

Rick Scott
GOVERNOR



Hunting F. Deutsch
EXECUTIVE DIRECTOR

FLORIDA DEPARTMENT of
ECONOMIC OPPORTUNITY

June 1, 2012

The Honorable Craig Cates
Mayor, City of Key West
3126 Flagler Avenue
Key West FL 33040

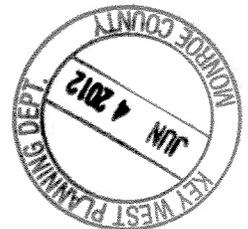
Dear Mayor Cates:

The State Land Planning Agency (the Agency) has completed its review of the proposed comprehensive plan amendment for Key West (Amendment No. 12-1ACSC), which was received and determined complete on April 4, 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. The Agency does not identify any objections related to important state resources and facilities that will be adversely impacted by the amendment if it is adopted, and this letter serves as the Objections, Recommendations, and Comments, Report.

We are, however, providing a technical assistance comment consistent with Section 163.3168(3), F.S., as follows:

Policy 1-3.9.7 provides that the "City acknowledges the Encroachment Challenges Synopsis provided by the Naval Air Station Key West, and the 2007 AICUZ Study; both of which may be amended, and when so amended, incorporate by reference by written notice of amendment to the City of key west and recognized by the City through a duly advertised hearing of the City Planning Board and City Commission." The language "the City acknowledges" does not make it clear that the City is in fact adopting the 2007 AICUZ Study by reference into the comprehensive plan.

Therefore, to ensure consistency with Section 163.3177(1)(b), Florida Statutes, the City should rephrase the policy to state that the City is adopting the 2007 AICUZ Study by reference and that when subsequent updates to the Study are published, the City will update their comprehensive plan by plan amendment.

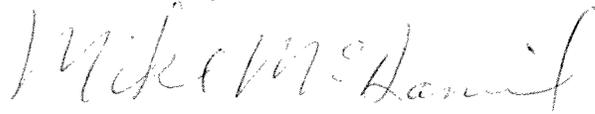


Honorable Craig Cates
June 1, 2012
Page 2 of 2

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.

Sincerely,



Mike McDaniel, Chief
Bureau of Community Planning

MM/bep

Enclosures: Review Agency Comments
Adoption Procedures

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



**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

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;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ 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 amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its 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 the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, 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 in response to the comment letter from the State Land Planning Agency.



FLORIDA DEPARTMENT OF EDUCATION



STATE BOARD OF EDUCATION

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John L. Winn
Commissioner of Education



May 3, 2012

5/3/12

Mr. D. Ray Eubanks, Plan Processing Administrator
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Dear Mr. Eubanks:

Re: Key West 12-1ACSC

Thank you for the opportunity to review the Key West 12-1 amendment package. According to the department's responsibilities under Section 163.3184(3), Florida Statutes, I reviewed the amendment considering provisions of Chapter 163, Part II, F.S., and to determine whether the proposal, if adopted, would have potential to create adverse impacts on public school facilities.

The proposal would amend the plan to facilitate military compatibility. Because the amendment would not create adverse effects on public school facilities, I offer no comment.

Again, thank you for the opportunity to review and comment.

Sincerely,

Tracy D. Suber
Educational Consultant-Growth Management Liaison

TDS/

cc: Mr. Jeff Sawyer, Monroe County School District
Ms. Rebecca Jetton, DEO

THOMAS H. INSERRA
DIRECTOR, OFFICE OF EDUCATIONAL FACILITIES





Florida Department of Transportation

RICK SCOTT
GOVERNOR

1000 NW 111 Avenue
Miami, Florida 33172-5800

ANANTH PRASAD, P.E.
SECRETARY

April 30, 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

Subject: Comments for the Proposed Comprehensive Plan Amendment, Key West #12-1ACSC

Dear Mr. Eubanks:

The Florida Department of Transportation, District Six, completed a review of the *Proposed Comprehensive Plan Amendment, Key West #12-1ACSC*. 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. 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, AICP, City of Key West
Mayte Santamaria, Monroe County





Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Florida Department of
Environmental Protection
Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000
Phone: 904-205-1000
Fax: 904-205-1001
www.dep.state.fl.us

May 1, 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

Re: Key West 12-1ACSC Proposed; Comprehensive Plan Amendment Review

Dear Mr. Eubanks:

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (DEP) has reviewed the above-referenced amendment proposal under the procedures of Chapter 163, *Florida Statutes (F.S.)*. 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 proposed amendment, the Department has found no provision that requires comment under the laws that form the basis of the Department's jurisdiction.

