

## CHAPTER 8: INTERGOVERNMENTAL COORDINATION ELEMENT

**§8-1: INTERGOVERNMENTAL COORDINATION GOALS, OBJECTIVES AND IMPLEMENTING POLICIES.** This section stipulates goals, objectives, and implementing policies for the Intergovernmental Coordination Element pursuant to Florida Statutes.

**GOAL 8-1: PROVIDE MECHANISMS FOR IMPROVED INTERGOVERNMENTAL COORDINATION.** The City shall undertake actions necessary to establish governmental relationships designed to improve the coordination of public and private entities involved in development activities, growth management, and resource conservation.

**OBJECTIVE 8-1.1: INTERGOVERNMENTAL COORDINATION AND COORDINATION OF COMPREHENSIVE PLAN WITH MONROE COUNTY, THE REGION AND THE STATE.** As the Comprehensive Plan is being amended, or implemented, the City shall systematically coordinate the development and implementation of the City's Comprehensive Plan with the plans of Monroe County, the Monroe County School Board, and other units of local government. In addition, impacts of the City Comprehensive Plan upon adjacent jurisdictions, the region or the State shall be coordinated with public agencies in the region and with the State. As a minimum, the process of coordination shall occur every six months as the Plan is considered for amendment. The intent is that coordination occurs on a continuing basis.

The City shall continue to enforce Land Development Regulations which include administrative and site plan review criteria that require applicants for development approval to obtain permits from County, regional and State agencies having jurisdiction prior to granting a final development order.

**Monitoring Measure: Achievement of the implementing policies.**

**Policy 8-1.1.1: Responsible Entity for Intergovernmental Coordination.** The City Commission shall be responsible for ensuring an effective intergovernmental coordination program for the City.

**Policy 8-1.1.2: Coordination with Adjacent Jurisdictions.** The City shall request that Monroe County transmit copies of its proposed comprehensive plans amendments for the City's review for purposes of intergovernmental coordination and to promote consistency with the City's adopted Plan.

**Policy 8-1.1.3: Principles and Guidelines to be used in Coordination of Development and Growth Management Issues.** Considering the growth and development limitations in Monroe County as a whole resulting from hurricane evacuation requirements, level of service standards, and environmental constraints, and considering the impact that growth and development in the City of Key West will have on the rest of Monroe County, the City shall coordinate with Monroe County and the Cities of Key Colony Beach, Village of Islamorada, City of Marathon, and Layton regarding the allocation of additional development. The City shall maintain a multi-agency development review process in order to coordinate intergovernmental and resource management issues surrounding proposed development and redevelopment. The City shall also continue to enforce procedures in the Land Development Regulations to ensure that all issues surrounding development impacts on wetlands or other resources under federal and/or state jurisdiction are managed based on timely coordination, exchange of information, and appropriate follow-up by the City and all agencies having jurisdiction over the issue. The City shall request jurisdictional determinations from all appropriate agencies prior to the issuance of development orders or building permits for all sites within the City.

The City shall pursue resolution of development and growth management issues with impacts transcending the City's political jurisdiction. Issues of regional and state significance shall be coordinated with the South Florida Regional Planning Council, the South Florida Water Management District, and/or State agencies having jurisdictional authority. Issues to be pursued include but are not limited to the following:

1. Impacts of development proposed in the Comprehensive Plan on Monroe County, the region or the State.
2. Monroe County land development activities adjacent to the City's corporate limits.
3. Research regulatory framework and implementation of affordable housing programs to implement the guidelines established by the Florida Keys Affordable Housing Task Force.
4. The City shall ensure that the development review process for proposed sighting and improvements of foster care or group home facilities is coordinated through the Department of Health and Rehabilitative Services.
5. In addition to historic preservation activities which shall be carried out by the City's Historic Architectural Review Commission, improvements involving rehabilitation or adaptive reuse shall be coordinated with the State Division of Historical Resources. Also, the City shall investigate using the Inner City Ventures Fund of the National Trust for Historic Preservation, the Neighborhood Housing Services model or other public and semi-public funding sources.
6. City of Key West land development activities adjacent to the unincorporated area of the County.
7. Potential annexation issues.
8. Coordinate with Monroe County in resolving intergovernmental coordination, technical, political and financial management issues surrounding the potential expansion of City of Key West sewerage services to Key Haven and South Stock Island.
9. Area wide drainage and stormwater management master plan, proposed improvements, and implementing programs.
10. Research, engineering, and strategies for managing level of service impacts of new development and tourism on major transportation linkages and critical intersections impacting the City and adjacent unincorporated areas.
11. Level of service standards for infrastructure system impacting the City and adjacent unincorporated areas.
12. Natural resource conservation, including protecting and enhancing water quality; protecting living marine resources, especially the coral reef; wetland preservation; seagrass protection; and preservation of tidal lands and other environmentally sensitive lands in the Salt Ponds. Developing effective regulatory frameworks for managing impacts of development on these coastal resources and coordinating program structures for land acquisition using public or conservation trust funds.
13. Coordination and implementation of the FDOT 5-year Transportation Plan and County road improvement strategies managed through the Monroe County Joint Transportation Coordinating Committee.
14. Application of South Florida Water Management District (SFWMD) programs and resources in order to enhance water quality and acquire strategic lands for littoral zones, buffer areas, wetland preservation, storm water retention, floodplain protection or other applicable purposes.
15. Management of land use adjacent to the Key West International Airport in order to ensure that future land use in the area is consistent with FAA regulations and does not encroach upon established noise attenuation envelopes (contours) or hazard zones. The City of Key West shall continue to coordinate with the FAA and Monroe County through the multi-agency development review committee whenever proposed developments in the vicinity of the airport are submitted to the City for review. In addition, the City shall coordinate any proposed changes in the Land Development Regulations which impact the airport, airport operations, or adjacent land uses.
16. Coordination of hurricane evacuation plans, shelter space allocations, and post disaster recovery management plans with Monroe County. The City shall implement the hurricane and transportation

