

ORDINANCE 2010-32

AN ORDINANCE OF THE CITY OF DORAL CITY COUNCIL TO ADOPT ITS 20-YEAR WATER SUPPLY FACILITIES WORK PLAN AND TO AMEND THE CITY OF DORAL COMPREHENSIVE DEVELOPMENT MASTER PLAN TO STRENGTHEN COORDINATION BETWEEN WATER SUPPLY AND LOCAL LAND USE PLANNING BY AMENDING THE TEXT CONTAINED IN THE WATER AND SEWER SUB-ELEMENT OF THE WATER SEWER AND SOLID WASTE ELEMENT, CONSERVATION AQUIFER RECHARGE AND DRAINAGE ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT AND CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 163.3167(13) 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 Doral 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 10-Year Water Supply 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, the South Florida Water Management District updated and approved its regional water supply plan entitled the Lower East Coast Water Plan ("LEC") in February 2007; and

WHEREAS, since February 2007, Miami-Dade County Water and Sewer Department has worked toward the development of the Miami-Dade County 20-Year Water Supply Facilities Work Plan to satisfy the requirements of Section 163.3177(6)(c) , Florida Statutes for Miami-Dade County, Florida; and

WHEREAS, the City of Doral acquires water for its residents from Miami-Dade County, Florida; and

WHEREAS, for this reason, the City of Doral proposes to adopt the Miami-Dade County 20-year Water Supply Facilities Plan by reference, as required by Section 163.3177(6)(c), Florida Statutes; and

WHEREAS, the City of Doral proposes to adopt the necessary amendments to its Comprehensive Plan in order to comply with Florida law; and

WHEREAS, the City of Doral has proposed amendments to the objectives and policies of the Future land Use, Sanitary Sewer, Solid Waste, Drainage, Potable Water, and natural Ground Water Aquifer Recharge, Conservation, Intergovernmental Coordination and Capital Improvement Elements to support and implement its adopted 20-Year Water Supply Facilities Work Plan; and

WHEREAS, the City of Doral believes it is in the best interest of the public to adopt the 20-Year Water Supply Work Plan and to include these amendments in the Comprehensive Plan; and

WHEREAS, the City Council has been designated as the Local Planning Agency ("LPA") for the City pursuant to Section 163.3174, Florida Statutes, and has held a duly advertised public hearing and recommended approval of proposed 20 Year Water Supply Plan and related water supply Comprehensive Plan Amendments, and recommended approval; and

WHEREAS, the City Council of the City of Doral has conducted duly advertised public hearings upon the proposed 20 Year Water Supply Plan and related water supply Comprehensive Plan Amendments by Hearing No. **10-DOR-11-02** and has considered all comments received concerning the proposed amendment to the Plan as required by state law and local ordinances; and

WHEREAS, the City Council finds this Ordinance to be in the best interest and welfare of the residents of the City of Doral.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA:

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

Section 2. Amendment of the Future Land Use Element of the City of Doral's Comprehensive Plan. The Future Land Use Element of the

City of Doral's Comprehensive Plan is hereby amended as provided in Exhibit "A", which is attached hereto and made a part of this Ordinance.

Section 3. Amendment of Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Ground Water Aquifer Recharge the Element of the City of Doral's Comprehensive Plan The Sanitary Sewer, Solid Waste, Drainage, Potable Water, and natural Ground Water Aquifer Recharge Element of the City of Doral's Comprehensive Plan is hereby amended as provided in Exhibit "B", which is attached hereto and made a part of this Ordinance.

Section 4. Amendment of the Conservation Element of the City of Doral's Comprehensive Plan. The Conservation Element of the City of Doral's Comprehensive Plan is hereby amended as provided in Exhibit "C", which is attached hereto and made a part of his Ordinance.

Section 5. Amendment of the Intergovernmental Element of the City of Doral's Comprehensive Plan. The Intergovernmental Coordination Element of the City of Doral's Comprehensive Plan is hereby amended as provided in Exhibit "D", which is attached hereto and made a part of this Ordinance.