Sincerely,

Chris Stahl
Office of Intergovernmental Programs

/cjs





SOUTH FLORIDA WATER MANAGEMENT DISTRICT

April 9, 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

Dear Mr. Eubanks,

**Subject: City of Key West, Amendment #12-1A000
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 goals, objectives and policies to be included in the Future Land Use Element of the City's Comprehensive Plan to address the compatibility of lands adjacent to or closely proximate to military land uses. 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. Once the amendment is adopted please forward a copy to the District. For assistance or additional information, please contact Terry Manning, Policy and Planning Analyst, at (561) 682-6779 or tmanning@sfwmd.gov.

Sincerely,

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

Rod A. Braun
Director
Office of Intergovernmental Programs

RB/mr

cc: Donald Leland Craig, Key West
Christine Murley, Monroe County
Rebecca Jettan, DEO
Rachel Kalin, CFRPC
Terry Manning, SFWMD



Powell, Barbara

From: Demes, Ron A CIV CNRSE, N02 [ron.demes@navy.mil]
Sent: Thursday, May 24, 2012 3:33 PM
To: McDaniel, Mike
Cc: Lefere, Patrick A CAPT NAS Key West, N00; Jetton, Rebecca; Powell, Barbara; Monnier, Ashley CIV NAVFAC SE, PWD Key West
Subject: RE: City Of Key West Military Compatibility Comp Plan

Mr. McDaniel: We thank you for your assistance, as well as Rebecca's and Barbara's efforts, to protect the military interests in Key West and Monroe County. Pursuant to our conference call today, Naval Air Station Key West will not object to the City of Key West's Military Compatibility Plan Amendment as transmitted. Concerns #2 and #3 below will be addressed through the ongoing EAR amendment process with the City.

Thank you again for your support.

V/r, Ron Demes

R. A. DEMES
Executive Director/Business Manager
Naval Air Station
P. O. Box 9001
Key West, Florida 33040-9001
305.293.2866 Executive Suite
305.293.2488 XD/BM desk
305.293.2230 Fax
305.797.0158 XD/BM Cell
<mailto:ron.demes@navy.mil>

-----Original Message-----

From: Demes, Ron A CIV CNRSE, N02
Sent: Friday, May 18, 2012 17:08
To: Jetton, Rebecca
Cc: 'Lefere, Patrick A CAPT NAS Key West, N00'
Subject: City Of Key West Military Compatibility Comp Plan

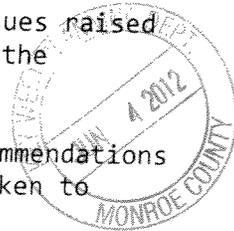
Ms. Jetton:

We are forwarding comments on the City's proposed Military Compatibility Comp Plan amendment by way of this email. As originally stated at the City's transmittal hearing, NAS Key West was in favor of the proposed amendment and thanked the City for the high level of cooperation and consideration of our concerns.

In light of recent discussions involving the county's comp plan submittal and issues raised as part of that approval effort, we realize the city's amendment should consider the following:

1. The Navy's most recent Air Installation Compatibility Zone (AICUZ) Study recommendations (Noise related) should be clearly addressed to require appropriate measures be taken to ensure compatible land use.

This issue is currently addressed in Policy 1-3.9.7. After receiving the most recent county airport noise contours yesterday and realizing that part of the 65 DNL (and 70 and possibly



Jetton, Rebecca

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Subject: City Of Key West Military Compatibility Comp Plan

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1. The Navy's most recent Air Installation Compatibility Zone (AICUZ) Study recommendations (Noise related) should be clearly addressed to require appropriate measures be taken to ensure compatible land use.
This issue is currently addressed in Policy 1-3.9.7. After receiving the most recent county airport noise contours yesterday and realizing that part of the 65 DNL (and 70 and possibly 75) noise footprint for the county airport also overlaps the 65 DNL noise footprint from Boca Chica Field within city limits, cumulative impacts of the overlap need to be considered with respect to development/redevelopment. *Need to be addressed*
2. Recommend the Base Realignment and Closure (BRAC) restrictions resulting as part of BRAC 95 that exist at former Navy property at Truman Harbor be addressed to ensure compatibility with ongoing military missions. These restrictions are covered under various transfer documents including the deed. (Note: Realizing the City is amending the comp plan through the EAR process, this may be the time and place to address the aforementioned concern.)
How are things land use covered by deed
3. Recommend former Navy property sites that require State mandated Land Use Controls as a result of former Navy use be identified to ensure proper protection of human health and the environment. Including these sites, will provide visibility of the potential hazards, limitations on allowable uses under state law and ensure compatible land use within environmental regulatory framework. (Note: This concern may be better addressed elsewhere in the City's comp plan as well realizing there may be other options to cover this important concern.)
How can we make sure that the concern is covered