conclusions and policies relative to residential units' allocation which are adopted by Monroe County and all municipalities as described in the Memorandum of Understanding dated July 2012. The City shall amend its comprehensive plan to include policies related to permanent and non-permanent residential allocations, requisite density restrictions, and other policies such as land acquisition or other measures necessary to avoid a taking of private property without just compensation. Finally, the City shall seek federal and state funds required to purchase private property for purposes of responding in a lawful manner to growth management issues impacting an area of state critical concern.

17. Coordination with the Monroe County School Board in implementing a system of joint school parks.
18. Coordinate approaches to regulating live-aboards with the State and Monroe County. The live-aboards currently anchor offshore on State-owned bay bottoms. The City shall, within its very limited jurisdiction, continue to prohibit the use of these waters for water dependent activities that are contrary to the public interest and do not satisfy a community need. Use of on-land and mobile City-owned pump-out facilities shall continue to be mandatory for all vessels and live-aboard units in City mooring fields. An implementing regulatory program shall require participation by the federal, State and County since the vessels and live-aboards are located on waters of the State.

**Policy 8-1.1.4: 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.

Therefore, by 2017 the City of Key West shall prepare an annexation study which analyzes the potential for incorporating Key Haven, and by 2020 the City shall prepare an annexation study which analyzes the potential for incorporating South Stock Island. The studies shall document issues surrounding potential development within the unincorporated urban areas. In the event that the studies conclude that it is feasible to move forward with the potential annexation(s), the City shall enter into a joint agreement with Monroe County for the purpose of encouraging planning activities in advance of any potential jurisdictional changes. The City of Key West annexation studies shall include:

1. Review and evaluation of Monroe County land development forecasts and supportive documentation associated with development within the unincorporated urban areas comprising South Stock Island and Key Haven.
2. The analysis should consider at a minimum:
  - a) Population and housing projections.
  - b) Traffic circulation linkages and issues of mutual City/County concern.
  - c) Water and wastewater service systems, including intergovernmental coordination issues.
  - d) Drainage and natural water basins.
  - e) Natural features restricting development.
3. Identify linkages established by employment and/or consumer good markets which may effectively link residents of South Stock Island and Key Haven with the City of Key West.
4. Analyze infrastructure issues, including improvement needs based on development forecasts.
5. Determine unincorporated areas which should logically be serviced by the City of Key West. Identify relative advantages and disadvantages.
6. Recommend a strategy for improving, planning and managing development within South Stock Island and Key Haven, including annexation alternatives. The recommendations shall include but not be limited to:
  - a) Procedures for intergovernmental coordination of land use policy governing development within these unincorporated areas; and
  - b) Policies and or actions for developing efficient systems for:
    - 1) Delivering municipal services; and

- 2) Achieving diversification of the municipal tax base.

**OBJECTIVE 8-1.2: CONFLICT RESOLUTION.** The City shall seek to resolve intergovernmental conflicts and disputes through the appropriate forums.

**Monitoring Measure: Achievement of the implementing policies.**

**Policy 8-1.2.1: Informal Mediation Process.** The City shall work with and support Monroe County efforts to establish an informal mediation process for solving intergovernmental coordination problems among local governments and other units of local governments providing services but not having regulatory authority over the use of land.

**Policy 8-1.2.2: Coordination with the South Florida Regional Planning Council.** Where the City is unable to resolve intergovernmental conflicts, the City Commission shall use informal mediation processes provided by the South Florida Regional Planning Council. The dispute resolution process shall, within a reasonable set of timeframes, provide for: voluntary meetings among the disputing parties; if those meetings fail to resolve the dispute, initiation of mandatory mediation or a similar process; if that process fails, initiation of arbitration or administrative or judicial action, where appropriate.

**OBJECTIVE 8-1.3: INFRASTRUCTURE SYSTEMS AND LEVEL OF SERVICE STANDARDS.** The City shall enforce Land Development Regulations which include a concurrency management program that is coordinated with all State, regional, or local agencies or private entities having jurisdiction over facilities and services.