Section 6. Amendment of the Capital Improvements Element of the City of Doral's Comprehensive Plan. The Capital Improvements Element of the City of Doral's Comprehensive Plan is hereby amended as provided in Exhibit "E", which is attached hereto and made a part of this Ordinance.

Section 7. Adoption of the Water Supply Plan. The City Council hereby adopts the Miami-Dade 20-Year Water Supply facilities Work Plan as its required 20 Year Water Supply Plan.

Section 8. 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 9. Severability If any section, clause, sentence or phrase of this Ordinance for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 10. Effective Date. This Ordinance shall be effective immediately upon passage by the City Council on second reading, except that the effective date of these plan amendments approved by this ordinance shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the plan amendments in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. The Department of Community Affairs notice of intent to find the plan amendments in compliance shall be deemed to be a final order if no timely petition challenging the plan amendments is filed.

The foregoing Ordinance was offered by Vice Mayor DiPietro, who moved its adoption. The motion was seconded by Councilman Cabrera and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Councilmember Peter Cabrera	Yes
Councilmember Luigi Boria	Yes
Councilmember Michael DiPietro	Yes
Councilmember Ana Maria Rodriguez	Yes

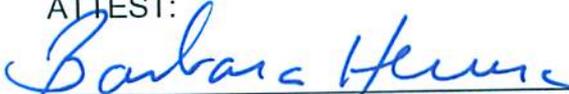
PASSED AND ADOPTED on first reading this 11th day of November, 2010.

PASSED AND ADOPTED on second reading this 13th day of April, 2011.



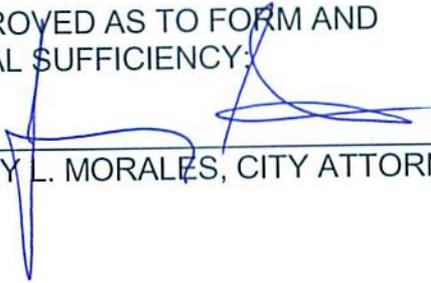
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



JIMMY L. MORALES, CITY ATTORNEY

EXHIBIT “A”

EXHIBIT A

FUTURE LAND USE ELEMENT

Policy 1.2.12: The City of Doral, through the Land Development Code will coordinate the land uses and future land use changes with the availability of water supplies and water supply facilities.

EXHIBIT “B”

EXHIBIT B

INFRASTRUCTURE ELEMENT

A. Potable Water Sub-Element

Policy 4A.1.1: The level of service standard for potable water is as follows:

- *Regional Treatment.* The regional treatment system shall operate with a rated capacity no less than two percent above the maximum daily flow for the preceding year.
- *User LOS.* The system shall maintain the capacity to produce and deliver ~~200~~ 155 gallons per capita per day.
- *Water Quality.* Water quality shall meet all federal, state, and county standards for potable water.

Objective 4A.6:

Potable Water Supply Planning

The City of Doral shall comply with its 20-year Water Supply Facilities Work Plan (Work Plan) adopted April 13, 2011, as required by section 163.3177(6)(c), F.S. The South Florida Water Management District governing board approved its Lower East Coast Water Supply Plan Update on February 15, 2007. The City's Work Plan will be updated, at a minimum, every 5 years within 18 months after the South Florida Water Management District's approval of an updated Lower East Coast Regional Water Supply Plan. The City's Work Plan is designed to: assess current and projected potable water demands; evaluate the sources and capacities of available water supplies; and, identify those water supply projects, using all available technologies, necessary to meet the City's water demands for a 20-year period.

Evaluation Measure: The Work Plan shall remain consistent with the Miami-Dade County 20-Year Water Supply Facilities Work Plan, which is compatible with the Miami-Dade County Water Use Permit renewals and with the projects listed in the South Florida Water Management District's Lower East Coast Regional Water Supply Plan. The Work Plan will be updated, at a minimum, every 5 years and within 18 months after the South Florida Water Management District's approval of an updated Lower East Coast Regional Water Supply Plan.