V/r, Ron

R. A. DEMES
Executive Director/Business Manager
Naval Air Station
P. O. Box 9001
Key West, Florida 33040-9001
305.293.2866 Executive Suite
305.293.2488 XD/BM desk
305.293.2230 Fax
305.797.0158 XD/BM Cell
<mailto:ron.demes@navy.mil>

3:00



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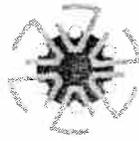
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V/r, Ron

R. A. DEMES
Executive Director/Business Manager
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305.293.2230 Fax
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<mailto:ron.demes@navy.mil>





MEMORANDUM

AGENDA ITEM #III.D

DATE: MAY 7, 2012

TO: COUNCILMEMBERS

5/10/12

FROM: STAFF

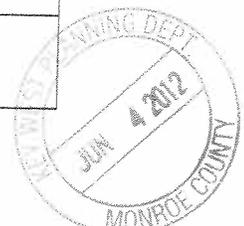
SUBJECT: LOCAL GOVERNMENT COMPREHENSIVE PLAN PROPOSED AND ADOPTED
AMENDMENT CONSENT AGENDA

Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to 1) adverse effects on regional resources and facilities identified in the *Strategic Regional Policy Plan for South Florida (SRPP)* and 2) 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.

Staff analysis confirms that the proposed and/or adopted amendments identified in the Table below are generally consistent with and supportive of the Goals and Policies of the *SRPP*. Attached are the separate amendment review forms that will be sent to the local government and State Land Planning Agency.

Local Government and Plan Amendment Number	Proposed	Adopted*	Attach-ment	Proposed Council Review Date and Consistency Finding*	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
Broward County #12-2ESR	✓	N/A	1	N/A	3/27/12	7-1
Key West #12-1ACSC	✓	N/A	2	N/A	3/20/12	7-0
Parkland #12-1ESR	✓	N/A	3	N/A	3/7/12	5-0
Tamarac #12-1ESR	✓	N/A	4	N/A	3/28/12	5-0
Broward County #12-3ESR	N/A	✓	5	1/9/12 Consistent	3/27/12	8-0
Doral #12-2ESR	N/A	✓	6	12/5/11 Consistent	3/14/12	5-0
Key Biscayne #12-1ER	N/A	✓	7	4/5/10 CIE Inconsistent;	3/13/12	7-0



Local Government and Plan Amendment Number	Proposed	Adopted*	Attachment	Proposed Council Review Date and Consistency Finding*	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
				Remainder Consistent		
Miami Springs #12-2ESR	N/A	✓	8	1/9/12 PEFE Inconsistent; Remainder Consistent	3/12/12	5-0
Sweetwater #12-1ESR	N/A	✓	9	3/5/12 Consistent	3/19/12	6-0

*If adopted the proposed Council Review Date and Consistency Finding is shown in Column 5;

**The amendment is not required to be reviewed at transmittal; N/A: not applicable

Recommendation

Find the proposed and/or adopted plan amendments from the local governments of Broward County, Doral, Key Biscayne, Key West, Miami Springs, Parkland, Sweetwater and Tamarac are generally consistent with the *Strategic Regional Policy Plan for South Florida*. Approve this report for transmittal to the local governments with a copy to the State Land Planning Agency.



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

South Florida Regional Planning Council Agenda Item and Date: III.D; 5/7/12.

Local Government Amendment Number: **Key West proposed #12-1ACSC.**

Date Comments due to Department of Economic Opportunity: May 2, 2012.

Date Mailed to Local Government and State Land Planning Agency: Prior to May 2, 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 contains text amendments to the Future Land Use Element that would address land use compatibility adjacent to or closely proximate to military installations, specifically the Naval Air Station Key West. Policy 1-3.9.1 would be revised to include the United States Naval Air Station Key West on development applications. New Policies 1-3.9.2 through 1-3.9.7 would outline the procedures for coordination, such as transmitting applicable proposed changes to the Comprehensive Plan, Future Land Use Map and Land Development Regulations to NASKW for review and comment; designate a representative of NASKW as an ex-officio, nonvoting member of the City of Key West Planning Board; and adopt the 2007 Air Installations Compatible Use Zones (AICUZ) Study and Encroachment Challenges Synopsis by reference in the Plan.

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

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.

