

January 9, 2023

The Honorable Teri Johnston
Mayor, City of Key West
1300 White Street
Key West, Florida 33040

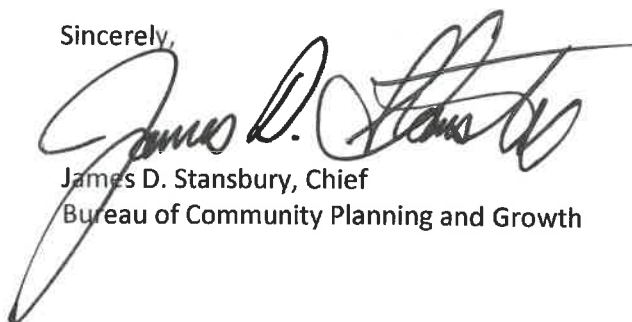
Dear Mayor Johnston:

The Department of Economic Opportunity (“Department”) has completed its review of the proposed comprehensive plan amendment for the City of Key West (Amendment No. 22-06ACSC), which was received on November 10, 2022 and determined complete on November 14, 2022. 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 Department does not identify any objections or comments to the proposed amendment and this letter serves as the Objections, Recommendations and Comments Report. Review comments received by the Department from the appropriate reviewing agencies, if any, are enclosed.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment. **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of the Department’s attached report, or the amendment will be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(4)(e)1., F.S.

If you have any questions related to this review, please contact Melissa Corbett, CFM, FCCM, Regional Planning Administrator, by telephone at (850) 717-8505 or by email at Melissa.Corbett@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/mc

Enclosure: Procedures for Adoption
Agency Comments

cc: Cheryl Smith, CPM, MMC, City Clerk, City of Key West
Isabel Cosio Carballo, MPA, Executive Director, South Florida Regional Planning Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR STATE COORDINATED REVIEW

Section 163.3184(4), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using the Department's electronic amendment submittal portal "**Comprehensive Plan and Amendment Upload**" (<https://fldeo.my.salesforce-sites.com/cp/>) **or** 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:

_____ Department of Economic Opportunity 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 the amendment is 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."

_____ List of additional changes made in the adopted amendment that the Department of Economic Opportunity 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 Department of Economic Opportunity to the ORC report from the Department of Economic Opportunity.

From: [CompPlans](#)
To: [Keri O'Brien](#); [DCPexternalagencycomments](#)
Subject: [EXTERNAL] - RE: Proposed Amendment to Comprehensive Plan - Key West
Date: Thursday, November 17, 2022 1:55:36 PM
Attachments: [image001.png](#)

Dear Ms. O'Brien,

The Office of Educational Facilities within the Florida Department of Education has reviewed the Key West 22-06ACSC proposed comprehensive plan amendment in accordance with sections 163.3180 and 163.3184, Florida Statutes. Based on review of the submitted materials, staff have no comments on the proposed amendment. If you have any questions or need additional information, please contact me.

Sincerely,

Morgan Runion, AICP
Office of Educational Facilities
Florida Department of Education

From: Keri O'Brien <kobrien@cityofkeywest-fl.gov>
Sent: Thursday, November 10, 2022 12:36 PM
To: Plan.Review@dep.state.fl.us; CompliancePermits@dos.myflorida.com; isabelc@sfrpc.com; Shereen.yeefong@dot.state.fl.us; SFLOCALGOVPLAN@SFWMD.gov; barbara.powell@deo.myflorida.com; CompPlans <CompPlans@fldoe.org>; schemper-emily@monroecounty-fl.gov; christina.a.gardner2.civ@us.navy.mil
Subject: Proposed Amendment to Comprehensive Plan - Key West

Attached please find a proposed comprehensive plan amendment package that was rendered to DEO today, November 10, 2022. Thank you, please let me know if you have any questions.

Regards,

Keri O'Brien
Deputy City Clerk



City of Key West
1300 White Street
Key West, FL 33040
305-809-3832
kobrien@cityofkeywest-fl.gov
www.cityofkeywest-fl.gov

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. F.S. 668.6076.



