



MEMORANDUM

AGENDA ITEM #6e

DATE: SEPTEMBER 8, 2008

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: CITY OF WEST PARK PROPOSED COMPREHENSIVE PLAN AMENDMENT

Introduction

On August 20, 2008 Council staff received proposed plan amendment #08-RWSP1 to the City of West Park Comprehensive Plan for review of consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)*. Staff review is undertaken pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes (F.S.), and Rules 9J-5 and 9J-11, Florida Administrative Code (F.A.C.).

Community Profile

The City of West Park, Broward County's newest municipality (number 31), was created March 1, 2005 and is located in southeastern Broward County. The City's adopted Comprehensive Plan was found in compliance on April 29, 2008 by the Department of Community Affairs. The City consists of the neighborhoods of Miami Gardens, Carver Ranches, Lake Forest and Utopia and borders Miami-Dade County on the south, Pembroke Park on the east, Hollywood on the north and Miramar on the west. The City had a population of 13,903 in 2007. The City is approaching build out. The State Road 7/U.S. 441 Corridor forms the western edge of the City. The City is a member of the State Road 7 Collaborative.

Additional information on the City and the Region can be found on the Council's website, www.sfrpc.com.

Summary of Staff Analysis

Proposed amendment #08-RWSP1 includes amendments to the Future Land Use, Capital Improvement, Conservation, Intergovernmental Coordination Elements and the Potable Water Sub-Element of the City of West Park's Comprehensive Plan. The general location of the City of West Park is shown in Attachment 1.

A summary of the proposed amendment in this package follows.

Summary of Plan Amendments

The text amendments in this proposed package have been transmitted pursuant to 2005 Growth Management legislation. Chapter 163.3177(6)(c), F.S., requires local governments to adopt a Water Supply Facilities Work Plan (Work Plan) into their comprehensive plans within 18 months after the jurisdictional water management district approves a regional water supply plan or its update. The *Lower East Coast Water Supply Plan (LECWSP) Update* was approved by the South Florida Water Management District (SFWMD) on February 15, 2007. Therefore, the deadline for local governments within the Lower East Coast jurisdiction to adopt a Work Plan is August 15, 2008.

In general, the Work Plan is intended for local governments to identify and plan for water supply sources and facilities needed to serve existing and new development. The emphasis on the preparation of the Work Plan is to coordinate local comprehensive planning with the regional water supply plan, as well as to promote coordination among local governments, the SFWMD, and water supply utilities within and/or across local government jurisdictions. In addition, the Work Plan should address potable water Level of Service (LOS) standards, conservation measures, alternative water supplies, reuse, and capital improvement updates for implementation.

A summary analysis of the City of West Park proposed Water Supply Facilities Work Plan (Work Plan) and related text amendments follow.

Work Plan

The City of West Park is supplied water by the Broward County Water and Wastewater Services (BCWWS) from the Biscayne and Floridan Aquifers, provided by the City of Hollywood and limited by its Consumptive Use Permit (CUP). The BCWWS provides and maintains the water distribution system and has an agreement with the City of Hollywood to provide the potable water that is processed by the City of Hollywood Water Treatment Plant to wholesale recipients within three service areas adjacent to the city. Additionally, the City of Hollywood is the retail water supplier within its municipal boundaries.

The main source of potable water for the Hollywood service area, which includes the City of West Park, is the Biscayne Aquifer, with a smaller portion supplied from the Floridan Aquifer. According to the City of West Park Work Plan, The City of Hollywood has recently received a 20-year Consumptive Use Permit (CUP) that contains sufficient allocations to meet the demands of the City of West Park, as well as the amounts in the Hollywood/Broward Agreement. The Work Plan references the City of Hollywood's 2007 Water Master Plan and anticipated water supply limitations based on the recent Regional System Water availability Rule.

An alternative water supply is suggested by the inclusion of capacity expansion charts that demonstrate the City of Hollywood will meet the projected demands of their water supply and treatment capacity. The proposed alternative would involve the expansion of the infrastructure needed to more fully utilize Floridan Aquifer.