**Monitoring Measure: Achievement of the implementing policies.**

**Policy 8-1.3.1: Coordinate Regional and City/County Infrastructure Issues.** The City shall work with various Monroe County special committees on matters including wastewater service to South Stock Island and Key Haven, fire and police mutual aid and assistance and other similar committees in addressing issues surrounding regional or city/county infrastructure systems. Specific issues are referenced in Policy 8-1.1.3.

**Policy 8-1.3.2: Cooperation with the South Florida Regional Planning Council (SFRPC).** The City shall cooperate with the South Florida Regional Planning Council in the review of regional policies and standards which require coordination with local governments. The City of Key West shall coordinate with the SFRPC in all matters of regional significance in which the SFRPC desires City input, including but not limited to, development of regional impact (DRI's), comprehensive plan review, intergovernmental coordination and review of projects of regional significance (ICR projects).

**Policy 8-1.3.3: Capital Improvement Program Coordination.** During preparation of the annual capital improvements program, the City shall evaluate all applicable State, regional, and local programs proposed for funding in order to promote consistency with the Comprehensive Plan.

**Policy 8-1.3.4: Coordinated Plans.** The City shall coordinate the adopted Comprehensive Plan with the plans of the Monroe County School Board, Florida Keys Aqueduct Authority, and other units of local government providing services but not having regulatory authority over the use of land, and with the Comprehensive Plan of Monroe County, with the state comprehensive plan and with the South Florida Water Management District's regional water supply plan and Lower East Coast Water Supply Plan Update.

**Policy 8-1.3.5: Coordinated Facility Planning.** The City shall coordinate the planning of potable water

and sanitary sewer facilities, water supply sources, demands, other services and level-of-service standards with the Florida Keys Aqueduct Authority, South Florida Water Management District and through the Lower East Coast Water Supply Plan Update, as necessary.

**Policy 8-1.3.6: Consistency of Level of Service Standards.** Ensure and identify the consistency of local level of service standards by annually contacting all local governments to which water service is provided and provide current information, including: populations, level of services, service areas, and water supply facilities, and evaluate if future modification to either the service agreement or level of service standards should be included in subsequent Comprehensive Plan Amendments.

**Policy 8-1.3.7: Interlocal Agreements.** Negotiate or renew interlocal agreements with water supply providers, ensuring contractual agreement of the adopted level of service standards, service area, populations and time periods for services provided.

**OBJECTIVE 8-1.4: MULTI-JURISDICTIONAL ENVIRONMENTAL ISSUES.** The City shall utilize its multi-agency development review process in order to coordinate intergovernmental and resource management issues surrounding proposed development and redevelopment. The City's Land Development Regulations shall include procedures to ensure that all issues surrounding development impacts on wetlands or other resources under federal and/or state jurisdiction are managed based on timely coordination, exchange of information, and appropriate follow-up by the City and all agencies having jurisdiction over the issue.

As a minimum, twice annually the City shall coordinate with Monroe County to ensure consistent and coordinated management of multi-jurisdictional environmental issues. The City shall similarly coordinate annually with the U.S. Coast Guard, the U.S. Army Corp of Engineers, the U.S. Fish and Wildlife Service, and state agencies having jurisdiction on matters surrounding preservation of water quality, and other development issues impacting marine resources.

**Policy 8-1.4.1: Liaison with Permitting Agencies.** Establish formal liaison with County, State, and federal agencies that have permitting responsibility within the City.

**Policy 8-1.4.2: Management of Water Quality, Tidally Influenced Lands, and Other Resource Management Issues Impacting the City and Outstanding Florida Waters.** In order to effectively manage the impacts of development on natural resources, the City shall coordinate with the South Florida Water Management District in using currently available programs. The City will also coordinate issues impacting the Florida Key Critical Area of State Concern Program.

**OBJECTIVE 8-1.5: DATA BASE MANAGEMENT AND COORDINATION.** The City of Key West Planning Department shall consistently update and maintain an appropriate concurrency management system in order to further the goals, objectives, and policies of the Comprehensive Plan.

**Monitoring Measure: Achievement of Level of Service standards.**

**Policy 8-1.5.1: Generate Necessary Data.** The City of Key West shall predicate growth management policies and land development strategies upon quantifiable data, where appropriate, that are consistent with recognized area-wide projections and forecasts.

In addition, the City shall maintain a concurrency management analysis which shall include the capacity of infrastructure components together with available capacity.

**Infrastructure**

**Principal Entities Supplying Data**

Roadways	City of Key West, Monroe County, Florida Department of Transportation
Potable Water	City of Key West, Florida Keys Aqueduct Authority, South Florida Water Management District, Monroe County
Wastewater Service	City of Key West, Key West Resort Utilities, Florida Department of Environmental Protection, U.S. Environmental Protection Agency
Solid Waste	City of Key West, Monroe County
Drainage	City of Key West, Florida Department of Environmental Protection, South Florida Water Management District, U.S. Army Corps of Engineers
Parks and Recreation	City of Key West, Monroe County, Monroe County School Board

**Policy 8-1.5.2: Consideration of Area-wide Data Resources.** The City shall collect and analyze data developed by Monroe County, the Monroe County School Board, and other public entities providing services but not having regulatory authority over the use of land.