

TOWN OF GOLDEN BEACH, FL

ORDINANCE NO. 563.15

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN BY ADOPTING AMENDMENTS TO ITS ADOPTED 10-YEAR WATER SUPPLY FACILITIES WORK PLAN TO ADDRESS WATER SUPPLY PLANNING PROVISIONS REQUIRED BY FLORIDA STATUTES; INCLUDING A PROVISION FOR INCLUSION IN THE TOWN'S COMPREHENSIVE PLAN; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3167(9) Florida Statutes requires all local governments to address in its comprehensive plan, the water supply sources necessary to meet / 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 applicable water management district's regional water supply plan; and

WHEREAS, the Town recognizes the need for 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 covering at least a 10 year planning period and also amend their comprehensive plan within 18 months after the applicable regional water management district approves a regional water supply plan or its update; and

WHEREAS, the Town Council has proposed amendments to various elements of its adopted comprehensive plan to (1) incorporate new or modify existing Objectives and Policies contained in the adopted Golden Beach Comprehensive Plan; (2) to amend the adopted Golden Beach Water Supply Facilities Work Plan; and (3) to integrate water supply and land use planning; and

WHEREAS, the Golden Beach Water Supply Facilities Work Plan also serves as the supporting data and analysis for the proposed amendments to the Town's Comprehensive Plan; and

WHEREAS, the Golden Beach Local Planning Agency (LPA), at a duly advertised public hearing, reviewed the proposed Water Supply Facilities Work Plan (WSFWP) and the proposed comprehensive plan amendments contained herein and find both are consistent with the Town's Comprehensive Plan and Florida law, and recommend adoption of this Ordinance to the Town Council; and

WHEREAS, after reviewing the Local Planning Agency's recommendation, the recommendation of Town staff, and the comments from the public, the Town Council finds the proposed amendments to the Town's Comprehensive Plan, attached as Exhibit "A" to this Ordinance, are in compliance with and consistent with Florida law and its adopted Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA:

Section 1: Recitals. That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true, correct and reflective of the legislative intent underlying this Ordinance and are hereby made a specific part of this Ordinance.

Section 2: Amendment and Adoption of updates to the Golden Beach Water Supply Facilities Work Plan. That the Golden Beach Water Supply Facilities Work Plan updates prepared by Michael Miller Planning Associates, Inc., as Town Planner, is hereby amended and adopted and approved as the current Golden Beach Water Supply Facilities Work Plan and as supporting data and analysis for the amendments to the Town's Comprehensive Plan contained in Exhibit "A", attached to this Ordinance.

Section 3: Amendment and Adoption of Comprehensive Plan Amendments. That the Future Land Use Element, Potable Water Sub-Element of the Infrastructure Element, Conservation Element, Intergovernmental Coordination Element, and the Capital Improvements Element, as shown in attached Exhibit "A", are hereby amended and adopted as noted.

Section 4: Transmittal. That the Town staff is authorized to transmit copies of this Ordinance, the Water Supply Facilities Work Plan and the related amendments to the Town's Comprehensive Plan as shown in the attached Exhibit "A" to the Ordinance to the Florida Department of Economic Opportunity, all other units of local government and governmental agencies as required by Florida law for review and comment, after a vote on first reading of this Ordinance.

Section 5: Conflicts. That all Ordinances, parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 6: Severability. That is any section, paragraph, sentence or word of this Ordinance or the application thereof to any person or circumstance is held

invalid, that the invalidity shall not affect the other sections, paragraphs, sentences, words or application of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7: Inclusion in the Golden Beach Comprehensive Plan. That it is the intention of the Town Council of the Town of Golden Beach, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Golden Beach's Comprehensive Plan, that sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 8: Effective Date. That this Ordinance shall be effective immediately upon passage by the Town Council on second reading, except that the effective date of the comprehensive plan amendments approved by this Ordinance shall be the date a final order is issued by the Florida Department of Economic Opportunity or Administrative Council finding the plan amendments in compliance in accordance with Section 163.3184, Florida Statutes, or the statutory appeal period is over, whichever occurs earlier. The Florida Department of Economic Opportunity notice of intent to find the plan amendments in compliance shall be deemed to be the final order if no timely petition challenging the plan amendment is filed.

The Motion to adopt the foregoing Ordinance was offered by Councilmember Lusskin, seconded by Vice Mayor Rojas, and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice-Mayor Amy Isackson-Rojas	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>

PASSED AND ADOPTED on first reading this 17th day of March, 2015.

The Motion to adopt the foregoing Ordinance was offered by Councilmember Lusskin, seconded by Vice Mayor Rojas, and on roll the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice-Mayor Amy Isackson-Rojas	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Absent</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>

PASSED AND ADOPTED on second reading this 9th day of June, 2015.



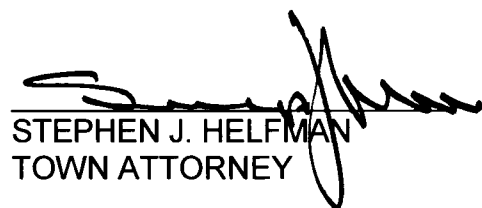
MAYOR GLENN SINGER

ATTEST:



LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



STEPHEN J. HELFMAN
TOWN ATTORNEY