Policy 4A.6.1:

Comply with the City's 20-Year Work Plan and incorporate such Work Plan by reference into the City of Doral Comprehensive Plan.

Policy 4A.6.2:

Coordinate appropriate aspects of its Comprehensive Plan with the South Florida Water Management District's regional Water Supply Plan adopted February 15, 2007 and with the Miami-Dade County 20-Year Water Supply Facilities Work Plan adopted April 24, 2008 (Notice of Intent published July 18, 2008). The City shall amend its Comprehensive Plan and Work Plan as required to provide consistency with the District and County plans.

EXHIBIT “C”

EXHIBIT C

CONSERVATION ELEMENT

- Policy 5.1.1: Continue to enforce all federal, state, and regional, and county water quality standards in the City.
- Policy 5.1.2: Annually communicate the projected population and non-residential growth to the Miami-Dade Water and Sewer Department (WASD) to ensure long term demand is reflected in WASD's water supply reports and permits with the South Florida Water Management District (SFWMD) and other Federal and State agencies.
- Policy 5.1.3: Ensure, through the implementation of the 20-Year Work Plan, that adequate water supplies and public facilities are available to serve the water supply demands of any population growth that the City may experience.
- Policy 5.1.4: Coordinate the planning of potable water and sanitary sewer facilities, water supply sources, demands, other services and level-of-service standards with the Miami-Dade County Water and Sewer Department, Miami-Dade County Department of Environmental Resources Management, South Florida Water Management District, and through the Lower East Coast Water Supply Plan Update, as necessary.
- Policy 5.1.35: Cooperate with local, regional, state and federal agencies concerning the proper management of fresh water resources in order to conserve and maintain sufficient fresh water supplies, especially during dry periods, including cooperation with the Miami-Dade County WASD and the SFWMD for the implementation of water demand management policies and programs.
- Policy 5.1.46: Coordinate with Miami-Dade County WASD and the SFWMD to implement emergency water conservation measures when necessary.
- Policy 5.1.57: Coordinate with the Miami-Dade County WASD to encourage the creation and expansion of storage and distribution facilities for reclaimed water to institutional, commercial, and residential properties in an effort to reduce the use of potable water for irrigation purposes.
- Policy 5.1.68: Incorporate criteria in the Land Development Code that requires compliance with the policies of the South Florida Water Management District to conserve the potable water supply, including groundwater recharge, water-saving devices and xeriscape concepts.

- Policy 5.1.79: Consider implementation of a leak detection program that would identify users with unaccounted for water loss greater than 10 percent
- Policy 5.1.810: ~~By January 2007,~~ e Ensure that water conservation booklets and brochures produced by the SFWMD and other environmental agencies are readily available at City Hall and other public facilities to residents and businesses.
- Policy 5.1.9 11: Make available lists of vegetation classified by water demand for use by residents and developers as part of the City's public awareness efforts.
- Policy 5.1.12 If, in the future there are issues associated with water supply, conservation or reuse the City will immediately contact WASD to address the corresponding issue(s). In addition, the City will follow adopted communication protocols with WASD to communicate and/or prepare an appropriate action plan to address any relevant issue(s) associated with water supply, conservation or reuse.
- Policy 5.1.13 Encourage the use of high efficiency toilets, showerheads, faucets, clothes washers and dishwashers that are Energy Star rated and WaterSense certified in all retrofitted residential and commercial projects.
- Policy 5.1.14 Require the use of high efficiency toilets, showerheads, faucets, clothes washers and dishwashers that are Energy Star rated and WaterSense certified in all new residential and commercial projects, as required by the Miami-Dade County Water Use Efficiency Standards Ordinance 08-100 (Effective Date January 1, 2009) and Manual and adopt an Ordinance to effectuate the same by January 1, 2010.
- Policy 5.1.15 Encourage the use of sub-metering for all multi-unit residential development which will include: separate meter and monthly records kept of all major water-using functions such as cooling towers and individual buildings in all new and redeveloped multi-family residential projects.
- Policy 5.1.16 Encourage the use of Florida Friendly Landscape guidelines and principals; gutter downspouts, roof runoff, and rain harvesting through the use of rain barrels and directing runoff to landscaped areas; drip irrigation or micro-sprinklers; and the use of porous surface materials (bricks, gravel, turf block, mulch, pervious concrete, etc.) on walkways, driveways and patios.