Comment

The Work Plan prepared by the City does not clearly identify the water supply relationship of the City with Broward County and the other wholesale recipients of water from the City of Hollywood. The City of West Park is one of several municipalities that Hollywood collectively supplies water to through the BCWWS distribution system. The Work Plan would benefit by identifying the City's proportion of this distribution and referencing the City of Hollywood's Water Supply Work plan to ensure a consistent representation of the projected water supplies and demands.

The Work Plan references the recent CUP received by the City of Hollywood but does not include the most recent Maximum-Day Water Demand and Treatment Capacity Expansions figures that Hollywood has produced for their Work Plan. No alternative water supply projects are specifically identified and the figures that summarize them are outdated. Prior to adoption, the City should coordinate with the City of Hollywood and Broward County to update any incorrect references and ensure consistency among related Work Plans.

The Work Plan does not contain any discussion of water conservation and reuse issues, actions or programs. The table of contents references sections to address these issues, but these sections do not actually exist in the document. Further, the proposed amendments to the City's Comprehensive Plan reference the proposed conservation and reuse strategies that do not exist in the Work Plan.

Future Land Use Element

The proposed changes to this element include a new policy requiring the adoption of a level of service standard to evaluate adequate water supplies for future development and coordinate future land uses with water supply planning.

Comment

Although the proposed amendments address the evaluation of water supply and the coordination of planning, no text has been provided specifically requiring adequate water supply prior to a Certificate of Occupancy. Section 163.3180 (2)(a), F.S., requires that local governments ensure that adequate water supplies and facilities are available to serve new development no later than the date on which the local government anticipates issuing a certificate of occupancy and consult with the applicable water supplier prior to approving building permit, to determine whether adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy.

Recommendation

Prior to adoption, the city should revise the proposed amendments to the Future Land Use Element to include language that will specifically require that adequate water supply be available prior to the issuance of a Certificate of Occupancy.

Capital Improvement Element

The proposed changes to the element address the need for coordinating the Work Plan with the City's infrastructure improvements and Capital Improvement Project listing. The existing Schedule of Capital Improvements includes the proposed improvements to the City of Hollywood's potable water infrastructure.

Conservation Element

The proposed changes to this element include commitments to encourage water conservation and coordinate these efforts through the Work Plan. The amendments specifically reference the development of conservation programs that have been identified in the Work Plan that do not exist.

Objection

No provisions relating to water conservation or reuse to address adequate water supply have been submitted. The reference to the conservation programs are not identified in Work Plan, so no conservation and reuse strategies have been addressed.

Until this issue is resolved, the proposed amendment to the Conservation Element is incompatible with the goals and policies of the *Strategic Regional Policy Plan for South Florida (SRPP)*, particularly with the following goal and policies:

Goal 7: Protect, conserve, and enhance the Region's water resources

Policy 7.1: Develop a more balanced, efficient, and ecologically sustainable allocation and reservation of the water resources of the Region

Policy 7.6: Ensure the recharge potential of land is not reduced as a result of a proposed modification in the existing uses by incorporation of open space, pervious areas, and impervious areas with ratios which are based upon analysis of on-site recharge needs.

Policy 7.12: Encourage additional water conservation techniques which discourage excessive use of intrastate and services in the Region while considering social and economic equity standards.

Policy 7.14: Implement water conservation measures including but not necessarily limited to:

- a. adoption of local government Xeriscape/Florida friendly landscape ordinances requiring landscaping methods that maximize the conservation of water by the use of site-appropriate plants and efficient watering systems;
- b. utilization of native plant material as a first priority in landscaping;
- c. implementation of a water conservation public education program;
- d. implementation of a leak detection and repair program for public water supply systems;
- e. adoption of a water conservation-based rate structure by utilities that provides a financial incentive for users to reduce demand;
- f. implementation of water loss prevention programs including adoption of a rain sensor device ordinance for automatic sprinkler systems;
- g. adoption of an ultra-low volume fixtures ordinance;
- h. adoption of an irrigation hours ordinance and reduction in the use of potable water for irrigation; and
- i. utilization of reuse water wherever and whenever possible based upon the ecological and technical factors involved, and analysis of reclaimed water feasibility by potable water supply utilities.

