



**Cooper City Commission Meeting
Agenda Item Request Form**

Commission Meeting/Workshop Date: August 25, 2020

Requesting Departments: Utilities/Growth Management

Subject: Water Supply Facilities Work Plan and
Amendments to the Comprehensive Plan
Regarding Water Supply

Section:

Presentation

Consent

Regular

Discussion

Background and Recommendation (attach backup material to Item Request Form):

Ordinance for Second Reading and Adoption Hearing - Water Supply Facilities Work Plan and Amendments to the Comprehensive Plan Regarding Water Supply

This item consists of the attached proposed amendments to the City’s Water Supply Facilities Work Plan and Comprehensive Plan to reflect the 2018 update to the South Florida Water Management District Lower East Coast Water Supply Plan. The staff memo summarizes the amendments and includes staff’s recommendation that the City Commission approve the ordinance on second reading to formally amend the plans as proposed and transmit them for approval by the appropriate State and County review agencies.

Comp Plan Chapter Amendments:

https://coopercityfl-my.sharepoint.com/:f:/g/personal/ksims_coopercityfl_org/EtB_t0K6-zBkKGIJ4EO79SkBQSOBzKq_8WELIToAYvuyFQ?e=lbfy7q

General Ledger Account Number(s) and Amount(s):

Approvals:

Finance Director _____ City Manager _____ City Clerk _____



COOPER CITY MEMORANDUM

DATE: August 12, 2020

To: City Commission Members

From: Matt Wood, Growth Management Director
Michael F. Bailey, P.E., Utilities Director/City Engineer

Thru: Kathryn Sims, Assistant City Manager/City Clerk
Joe Napoli, City Manager

SUBJECT: Water Supply Facilities Work Plan and Amendments to the Comprehensive Plan
Regarding Water Supply

This item consists of the attached proposed amendments to the City's Water Supply Facilities Work Plan and Comprehensive Plan to reflect the 2018 update to the South Florida Water Management District Lower East Coast Water Supply Plan. This memo summarizes the amendments and includes staff's recommendation that the City Commission approve the ordinance on first reading to formally amend the plans as proposed and transmit them for approval by the appropriate State and County review agencies.

In 2005 the Florida Legislature enacted significant changes to Florida Statute (F.S.) Chapter 163 – Intergovernmental Resources and Chapter 373 – Water Resources to address the State's water supply needs. These changes required a stronger link between regional water supply plans prepared by water management districts and comprehensive plans prepared by local governments. In addition, improved coordination between local land use planning and local water supply planning was mandated.

Cooper City is located within the South Florida Water Management District (SFWMD) Lower East Coast (LEC) water supply planning area. Chapter 163 F.S. and Chapter 373 F.S. requires that Cooper City identify how future water supply needs will be met through the preparation of a Water Supply Facilities Work Plan (Work Plan). The Work Plan must have a minimum planning horizon of 10 years and must be incorporated into the Cooper City Comprehensive Plan. The Work Plan must be completed within 18 months of the SFWMD adopting or updating its own regional LEC water supply plan.

The most recent update to the SFWMD regional LEC water supply plan was prepared in November 2018. As such, Cooper City must update its 2014 Water Supply Facilities Work Plan sub-element and any other corresponding chapters within its Comprehensive Plan by May 2020 (this deadline was extended due to impacts from the coronavirus pandemic). The attached proposed updates will serve to meet these requirements.

Included in your packet for consideration are relevant changes to Chapters 1, 4, 5 & 8 of the City's Comprehensive Plan, amended with regard to future water supply. The Work Plan is incorporated into Chapter 4 (Infrastructure Element) as a sub-element in accordance with the Florida Statutes. The

MEMORANDUM – PLANNING & ZONING BOARD

Water Supply Facilities Work Plan and Amendments to the Comprehensive Plan Regarding Water Supply

amendments are shown in strike-through/underline format. Only the sections of each chapter related to water supply were amended.

Overall, the City is in good shape with respect to future water supply, and no treatment plant expansions or water user permit allocation changes are expected to be required for the foreseeable future. A summary of the proposed changes to each of the Chapters are as follows:

Chapter 1. Future Land Use Element

1. Update tables and figures to reflect recent historic water consumption and future water demand projections.

Chapter 4. Infrastructure Element

1. Recognize that the City has satisfied its wastewater reuse obligation under the 2008 Leah G. Schad Ocean Outfall Elimination statute by executing an agreement with the City of Miramar in 2018.
2. Update tables and figures to reflect updated population figures, recent historic water consumption, per capita water demand, and future water demand projections.
3. Highlight current water conservation efforts.

Chapter 5. Conservation Element

1. Update references to the SFWMD LEC Water Supply Plan.

Chapter 7. Intergovernmental Coordination Element

1. Updates the mechanisms used by the City to coordinate land development activities and comprehensive planning issues with its neighboring municipalities, with respect to the portions of those municipalities that lie within the City's water service area.

Chapter 8. Capital Improvement Element

1. Update tables and figures to reflect recent historic water consumption and future water demand projections.

STAFF RECOMMENDATION: Staff recommends approval of the Water Supply Facilities Work Plan and the related Comprehensive Plan amendments as proposed.

MEMORANDUM – PLANNING & ZONING BOARD

Water Supply Facilities Work Plan and Amendments to the Comprehensive Plan Regarding Water Supply

LOCAL PLANNING AGENCY RECOMMENDATION: The Local Planning Agency (Planning and Zoning Board), at their meeting of March 2nd, 2020, unanimously recommended approval of the proposed amendments to the City’s Water Supply Facilities Work Plan and Comprehensive Plan Elements.

