

ORDINANCE NO. 2021-015

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING THE CITY OF COCONUT CREEK COMPREHENSIVE PLAN TO REFERENCE THE CURRENT LANGUAGE OF THE INFRASTRUCTURE ELEMENT, CONSERVATION ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, AND INTERGOVERNMENTAL COORDINATION ELEMENT GENERALLY REFERENCED IN CITY ORDINANCE 2015-050 AND ATTACHED HERETO AS "EXHIBIT 1;" AND BY AMENDING THE CITY'S COMPREHENSIVE PLAN TO INCORPORATE THE CITY'S UPDATED WATER SUPPLY FACILITIES WORK PLAN, ATTACHED HERETO AS "EXHIBIT 2," AND CORRESPONDING TEXT UPDATES WITHIN SECTION V, "INFRASTRUCTURE ELEMENT," SECTION V-a, "POTABLE WATER," GOAL V-a, OBJECTIVE V-a-1, AND POLICIES V-a-1.2 THROUGH V-a-1.4, THEREIN; AND BY AMENDING SECTION VIII, "INTERGOVERNMENTAL COORDINATION ELEMENT," GOAL VIII, OBJECTIVE VIII-3, AND POLICY VIII-3.5, THEREIN; PROVIDING THAT THE LOCAL PLANNING AGENCY HEARING WAS HELD ON JUNE 9, 2021; PROVIDING FOR FINAL TRANSMITTAL; PROVIDING THAT ALL PREREQUISITES TO ADOPTION HAVE BEEN SATISFIED; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the provisions of the Community Planning Act, within Part II of Chapter 163, Florida Statutes, require adoption and continuous review of a municipal comprehensive plan; and

WHEREAS, the City of Coconut Creek, pursuant to the Community Planning Act, currently has an adopted Comprehensive Plan which was submitted to and reviewed by the applicable agencies authorized by Chapter 163, Florida Statutes, and has been found in compliance with Chapter 163, Florida Statutes, and has been certified by the Broward County Planning Council; and

WHEREAS, on May 26, 2016, the City Commission adopted City Ordinance 2015-

050 which authorized language changes to certain elements within the City's Comprehensive Plan, and for clarification purposes, those specific provisions were adopted excerpts from the City's previous Work Plan entitled, "South Florida Water Management District Water, Water Supply Facilities Work Plan For the City of Coconut Creek, Florida," prepared by Eckler Engineering, Inc., under project number 228-005.00, and such adopted language is detailed in "Exhibit 1," attached hereto and incorporated herein; and

WHEREAS, Section 163.3177(6)(c), Florida Statutes, requires local governments to prepare and adopt updated water supply work plans into their comprehensive plans within eighteen (18) months after the regional water management district approves an updated regional water supply plan in order to ensure that an adequate ten (10) year work plan is in place; and

WHEREAS, the South Florida Water Management District issued its update to the Lower East Coast Water Supply Plan and as a direct result, both Broward County and the City of Margate (water service providers to the City of Coconut Creek) have updated their respective Work Plans; and

WHEREAS, the City Commission of the City of Coconut Creek wishes to amend its Comprehensive Plan to incorporate its updated "South Florida Water Management District, Water Supply Facilities Work Plan for the City of Coconut Creek, Florida," prepared by Eckler Engineering, Inc., dated May 23, 2022 under project number 228-008.00, attached hereto and incorporated herein as "Exhibit 2," and further incorporates both the "Broward County Water Supply Facilities Work Plan (2020 Work Plan)" adopted on April 21, 2020, and the "City of Margate Water Supply Facilities Work Plan Update," draft document dated April 24, 2020 and other required text amendments to the "Infrastructure" and "Intergovernmental Coordination" Elements, as more specifically stated below, into the City's Comprehensive Plan in order to comply with the State-mandated Ten-Year Water Supply Facilities Work Plan requirements; and

WHEREAS, the required amendment specifically incorporates by reference those Work Plans within the INFRASTRUCTURE ELEMENT, GOAL V-a, Objective V-a-1 of the City's Comprehensive Plan, as further detailed herein; and

WHEREAS, a public hearing was held on June 9, 2021, by the City of Coconut Creek Planning and Zoning Board designated as the City's Local Planning Agency, in compliance with Chapter 163, Florida Statutes, to consider the above referenced amendment; and

WHEREAS, the Department of Economic Opportunity ("DEO") requires supporting documentation to accompany said amendment; and

WHEREAS, the reviewing agencies authorized by Chapter 163, Florida Statutes, may make objections, recommendations, and comments ("ORC Report") to the City not later than thirty (30) days after receiving the City's proposed amendment; and

WHEREAS, the City Commission may consider said ORC Report and adopt the amendment with changes at the appropriate adoption stage; and

WHEREAS, the City Commission shall hold at least two (2) public hearings on the proposed amendment; one (1) at the transmittal stage and one (1) at the adoption stage in compliance with Section 163.3184(11), Florida Statutes; and

WHEREAS, all staff reports, minutes of meetings, findings of fact, and supporting documents are hereby incorporated by reference and provide sufficient legal basis for such amendment; and

WHEREAS, the City Commission has considered the amendment in its entirety, staff reports, minutes of meetings, findings of fact and supporting documents, and determines the amendment is in the best interests of the City.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:

Section 1: Ratification. That the foregoing “WHEREAS” clauses, recitals, findings of fact, minutes of meetings, and all staff reports and supporting documents are true and correct, and are hereby made a specific part of this ordinance and transmitted to the DEO and other reviewing agencies pursuant to Section 163.3184, Florida Statutes.