Recommendation

Prior to adoption, the City should revise the proposed amendments to the Conservation Element to include specific conservation and reuse measures and specify these measures in the Work Plan.

Intergovernmental Coordination Element

The only proposed change to this element is a new policy ensuring coordination of the SFWMD's Lower East Coast Water Supply Plan with the City's Comprehensive Plan and Work Plan.

Objection

Section 163.3177(6)(h), F.S., requires coordination between water supply providers and recipient local governments. Such coordination may include sharing of updated information to meet ongoing water supply needs and development or revision of Work Plans, implementation of alternative water supply projects, establishing LOS and to determine the potential for annexation.

The proposed amendment to the Intergovernmental Coordination Element does not reflect the City's water supply relationship with the SFWMD, Broward County, the City of Hollywood and adjacent local governments who also receive potable water from the identified sources. Therefore, the proposed amendment package fails to address consistency regarding adequate water supply planning and the incorporation of the Work Plan throughout related Elements of the Comprehensive Plan. The inaccurate or outdated information provided in the Work Plan is an indication of the lack of intergovernmental coordination.

Until this issue is resolved, the proposed amendment to the Intergovernmental Coordination is incompatible with the goals and policies of the *Strategic Regional Policy Plan for South Florida (SRPP)*, particularly with the following goal and policies:

- Goal 21 Assume a leadership role to enhance regional cooperation, multi-jurisdictional coordination, and multi-issue regional planning to ensure the balancing of competing needs and long-term sustainability of our natural, developed, and human resources.
- Policy 21.2 Strengthen intergovernmental coordination processes with state, regional, and local governments and agencies to effectively link land use decisions with affordable housing, transportation/air quality, natural resource protection, preservation, and restoration and water supply planning.

Recommendation

Council staff recommends the related policies in the Intergovernmental Coordination Element be revised to provide for coordination with the applicable water supplier, distributor and adjacent local governments dependent upon water from the same source.

Potable Water Sub Element

The proposed amendment to this element includes the addition of policies under the existing goal that potable water facilities be provided to meet the City's short-term and long-term future needs. The existing level of service standard for water supply is maintained and the additional policies reference the Work Plan and incorporate it by reference as an appendix.

Objection

The proposed amendments to the Potable Water Sub-Element do not address the need to prepare and revise the Work Plan within 18 months of future updates to the Lower East Coast Water Supply Plan. A separate policy has been proposed by the City in the Future Land Use Element to ensure that land use planning be coordinated with water supply planning within 18 months of future updates, but no commitment has been suggested to produce an updated Work Plan.

Until this issue is resolved, the proposed amendment to the Conservation Element is incompatible with the goals and policies of the *Strategic Regional Policy Plan for South Florida (SRPP)*, particularly with the following goals and policies:

- Goal 4: Enhance the economic and environmental sustainability of the Region by ensuring the adequacy of its public facilities and services.
- Goal 7: Protect, conserve, and enhance the Region's water resources.
- Policy 7.1: Develop a more balanced, efficient and ecologically sustainable allocation and reservation of the water resources of the Region.

