



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

PLANNING & ZONING BOARD STAFF REPORT

Water Supply Plan Update and Comprehensive Plan Text Amendment

Meeting	File No.	Application Type
September 20, 2021	N/A	Comprehensive Plan Text Amendment

Request

Provide a recommendation to the City Commission on Ordinance No. 24-21, a City initiated amendment to the Always Delray Comprehensive Plan, by adopting the 10-year Water Supply Facilities Work Plan (2021) and updates to applicable elements.

Background Information

Chapter 163, Part II, Florida Statutes (F.S.), requires local governments to prepare and adopt Water Supply Work Plans into their comprehensive plans within 18 months after the South Florida Water Management District (SFWMD-District) approves a regional water supply plan update. The current Lower East Coast Water Supply Plan Update was approved by the District's Governing Board on January 11, 2019; the City of Delray Beach last adopted a water supply work plan in 2015.

According to state requirements, the City's Work Plan must address the development of traditional and alternative water supplies, service delivery, and conservation and reuse programs necessary to serve existing and new development for at least a 10-year planning period. City staff worked with consultant, Kimley-Horn and Associates, Inc., to prepare the 10-year Water Supply Facilities Work Plan Update that amends the previous plan adopted in 2015, along with the associated amendments that integrate the update into the City's Comprehensive Plan. The updated plan is provided as an attachment.

The 10-year Water Supply Facilities Work Plan Update (2021) must be adopted by the City, by reference, through an update to the Comprehensive Plan. Additional amendments are proposed to specific Comprehensive Plan Elements that are impacted by updates to the Work Plan. The proposed changes are identified in strike-through and underline with yellow highlighting and are provided as an attachment. The Elements identified in "Appendix A" (page 3) have proposed changes to either the Data, Inventory, and Analysis (DIA), or the Goals, Objectives, and Policies (GOPs)

Only the GOPs are adopted by the City; the proposed amendments to the DIA will be provided to reviewing agencies for informational purposes only. The proposed amendments do not change the adopted policy directives; rather, they update the descriptions of existing or planned infrastructure that differ from the time the Comprehensive Plan was adopted in February 2020.

Review and Analysis

Chapter 163.3177, Florida Statutes, requires an update to the Comprehensive Plan every five years, and within 18 months of the adoption of the regional water supply plan. Chapter 163.3180, Florida Statutes, requires potable water to be available concurrent with development. The Water Supply Facilities Work Plan establishes the capacity of the water supply system and plans to meet future demand on the system.

The following policies from the Comprehensive Plan apply to this request:

Policy PFE 2.1.4 Consider the most current version of South Florida Water Management District's Lower East Coast Water Supply Plan and Regional Water Plan in developing a Water Supply Facilities Work Plan. The Work Plan will be reviewed and updated every 5 years within 18 months following an update of the Regional Water Supply Plan, pursuant to F.S. 163.3177(6)(c)3.

Policy PFE 2.1.5 Adopt and maintain a Water Supply Facilities Work Plan for at least a 10-year period, to address issues that pertain to water supply facilities and requirements needed to serve current and future development within the City of Delray Beach water service area. This plan will be based on the availability and appropriate use of regional water resources and the combined use of alternative

water supplies to diversify the City's source of water and reduce dependence on the surficial aquifer. The Work Plan shall be consistent with the City's Water Use Permit renewals.

Policy PFE 2.1.6 The City of Delray Beach hereby adopts by reference the 10-Year Water Supply Facilities Work Plan (Work Plan), prepared by Kimley Horn and Associates, Inc. and dated February 2015, for a planning period of not less than 10 years.

Inasmuch as The Lower East Coast Water Supply Plan Update was adopted by the SFWMD Governing Board on January 11, 2019, and the City last adopted a Water Supply Facilities Work Plan in February 2015, the City is obliged to adopt an update to the Work Plan.

Review By Others

Chapter 163.3184 provides the specific process to amend the City's Comprehensive Plan. The proposed amendment is processed for expedited review, which includes the following steps:

- **Planning and Zoning Board Review.** As the Local Planning Agency (LPA), the Planning and Zoning Board will review the amendment and provide a recommendation to the City Commission
- **City Commission Review**
 - Public Hearing No. 1, Transmittal Hearing
 - Transmittal to the State Land Planning Agency (the Department of Economic Opportunity (DEO)) and applicable state review agencies within ten working days of the hearing.
 - Comments returned to the City by DEO and review agencies within 30 days.
 - Public Hearing No. 2, Adoption Hearing
 - Hearing 2 must take place within 180 days of receipt of comments by reviewing agencies.
 - Transmittal of the adopted amendments to DEO and any agency that provided review comments within 10 working days of the hearing.
- **Amendment Effective Date**
 - If no challenge to the amendment is filed by an affected person, within 30 days of the adoption hearing, the amendment becomes effective within 31 days.

Board Action Options

- A. Move a recommendation of **approval** of Ordinance No. 24-21, adopting an amendment to the Always Delray Comprehensive Plan related to the Water Supply Facilities Work Plan Update (2021), finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the applicable criteria set forth in the Land Development Regulations.
- B. Move a recommendation of **approval** of Ordinance No. 24-21, **as amended**, adopting an amendment to the Always Delray Comprehensive Plan related to the Water Supply Facilities Work Plan Update (2021), finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the applicable criteria set forth in the Land Development Regulations, **with conditions**.
- C. Move a recommendation of **denial** of Ordinance No. 24-21, adopting an amendment to the Always Delray Comprehensive Plan related to the Water Supply Facilities Work Plan Update (2021), finding that the amendment and approval thereof is not consistent with the Comprehensive Plan and does not meet the applicable criteria set forth in the Land Development Regulations.
- D. Continue With Direction.

Public and Courtesy Notices

<u>X</u> Courtesy Notices are not applicable to this request.	<u>X</u> Public Notice was published in the Sun Sentinel 10 calendar days prior to the meeting. <u>X</u> Public Notice was posted to the City's website 10 calendar days prior to the meeting. <u>X</u> Public Notice was posted in the main lobby at City Hall 10 working days prior to the meeting. <u>X</u> Agenda was posted at least 5 working days prior to meeting.
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APPENDIX A		
Elements	Goals, Objectives, and Policies	Data, Inventory, and Analysis
Capital Improvements	✓	✓
<i>Update</i>	Policy CIE 1.4.4 Table CIE-2, Level of Service Standards	
Conservation, Sustainability, and Resiliency	✓	✓
<i>Update</i>	Goal 2 Performance Measures Policy CSR 2.1.4, 2.1.5 Policy CSR 2.4.1, 2.4.2 Policy CSR 2.5.1	
Public Facilities and Services	✓	✓
<i>Update</i>	Goal PFE 2 Performance Measures Objective PFE 2.1 Policy PFE 2.1.3, 2.1.6, 2.1.7 Policy PFE 2.2.1, 2.2.2 Policy PFE 2.3.1 Policy PFE 3.2.1 Policy PFE 3.5.1	
Strategic Partnerships	✓	-
<i>Update</i>	Policy SPE 1.5.12	
Coastal Management	-	✓
Neighborhoods, Districts, and Corridors	-	✓