

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2009-49

AN ORDINANCE ADOPTING A TEN YEAR WATER SUPPLY FACILITIES WORK PLAN AND AMENDING THE COMPREHENSIVE PLAN TO PROMOTE AND FACILITATE BETTER COORDINATION BETWEEN WATER SUPPLY AND LOCAL LAND USE PLANNING AS REQUIRED BY FLORIDA LAW; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; 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 Coral Gables recognizes the need for better integration between land use planning and water supply planning; and

WHEREAS, Section 164.3177(6)(c), Florida Statutes, requires that local governments prepare and adopt a 10-Year 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, the City of Coral Gables has proposed amendments to the policies of the Comprehensive Plan; and

WHEREAS, at a public hearing held on May 13, 2009, the Local Planning Agency (Planning and Zoning Board) afforded all interested persons an opportunity to be heard and this request was continued to the June 3, 2009 Local Planning Agency (Planning and Zoning Board) Meeting; and

WHEREAS, at a public hearing held on June 3, 2009, the Local Planning Agency (Planning and Zoning Board) recommended approval of the 10-Year Water Supply Facilities Work Plan (vote: 5-0); and

WHEREAS, the City Commission hereby finds that the adoption of this Ordinance is in the best interest and welfare of the residents of the City; and

WHEREAS, the City Commission adopts the 10-Year Water Supply Facilities Work Plan, attached as Exhibit "A", as supporting data and analysis for the comprehensive plan amendments; and

WHEREAS, the City Commission finds the proposed 10-Year Water Supply Facilities Work Plan and the amendments to its comprehensive plan to be in compliance with and consistent with Florida law and its adopted comprehensive plan; and

WHEREAS, the City Commission, upon first reading of this Ordinance on July 7, 2009, authorized transmittal (vote: 5-0) of the 10-Year Water Supply Facilities Work Plan and amendments to the comprehensive plan to the Department of Community Affairs and review agencies for the purpose of a review in accordance with Sections 163.3184, 163.3187, 163.3189 and 163.3191, Florida Statutes; and

WHEREAS, at a public hearing held on November 4, 2009, the Local Planning Agency (Planning and Zoning Board) recommended approval of the 10-Year Water Supply Facilities Work Plan (vote: 7-0); and

WHEREAS, the City Commission recommended approval, upon second and final reading of this Ordinance on November 17, 2009, (vote:5-0) more specifically the 10-Year Water Supply Facilities Work Plan and amendments to the comprehensive plan in accordance with Sections 163.3184, 163.3187, 163.3189 and 163.3191, Florida Statutes;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. That the City Commission does hereby recommend approval and adoption of the Ten Year Water Supply Facilities Work Plan and amends the Comprehensive Plan to promote and facilitate better coordination between water supply and local land use planning as required by Florida law.

SECTION 3. That all rights, actions, proceedings and Contracts of the City, including the City Commissioners, the City Manager, or any of its departments, boards or officers undertaken pursuant to the existing code provisions, shall be enforced, continued, or completed, in all respects, as though begun or executed hereunder.

SECTION 4. That all ordinance or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 5. That if any section, part of session, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 6. That it is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to “section”, “article”, or other appropriate word to accomplish such intention.

SECTION 7. That this Ordinance shall become effective ten days upon the date of its passage and adoption herein.


PASSED AND ADOPTED THIS SEVENTEENTH DAY OF NOVEMBER, A.D., 2009.
(Moved: Anderson / Seconded: Kerdyk)
(Yeas: Kerdyk, Withers, Anderson, Cabrera, Slesnick)
(Unanimous: 5-0 Vote)
(Agenda Item: E-4)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



for WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY