

ORDINANCE NO. 17-01

AN ORDINANCE OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA APPROVING AMENDMENTS TO THE COMPREHENSIVE PLAN GENERAL REQUIREMENTS, LAND USE, INFRASTRUCTURE CONSERVATION, AND INTERGOVERNMENTAL COORDINATION ELEMENTS TO INCLUDE AN UPDATE TO THE LAKE CLARKE SHORES WATER SUPPLY FACILITIES WORK PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Florida Statutes 163.3177, the Town must update its 10-year water supply plans within 18 months after regional water management districts approve an updated regional water supply plan; and

WHEREAS, on September 12, 2013, the governing body of the South Florida Water Management District approved the 2013 Lower East Coast Water Supply Plan Update; and

WHEREAS, the approval of the subject amendments would update the Town's Water Supply Facilities Work Plan (Work Plan) in compliance with the above state regulations and also bring the General Requirements, Land Use, Infrastructure, Conservation, and Intergovernmental Coordination Element policies up-to-date, reflecting the changes to the Work Plan, changes to other plans and programs as well as the progress in the policy implementation.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, THAT:

Section 1. The foregoing "Whereas" clauses are true and correct and incorporated herein by this reference.

Section 2. The Town Council of the Town of Lake Clarke Shores, Florida, hereby adopts the Comprehensive Plan Amendment 2017-01, a copy of which is attached hereto as Exhibit "A", based on the Town of Lake Clarke Shores Florida 2016 – 2026 Water Supply Facilities Work Plan Update dated November 2016, included herein by reference.

Section 3. All laws and ordinances in conflict with any provisions of this ordinance are hereby repealed.

Section 4. Should any section or provision of this Ordinance or any portion thereof be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the remainder of this Ordinance.


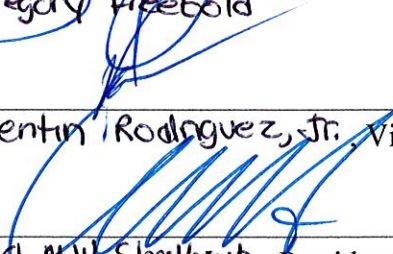
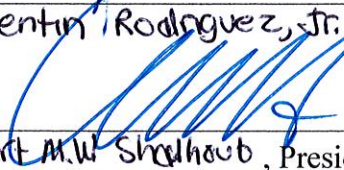

Section 4. Should any section or provision of this Ordinance or any portion thereof be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the remainder of this Ordinance.

Section 5. This Ordinance shall become effective as provided by law, without limitation, as provided in Section 163.3184(3)(c)(4), Florida Statutes.

PASSED AND ADOPTED the 10th day of January, 2017, on first reading.

PUBLISHED the 23rd day of March, 2017, in the Coastal Observer.

PASSED AND ADOPTED this 11th day of April, 2017, on second and final reading.

	FOR	AGAINST
By: <u></u> Gregory Freebold, Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u></u> Valentin Rodriguez, Jr., Vice Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u></u> Robert M. W. Shalhoub, President Pro Tem	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u></u> Paul R. Shalhoub, Council Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>vacant seat</u> , Council Member	<input type="checkbox"/>	<input type="checkbox"/>

ATTESTED:



Mary Pinkerman, Town Clerk
Ord #17-01 Sponsored by the Town Council

EXHIBIT A

Town of Lake Clarke Shores Florida Water Supply Facilities Work Plan Update 2016 – 2026 Comprehensive Plan Amendments

(Items underlined are additions to the text and items struck through are deletions from the text)

1.0 GENERAL REQUIREMENTS (Chapter 1.0)

1.5 PLANNING PERIOD

According to ~~Chapter 9J-5.005(4), Florida Administrative Code,~~ Florida Statutes, Chapter 163.3177 (f) (3), each comprehensive plan shall include at least ~~two~~ one planning periods; ~~one for at least the first five-year period and one for an overall ten-year period~~ for at least a ten-year period subsequent to the plan's adoption. ~~On this basis,~~ The following two planning periods are utilized in the Lake Clarke Comprehensive Plan: Short-range - FY 2009 - FY 2013; and Long-term - FY 2014 - FY 2018. For the purposes of water supply facilities planning, the planning period is defined as FY 2016 to FY 2016.