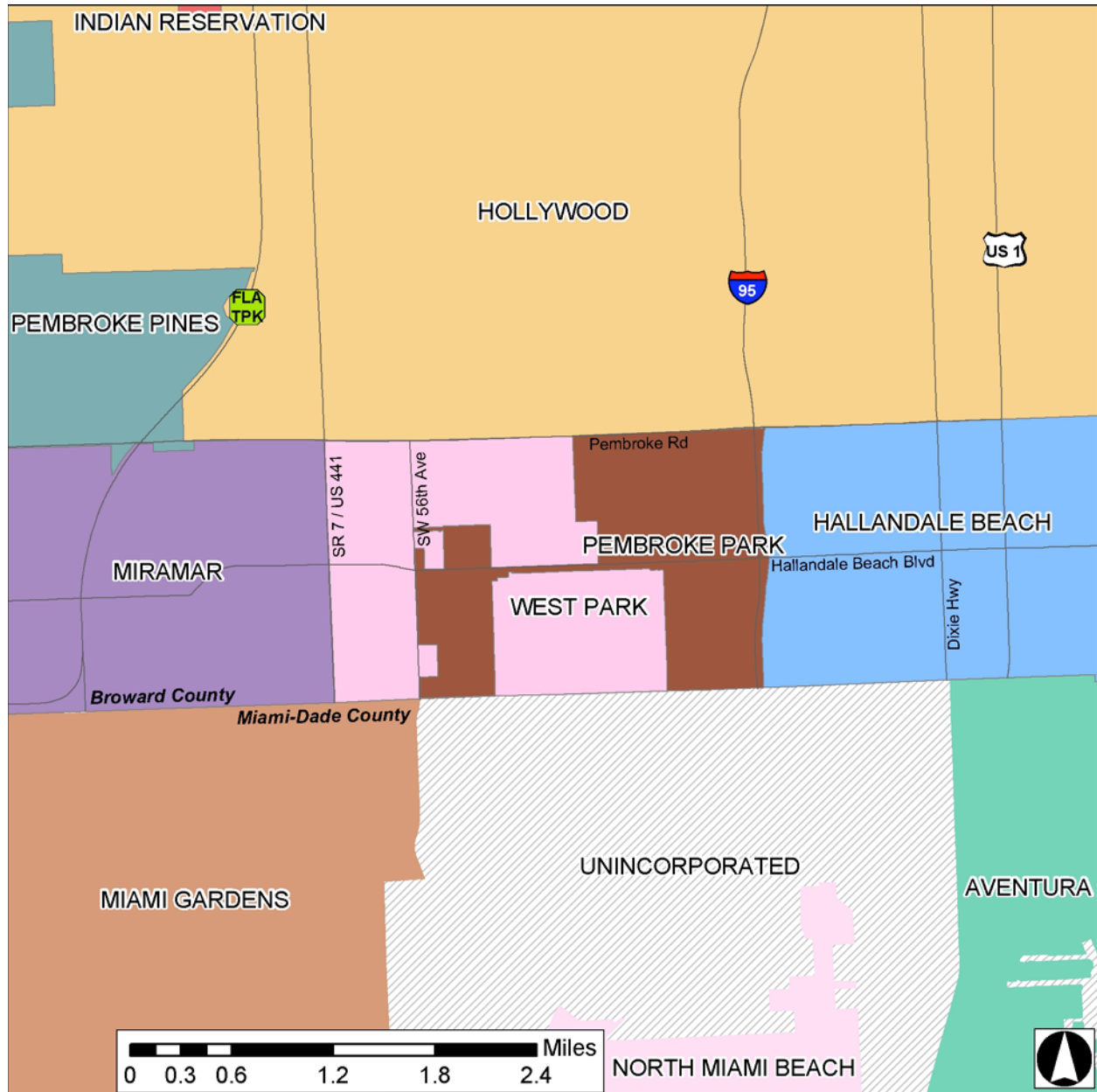
The City of West Park Commission unanimously approved the transmittal of the proposed amendment at its July 22, 2008 meeting.

Recommendation

Find proposed amendments to the Future Land Use and Capital Improvement Elements of the City of West Park Proposed Comprehensive Plan amendment #08-RWSP1 generally consistent with the *Strategic Regional Policy Plan for South Florida*; and

Find proposed amendments to the Potable Water Sub Element, and Conservation and Intergovernmental Coordination Elements of the proposed amendment #08-RWSP1 generally inconsistent with the *Strategic Regional Policy Plan for South Florida*, particularly with Goals 4, 7, Policies 7.1, 7.6, 7.12, 7.14, Goal 11, Policy 11.10, Goal 21, and Policy 21.2. Approve this staff report for transmittal to the Florida Department of Community Affairs.

Attachment 1



COMPREHENSIVE PLAN AMENDMENTS

Location Map

City of West Park
Proposed Amendment #08-RWSP1

Sources: SFWMD, Broward County, SFRPC.

Note: For planning purposes only. All distances are approximate.