Florida Department of Transportation

RON DESANTIS
GOVERNOR

1000 NW 111th Avenue
Miami, FL 33172

JARED W. PERDUE, P.E.
SECRETARY

November 16, 2022

Katie Halloran
Director of Planning
City of Key West
P.O. Box 1409
Key West, FL 33041

**Subject: Comments for the Key West Comprehensive Plan Amendment
FDEO #22-06ACSC**

Dear Ms. Halloran:

Pursuant to Section 163.3184(3), Florida Statutes (F.S.), in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation, District Six, reviewed the proposed amendment to Key West's Comprehensive Plan. The site-specific amendment would modify the City's Future Land Use Map category from Historic Residential to Historic Commercial for a 0.38-acre parcel located at Whitehead Street and Petronia Street, which is near the west end of the island.


The District reviewed the amendment package per Chapter 163 Florida Statutes and found the proposed amendment would not adversely impact transportation resources and facilities of state importance.

In addition, the District's number one priority is safety for all road users with an ultimate goal of zero fatalities and serious injuries. It is recommended that Key West continue to identify and address the safety needs of all modes of travel, including public transportation. The District encourages the City to include pedestrian and bicycle facilities to promote a safe walkable and connected community consistent with ss. 163.3177, Florida Statutes.

Thank you for coordinating on the review of this proposed amendment with FDOT. If you have any questions, please do not hesitate to contact me by email at shereen.yeefong@dot.state.fl.us or at 305-470-5393.

Ms. Katie Halloran
November 16, 2022
Page 2

Sincerely,

DocuSigned by:

B06CD067559540D...
Shereen Yee Fong
Transportation Planner IV

Cc: Daniel Iglesias, P.E., Florida Department of Transportation, District 6
Dat Huynh, P.E., Florida Department of Transportation, District 6
Kenneth Jeffries, Florida Department of Transportation, District 6
Barbara Powell, Department of Economic Opportunity
Isabel Cosio Carballo, South Florida Regional Planning Council
Kathe Lerch, South Florida Regional Planning Council

From: [Plan Review](#)
To: [DCPexternalagencycomments](#)
Cc: [Plan Review](#)
Subject: [EXTERNAL] - Key West 22-06ACSC Proposed
Date: Monday, December 05, 2022 11:54:39 AM
Attachments: [image002.png](#)

To: DEO Plan Review Administrator

Re: Key West 22-06ACSC – State Coordinated Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions 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; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to plan.review@floridadep.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.



From: [Katie P. Halloran](#)
To: [Manning, Terese](#); [DCPexternalagencycomments](#)
Cc: [Cheri Smith](#); [Emily Schemper \(Schemper-Emily@MonroeCounty-FL.Gov\)](#); [Corbett, Melissa](#); [Isabel Cosio Carballo \(isabelc@sfrpc.com\)](#); [Kathe Lerch](#); [Alison Higgins](#); [Jenny Metz](#)
Subject: RE: [EXTERNAL] City of Key West, DEO #22-6ACSC and #22-7ACSC ACSC Comments on Proposed Comprehensive Plan Amendment Packages
Date: Friday, December 9, 2022 12:20:20 PM

Hello Ms. Manning,

Thank you for your review of the City of Key West's proposed amendments to the City's Water Supply Plan and associated Comprehensive Plan Elements. We will schedule a time to meet with you to discuss and integrate the modifications outlined below.

Katie

From: Manning, Terese <tmanning@sfwmd.gov>
Sent: Friday, December 9, 2022 10:16 AM
To: barbara.powell@deo.myflorida.com <dcpexternalagencycomments@deo.myflorida.com>
Cc: Cheri Smith <csmith@cityofkeywest-fl.gov>; Emily Schemper (Schemper-Emily@MonroeCounty-FL.Gov) <schemper-emily@monroecounty-fl.gov>; melissa.corbett@deo.myflorida.com; Isabel Cosio Carballo (isabelc@sfrpc.com) <isabelc@sfrpc.com>; Kathe Lerch <klerch@sfrpc.com>; Katie P. Halloran <katie.halloran@cityofkeywest-fl.gov>
Subject: [EXTERNAL] City of Key West, DEO #22-6ACSC and #22-7ACSC ACSC Comments on Proposed Comprehensive Plan Amendment Packages

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Powell:

The South Florida Water Management District (District) has completed its review of the two separate proposed Comprehensive Plan amendments submitted by the City of Key West (City), Amendments #22-6ACSC and #22-7ACSC. Amendment #22-6ACSC includes a Future Land Use Map Amendment. No comments are being raised on the Amendment.