City of Doral
WSP GOPs
April 13, 2011
Policy 5.1.17

Participate, when warranted, in the SFWMD's Water Savings Incentive Program (WaterSIP) for large-scale retrofits as recommended by the Lower East Coast Water Supply Plan.

Policy 5.1.18

Submit a water conservation plan to the County as required by the Miami-Dade County Code, Section 32-83.1. Said Plan shall be updated for the County's approval every five years following submittal and Conserve Florida Guide generated reports shall be filed annually at the close of the fiscal year.

Policy 5.1.19:

Require all future developments to comply with the landscape standards in Sections 18-A and 18-B, Code of Miami-Dade County, at a minimum.

EXHIBIT “D”

EXHIBIT D

INTERGOVERNMENTAL COORDINATION ELEMENT

- Policy 8.1.21 Coordinate the adopted Comprehensive Plan with the plans of the school board, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, and with the comprehensive plans of adjacent municipalities, with the state comprehensive plan and with the South Florida Water Management District's regional water supply plan.
- Policy 8.1.22 Coordinate the planning of potable water and sanitary sewer facilities, water supply sources, demands, other services and level-of-service standards with its water service provider (Miami-Dade County WASD), Miami-Dade County Department of Environmental Resources Management, South Florida Water Management District, and through the Lower East Coast Water Supply Plan Update, as necessary.
- Policy 8.1.23 Identify and ensure the consistency of local level of service standards by annually contacting the water service provider to 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 include in subsequent Comprehensive Plan Amendments.
- Policy 8.1.24 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.

EXHIBIT “E”

EXHIBIT E

CAPITAL IMPROVEMENTS ELEMENT

Policy 9.2.11 Develop and adopt appropriate mechanisms with the South Florida Water Management District and Miami-Dade County in order to assure that adequate water supplies are available to all water users. Furthermore, the City will be responsible for monitoring the availability of water supplies for all water users and for implementing a system that links water supplies to the permitting of new development. Prior to approval of a building permit or its functional equivalent, the City shall consult with WASD to determine whether adequate water supplies to serve new development will be available no later than the anticipated date of issuance by the City of a certificate of occupancy or its functional equivalent.

Policy 9.2.12 Provide monthly data to the Miami-Dade County WASD, as required by such entity, to track the amount of water to be allocated for new use.

Policy 9.2.13 Incorporate capital improvements affecting City levels of service by referencing the Capital Improvements Schedules of Miami-Dade County, state agencies, regional water supply authorities and other units of government providing services but not having regulatory authority over the use of land into its 5-Year Schedule of Capital Improvements. The City Capital Improvement Element Schedule shall be maintained and updated annually and shall demonstrate that level of service standards will be maintained during the next five-year (2009/2010 through 2013/2014) planning period.

Policy 9.4.1: As indicated in the applicable Elements of this Plan, the City of Doral has adopted the minimum LOS standards shown in Table 9.1:

Amend Table 9.1 as follows:

Table 9.1: Recommended Level of Service (LOS) Standards for the City of Doral

Public Facility	<i>Level of Service Standard</i>
Potable Water ^a	<u>Regional Treatment</u> - The regional treatment system shall operate with a rated capacity no less than two percent above the maximum daily flow for the preceding year. <u>User LOS</u> - The system shall maintain the capacity to produce and deliver 200 155 gallons per capita per day. <u>Water Quality</u> - Water quality shall meet all federal, state, and county standards for potable water. <u>Water Flow</u> - Water supply and distribution mains must assure adequate flow for Miami-Dade County Fire/Rescue and consumer needs. Miami-Dade County requires water pressure between 20 and 100 pounds per square inch (psi) to be delivered to users, with a schedule of minimum fire flows based upon land uses served.