ORDINANCE NO. 20-3-3

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA TO ADOPT AN AMENDMENT TO THE WATER SUPPLY FACILITIES WORK PLAN AND TO AMEND THE CITY OF COOPER CITY COMPREHENSIVE PLAN TO STRENGTHEN COORDINATION BETWEEN WATER SUPPLY AND LOCAL LAND USE PLANNING BY AMENDING THE TEXT CONTAINED IN THE INFRASTRUCTURE, CONSERVATION, FUTURE LAND USE AND CAPITAL IMPROVEMENTS ELEMENTS; PROVIDING FOR TRANSMITTAL OF CERTIFIED COPIES OF THIS ORDINANCE AND COMPREHENSIVE PLAN TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND ALL OTHER UNITS OF LOCAL GOVERNMENT OR GOVERNMENTAL AGENCIES AS REQUIRED UNDER CHAPTER 163, PART II, FLORIDA STATUTES; PROVIDING FOR ADOPTION PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; PROVIDING FOR INCLUSION IN THE CITY OF COOPER CITY COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3167(9), Florida Statutes requires each local government to address in its comprehensive plan, the water supply sources necessary to meet and achieve the existing and projected water use demand for an established planning period; and

WHEREAS, Section 163.3177(4)(a), Florida Statutes requires coordination of the local comprehensive plan with the water management district's regional water supply plan; and

WHEREAS, the City of Cooper City recognizes the need for better integration between land use planning and water supply planning; and

WHEREAS, Section 163.3177(6)(c), Florida Statutes requires that local governments prepare and adopt a Water Supply Facilities Work Plan and amend their comprehensive plans within 18 months after the water management district approves a regional water supply plan or its update; and

WHEREAS, South Florida Water Management District updated and approved its regional water supply plan entitled the Lower East Coast Water Supply Plan ("LEC") in November 2018; and

WHEREAS, the City of Cooper City has reviewed and proposes to now adopt amendments to its Water Supply Facilities Work Plan and related amendments in its Comprehensive Plan in order to comply with Florida law; and

WHEREAS, the City of Cooper City has proposed amendments to the Infrastructure Element, Conservation Element, Future Land Use Element and Capital Improvements Element of its Comprehensive Plan to support and implement its adopted Water Supply Facilities Work Plan; and

WHEREAS, the City Commission believes it is in the best interest of the public to amend the Water Supply Facilities Work Plan and to include these amendments in the Comprehensive Plan; and

WHEREAS, the Planning and Zoning Board of the City of Cooper City, sitting as the Local Planning Agency, held a duly noticed public hearing on March 2, 2020, reviewed the proposed Water Supply Facilities Work Plan Amendments and related water supply Comprehensive Plan Amendments, and recommended approval to the City Commission as the governing body of the City of Cooper City; and

WHEREAS, the City Commission subsequently held duly noticed public hearings, as the governing body of the City of Cooper City, and after having received input from interested members of the public and staff, and having considered the Local Planning Agency's prior recommendation for approval, evidenced an intent to transmit and did transmit the proposed amendments to the Florida Department of Economic Opportunity, other units of local government and governmental agencies as required by law, for their review after first reading of this Ordinance; and

WHEREAS, the Florida Department of Economic Opportunity, other units of local government and governmental agencies as required by law, have reviewed the proposed amendments to the Comprehensive Plan attached to this Ordinance and submitted their comments, if any, to the City Commission for consideration before second reading of this Ordinance; and

WHEREAS, the City Commission finds the amended Water Supply Facilities Work Plan and Comprehensive Plan amendments as attached to this Ordinance in compliance with and consistent with Florida law and its Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and incorporated as the legislative intent of this Ordinance.

Section 2. Pursuant to Section 163.3177, Florida Statutes, the City Commission of the City of Cooper City, Florida, hereby amends the Infrastructure, Conservation, Future land Use and Capital Improvement Elements of the City’s Comprehensive Plan by adopting the text amendments and the amended Water Supply Facility Work Plan on first reading, attached hereto as **Exhibit “A”** and incorporated herein.

Section 3. City staff is authorized to transmit certified copies of this Ordinance containing these proposed amendments and the amended Water Supply Facilities Work Plan to the Florida Department of Economic Opportunity, all other units of local government and governmental agencies as required by Florida law for review after a vote on first reading of the Ordinance.

Section 4. The City Commission hereby adopts and approves these amendments to its Comprehensive Plan after second reading of this Ordinance. The City Commission hereby adopts and incorporates its amended Water Supply Facilities Work Plan as supporting documentation for the proposed Comprehensive Plan amendments.

Section 5. Inclusion in the Comprehensive Plan. It is the intention of the City Commission and it is hereby ordained that the amendments to the Comprehensive Plan made by this Ordinance shall become part of the Comprehensive Plan of the City of Cooper City.

Section 6. Conflicts. All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with the provisions of this Ordinance are hereby repealed.

Section 7. Severability. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 8. Effective Date. The Director of the Growth Management Department is directed to transmit this plan amendment to the Florida Department of Economic Opportunity (DEO) and other required agencies, in accordance with the requirements of Chapter 163, Florida Statutes, and Chapter 9J-

11, Florida Administrative Code. This Ordinance shall become effective pursuant to Chapter 163, Part II of the Florida Statutes.

PASSED AND ADOPTED on First Reading this _____ day of _____, 2020.

PASSED AND FINAL ADOPTION on Second Reading this _____ day of _____, 2020.

GREG ROSS
Mayor

ATTEST:

Kathryn Sims
City Clerk

ROLL CALL

Mayor Ross _____
Commissioner Curran _____
Commissioner Green _____
Commissioner Meltzer _____
Commissioner Pulcini _____

APPROVED AS TO LEGAL FORM:

JACOB G. HOROWITZ
City Attorney