Section 2: Amendments to Infrastructure Element. That the City of Coconut Creek Comprehensive Plan is hereby amended by amending Section V, “INFRASTRUCTURE ELEMENT,” Section V-a, “Potable Water,” GOAL V-a, Objective V-a-1, and Policies V-a-1.2 through V-a-1.4, therein, to read as follows:

V. INFRASTRUCTURE ELEMENT

Section V-a: Potable Water

GOAL V-a

Provide for an adequate supply of potable water meeting all federal, state and local quality standards to serve the needs of residents, visitors, and businesses within the City of Coconut Creek and its service area.

Objective V-a -1

Continue to coordinate with Broward County and the City of Margate to ensure that the adopted level of service standards for potable water are maintained to meet the City’s current and anticipated demands. For the 10-year planning period covered by the following documents, the City of Coconut Creek hereby adopts and incorporates here by reference its “South Florida Water Management District, Water Supply Facilities Work Plan for the City of Coconut Creek, Florida,” prepared by Eckler Engineering, Inc. dated May 23, 2022, under project number 228-008.00, the “Broward County Water Supply Facilities Work Plan (2020 Work Plan)” adopted by the Broward County Board of County Commissioners on April 21, 2020, and the “City of Margate Water Supply Facilities Work Plan Update,” a draft document prepared by Hazen and Sawyer, P.C., dated April 24, 2020. The Work Plans address issues that pertain to water supply facilities and requirements needed to serve current and future development within the City of Coconut Creek.

Policy V-a-1.2

The potable water level of service (LOS) standard to assess adequacy of service and concurrency for the Broward County potable water service area within the City shall be that adopted by the Broward County Commission for Coconut Creek which is the ~~flow information contained in the Florida Department of Environmental Protection (FDEP) permit application; the flow estimate information contained in the FDEP permit application shall be used by BCWWS to assess adequacy of treatment plant capacity for Coconut Creek as~~

~~bulk purchaser of potable water. For each specific type of use, the ERUs shall be determined using the Equivalent Residential Unit Factor Schedule provided by BCWWS 112 gallons per capita day (GPCD).~~

Policy V-a-1.3

The level of service standards adopted by the City of Margate for their potable water facilities of 98.3 gallons per capita day (GPCD) ~~335 gallons per day per equivalent residential connection for capacity and 3,000 gallons per minute with a residual pressure of 20 pounds per square inch for storage and distribution configuration~~ shall be the adopted standards utilized to assess adequacy of service for development in the Margate service area within Coconut Creek.

Policy V-a-1.4

Consistent with the large user agreement with Broward County and the level of service standard adopted by Broward County, the service provider, the ~~Equivalent Residential Unit Factor Schedule~~ gallons per capita day (GPCD) measure provided by BCWWS shall be utilized to assess adequacy of service for the County BCWWS service area within the City of Coconut Creek.

Section 3: Amendments to Intergovernmental Coordination Element. That the City of Coconut Creek Comprehensive Plan is hereby amended by amending Section VIII, "INTERGOVERNMENTAL COORDINATION ELEMENT," GOAL VIII, Objective VIII-3, and Policy VIII-3.5, therein, to read as follows:

VIII. INTERGOVERNMENTAL COORDINATION ELEMENT

GOAL VIII

Provide accessible, effective and frequent intergovernmental coordination opportunities to identify and implement compatible goals, objectives, and policies regarding development activities and public service provision within the City and its surroundings.

Objective VIII-3

The City of Coconut Creek shall maintain coordination mechanisms with any state, regional, county, or local entities that have either operational or maintenance responsibilities for public facilities that serve the City ~~or establish the level of service standards for the City of Coconut Creek.~~

Policy VIII-3.5

The City shall coordinate development of the City's Water Supply Facilities Work Plan, implementation of alternative water supply projects, and Work Plan updates with Broward County Water and Wastewater Division, the City of Parkland, and the City of Margate.

Section 4: Final Transmittal. That the amendment to the Comprehensive Plan was recommended for approval by the Planning and Zoning Board as the Local Planning

Agency on June 9, 2021, in compliance with Part II of Chapter 163, Florida Statutes, and is hereby adopted as an amendment to the Comprehensive Plan by the City Commission of the City of Coconut Creek, Florida. The City Commission hereby directs the City Clerk to transmit this final action to the Department of Economic Opportunity and the South Florida Water Management District in compliance with Chapter 163, Florida Statutes, within ten (10) working days after Second Public Hearing.

Section 5: Prerequisites. That the amendment to the Comprehensive Plan has been reviewed by all of the reviewing agencies, and all procedural and substantive prerequisites have been completed prior to adoption as set forth in Part II of Chapter 163, Florida Statutes.

Section 6: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 7: Severability. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 8: Effective Date. That this ordinance shall become effective upon its passage on second and final reading, and at such time the amendment to the Comprehensive Plan shall be deemed adopted. The effective date of the amendment within the Comprehensive Plan shall be on the 31st day after the Department of Economic Opportunity provides notice that the amendment package is complete.

PASSED FIRST READING THIS 9TH DAY OF DECEMBER, 2021.

PASSED SECOND READING THIS 8TH DAY OF DECEMBER, 2022.

Joshua Rydell, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

	<u>1st</u>		<u>2nd</u>
Tooley	<u>Aye</u>	Rydell	<u>Aye</u>
Rydell	<u>Aye</u>	Welch	<u>Aye</u>
Sarbone	<u>Aye</u>	Tooley	<u>Aye</u>
Welch	<u>Aye</u>	Railey	<u>Aye</u>
Railey	<u>Aye</u>	Brodie	<u>Aye</u>

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