Amendment #22-7ACSC includes the City's Water Supply Facilities Work Plan Update (Work Plan). The District provides the following comments on the Work Plan under Section 163.3184(3)(4)(g), Florida Statutes, (F.S.). The important state resource impacted by this amendment is regional water supply. These comments should be addressed before final adoption of this amendment. If these comments are not addressed prior to adoption, the District may recommend the state land planning agency, the Department of Economic Opportunity (DEO), to challenge the amendment.

Appendix C Water Supply Facilities Work Plan: City of Key West Comprehensive Plan

- The proposed Amendment Adoption Ordinance states that the City's Comprehensive Plan was being amended to replace Appendix C: City of Key West Water Supply Facilities Work Plan as well as amending identified objectives and policies in the following Comprehensive Plan

Chapters and Elements: Chapter 1: Future Land Use, Chapter 4: Public Facilities, Chapter 5: Coastal Management, Chapter 6: Conservation, Chapter 8: Intergovernmental Coordination; and Chapter 9: Capital Improvements. Appendix C is intended to include the Work Plan's relevant and appropriate data and analysis and the objectives and policies to implement the Work Plan. The objectives and policies to be amended are included in the Proposed Amendment Adoption Ordinance with the proposed changes presented in a strike through and underline format.

However, the Proposed Amendment and Proposed Adoption Ordinance, as submitted, only includes the objectives and policies that are to be amended and do not include a proposed revised Appendix C and the relevant and appropriate data and analysis for which the Work Plan is to be based on, as required in Sections 163.3177(1)(f) and 163.3177(3)(c), F.S.

Revise the Amendment to include an Appendix C that includes the relevant and appropriate data and analysis for which the Work Plan will be based on, and not just the objectives and policies. The Work Plan should clearly identify how the Work Plan will be adopted and incorporated into the City's Comprehensive Plan, as required by 163.3177(1)(b), F.S.

The District's Work Plan Technical Assistance Guide (TA Guide) includes planning tools to assist in updating the existing City Work Plan and is available on the District's website for your use. The TA Guide is located at this website link: <https://www.sfwmd.gov/doing-business-with-us/work-plans>.

Chapter 4: Public Facilities Element

- Revise the first paragraph of Objective 4-1.2 to state that the City will comply and implement the Water Supply Facilities Work Plan 2020-2030, as included in Appendix C of the City's Comprehensive Plan.
- Revise the second paragraph of Objective 4-1.2 to specify that the City is adopting by reference into the City's Work Plan and Comprehensive Plan the Florida Keys Aqueduct Authority's (FKAA) Capital Improvement Program and the most recent 20-Year Water System Master Plan. Include in the reference for each FKAA document the title and author and indicate clearly what provisions and edition (or date) of the documents are being adopted, consistent with the requirements of Section 163.3177(1)(b), F.S.

Chapter 8: Intergovernmental Coordination Element

- Revise Policy 8-1.3.5 to specify how the City coordinates with the FKAA, the District, and other relevant local governments and agencies, for water services that are planned for, adequately available, and provided to the water customers of the City. The Policy should address the following, as applicable:
 - On-going coordination activities.
 - Needs for additional or updated coordination activities.
 - Coordination with the LEC Plan Update.
 - Coordination with City of Florida City activities that affect the City's wellfield area.

If intergovernmental coordination activities are adequate and no new activities will be needed,

the Work Plan should include a narrative of how this was determined and how all issues listed above have been addressed.

Chapter 9: Capital Improvements Element

- Revise Policy 9-4.1.3 to specify that the City is adopting by reference into the City's Five -Year Schedule of Capital Improvements and Comprehensive Plan the FCAA Capital Improvement Program. Include in the reference for the FCAA Capital Improvement Program the title and author and indicate clearly what provisions and edition (or date) of the documents are being adopted, consistent with the requirements of Section 163.3177(1)(b), F.S. Summary information should be included in the Comprehensive Plan, even if detailed information is incorporated by reference.

The District requests that the City forward a copy of the adopted amendments to the District at the following email mailbox [address: SFLOCALGOVPLAN@sfwmd.gov](mailto:SFLOCALGOVPLAN@sfwmd.gov). District staff is available to meet with City staff by teleconference or in person to go over the comments raised above and to discuss possible solutions and options to resolve the comments. If you have any questions or need additional information, please contact me.

Sincerely,

Ms. Terry Manning, Senior Policy and Planning Analyst
South Florida Water Management District
Water Supply Implementation Unit
3301 Gun Club Road
West Palm Beach, FL 33406
Phone: 561-682-6779
Fax: 561-681-6264
E-Mail: tmanning@sfwmd.gov