the particular effects of the local plan, when adopted, upon the development of adjacent municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan, as the case may require.

a. The intergovernmental coordination element must provide procedures for identifying and implementing joint planning areas, especially for the purpose of annexation, municipal incorporation, and joint infrastructure service areas.

South  
Florida  
Regional  
Planning  
Council



# MEMORANDUM

AGENDA ITEM #III.D (Addendum)

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DATE: NOVEMBER 8, 2012

TO: COUNCILMEMBERS

FROM: STAFF

SUBJECT: LOCAL GOVERNMENT COMPREHENSIVE PLAN PROPOSED AND ADOPTED  
AMENDMENT CONSENT AGENDA

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Key West proposed amendment #12-3ER (Attachment 11) staff analysis attached.



## Attachment 11

### FLORIDA REGIONAL COUNCILS ASSOCIATION LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

South Florida Regional Planning Council Agenda Item and Date: III.E; November 8, 2012.

Local Government Amendment Number: City of Key West proposed #12-3ER

Date Comments due to Local Government: November 14, 2012.

Date Mailed to Local Government and State Land Planning Agency: Prior to November 14, 2012.

*Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan for South Florida (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.*

#### DESCRIPTION OF AMENDMENT

The proposed amendment package contains the City of Key West's 2005 and 2007 Evaluation and Appraisal Report-based text and map amendments. Nine (9) Elements and the Future Land Use Map (FLUM) of the Comprehensive Plan would be amended and updated in accordance with both EAR recommendations, including a response to changes to State Statutes, the Florida Administrative Code, and the *Strategic Regional Policy Plan for South Florida (SRPP)*. The Data, Inventory, and Analysis for all Elements of the Plan would be updated, and will include an affordable housing needs analysis, population estimates, hurricane evacuation analysis, land use analysis, and a Level of Service (LOS) analysis. The most significant proposed changes are summarized below.

Changes to the Housing and Future Land Use Elements revise the City's Building Permit Allocation System, based on recent State Mandated Hurricane Evacuation Modeling Workshops and the Memorandum of Understanding approved by the City Commission on August 21, 2012. The City will receive 91 new units a year for a period of 10 years beginning in July 2013 with a strong emphasis on affordable housing allocations. Sixty percent of the units will be allocated as affordable between 2013 and 2016 and 50% affordable from 2016 to 2023. In addition, 80% of the remaining units between 2016 and 2023 shall be permanent and 20% transient.

The City's Map Series would be updated to illustrate current roadways and LOS Standards, bike routes, a new Recreation Facilities Radius Standard, the Key West Historic District, and Storm Surge Zones. Minor changes to the Future Land Use Map correctly designate 6 acres of land already owned and operated as Military, and redesignate 2.5 acres of existing waterfront park area along Atlantic Boulevard from Low Density Residential to Conservation. The final proposed FLUM amendment changes a 2.68-acre parcel of land at 2800 Flagler Avenue from Public Service to Medium Density Residential. The site has an existing church and is surrounded by Low Density Residential. The intent of the amendment is to accommodate future affordable housing unit allocations.

Changes to the Transportation Element reflect the City's designation as a Dense Urban Land Area and Transportation Concurrency Exception Area; adopt Bicycle and Pedestrian LOS Standards; include strategies for reducing greenhouse gas emissions and direct the City to consider climate change preparedness; and incorporate new monitoring measures for Right-of-Way acquisition and protection, roadway improvements, and increase multi-modalism.

Changes to the Public Facilities Element direct the City to better identify capital improvement priorities; revise the Potable Water LOS Standard for consistency with the Florida Keys Aqueduct Authority and the South Florida Water Management District; divert solid waste by 75 percent through a Solid Waste Master Plan; adopt by reference a Water Supply Facilities Work Plan and related Policies; and incorporate new monitoring measures to ensure LOS Standards are met.

Changes to the Coastal and Conservation Element include new Policies to reduce greenhouse gasses and seek funding for climate change efforts; provide for consistency with the City Water Supply Facilities Work Plan; direct the City to adopt Land Development Regulations to help protect wildlife and habitats from invasive exotic plants and animals, and to protect seagrass and coastal wetlands; establish coastal development setbacks; and encourage businesses to adopt sustainable, environmentally-responsible operations.

Changes to the Recreation and Open Space Element include revising the LOS Standard for Parks and Recreation Facilities at five acres per 1,000 permanent residents, and adopt a new Recreation Facilities Radius Standard to identify urban open spaces, neighborhood and community parks within a 5 to 10 minute walking distance or ten minute drive. New monitoring measures are incorporated to ensure Interlocal Agreements, LOS Standards, and public beach and gulf access are met.

The majority of the proposed changes to the Intergovernmental Coordination and Capital Improvements Elements provide for consistency among revised and new Policies in other Plan Elements. The Five-Year Schedule of Capital Improvements (Fiscal Year 2011/12 through 2015/16) would be adopted.

No adverse effects to regional resources and facilities or extrajurisdictional impacts would result from the map amendments.

**1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN.**

Not Applicable.

**2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH ANY COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION.**

Not Applicable.

The Council requests the local government to please send a copy of the adopted version of the amendment.