1.6 POPULATION PROJECTIONS

Population projections for Lake Clarke Shores were prepared during the 2006 EAR process and updated during the preparation of the 2008 Support Documentation report and the Town of Lake Clarke Shores, Florida Water Supply Facilities Work Plan Update November 2016. It is projected that Lake Clarke Shores will reach its buildout population potential of ~~3,462~~ 3,476 permanent residents and 50 peak seasonal residents during the ~~Short-range planning 2020 to 2025 period (FY 2009 – 2013)~~ of this ~~Comprehensive Plan.~~

LAND USE (Chapter 3.0):

Policy 3.1.3: ~~At the time~~ Within 18 months of each ~~required Evaluation and Appraisal Report,~~ update to the Lower East Coast Water Supply Plan, the Town shall update the Town of Lake Clarke Shores Florida Water Supply Facilities Plan Update to determine whether or not adequate water supply is available to meet projected needs of the ensuing 10-year period.

INFRASTRUCTURE (Chapter 6.0)

The INFRASTRUCTURE (i.e. Sanitary Sewer, Solid Waste, Stormwater Management,

Potable Water, and Natural Groundwater Aquifer Recharge) element is required to be included in the comprehensive plan per requirements of state planning law and rule criteria. Specifically, Chapter 163.3177 (6) ~~(f)~~ (c), Florida Statutes, establishes the INFRASTRUCTURE element requirement and ~~Chapter 9J-5.010, Florida Administrative Code, establishes minimum criteria to guide its preparation.~~

A summary of the data, analysis and support documentation necessary to form the basis for the INFRASTRUCTURE goal, objectives and policies is presented in Chapter 5 of the 1989 Town of Lake Clarke Shores Comprehensive Development Plan, the 1996 and 2006 Evaluation and Appraisal Reports., and the 2008 Support Documentation. The ~~Town's of Lake Shores, Florida Ten-Year Potable Water Supply Facilities Work Plan Update November 2016~~ which is hereby incorporated by reference, ~~is included in Appendix 3 of the 2008 Support Documentation.~~

Policy 6.6.5: ~~At the time of each required Evaluation and Appraisal Report, the Village~~ The Town shall incorporate necessary Ten-Year Water Supply Work Plan directives enacted by its water suppliers and the 2013 Lower East Coast Water Supply Plan Update.

Policy 6.6.8: The Town shall execute and maintain bulk purchase agreements with the Village of Palm Springs ~~and the City of Lake Worth, or their assigns,~~ for the purpose of providing a potable water supply source to Service Area C, as defined on Map 1 of the Town of Lake Clarke Shores, Florida Ten-Yea Water Supply Facilities Work Plan Update November 2016. The Town shall execute and maintain bulk purchase agreements with Palm Beach County and the City of Lake Worth, or their assigns, for the purpose of providing a potable water supply source to the unincorporated area known as the "Town Southern Service Area", as defined on Map 2 of the Town of Lake Clarke Shores, Florida Ten-Year Water Supply Facilities Work Plan Update November 2016. The bulk purchase agreements shall specify the number of gallons of water to be provided in order to meet current and future demands, as defined in the ~~Town's Ten-Year~~ Town of Lake Clarke Shores, Florida Water Supply Facilities Work Plan Update November 2016 and the Village of Palm Springs, City of Lake Worth and Palm Beach County Ten-Year Water Supply Facilities Work Plans.

CONSERVATION (Chapter 7.0):

Policy: 7.10.2 The Town will incorporate ~~xeriscape~~ Florida Friendly Landscaping principles in the design, installation and irrigation of landscapes for all public facilities and provide ~~xeriscape~~ Florida Friendly Landscaping information and materials to private developers.

Objective: 7.11 Participate in the formulation and implementation of water supply conservation programs developed by the Village of Palm Springs, ~~and~~ Palm Beach County WUD, and the South Florida Water Management District.

Policy: 7.11.1 Coordinate with the Village of Palm Springs and Palm Beach County to implement potable water conservation programs established as part of their Water Supply Facilities Work Plans and Consumptive Use Permits, including South Florida Water Management District Year-Round Landscape Conservation Measures.

INTERGOVERNMENTAL COORDINATION (Chapter 9.0):

Policy 9.1.11: At the time of each required Water Supply Facilities Work Plan Update, Evaluation and Appraisal Report confirm the availability of potable water service, consistent with the regional water supply plan and Water Supply Facility Plans of the Village of Palm Springs, City of Lake Worth and Palm Beach County WUD.