

ORDINANCE NO. 05-2017

AN ORDINANCE OF THE CITY OF SEMINOLE, FLORIDA, AMENDING THE CITY OF SEMINOLE COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES TO ADDRESS WATER SUPPLY PLANNING; REPEALING ANY CONFLICTING PROVISIONS; RENUMBERING EXISTING PROVISIONS AS NECESSARY; PROVIDING FOR NON-SUBSTANTIVE MODIFICATIONS THAT MAY ARISE AT PUBLIC HEARING OR CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, subsection 163.3164, Florida Statutes (F.S.), establishes the Community Planning Act; and,

WHEREAS, the City of Seminole is required to adopt a comprehensive plan pursuant to the provisions of Subsection 163.3184, F.S.; and,

WHEREAS, the City of Seminole has prepared amendments to the Comprehensive Plan; and,

WHEREAS, the City of Seminole Developmental Review Board, acting as the Local Planning Agency, after due public notice held a public hearing on January 23, 2017, to consider amending the comprehensive plan to address water supply planning; and,

WHEREAS, subsequent to the public hearing the Local Planning Agency recommended that amendments to the comprehensive plan to address water supply planning be transmitted to the City Council for review and adoption; and,

WHEREAS, after due notice pursuant to Subsection 163.3184 (11) published on April 14, 2017, the City of Seminole City Council on April 25, 2017, adopted on first reading proposed amendments to address water supply planning; and,

WHEREAS, the City of Seminole has transmitted a copy of this Ordinance for review and comment to the Department of Economic Opportunity (DEO), and other agencies, in accordance with Chapter 163, F.S.; and,

WHEREAS, the City of Seminole has considered and addressed the Florida Department of Economic Opportunity (DEO) "Objections, Recommendations, and Comments Report"; and,

WHEREAS, after due notice, on October 13, 2017, the City of Seminole City Council acting as the Local Governing Body adopted on second and final reading the amendments; and,

WHEREAS, the City of Seminole affirmatively declares that said adopted amendments are consistent with the Countywide Plan and the Countywide Rules, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the City of Seminole, Florida, as follows:

Section 1. This ordinance is adopted in compliance with, and pursuant to, the Community Planning Act, Chapter 163, Part II, et. seq., Florida Statutes.

Section 2. The City of Seminole Comprehensive Plan, Infrastructure element is hereby amended to address water supply planning as shown on the attached Exhibit A.

Section 3. It is the intention of the City Council of the City of Seminole that each new or modified article and section within Comprehensive Plan hereof be numbered in proper order and sequence, and that any out of order or misnumbered Goal, Objective or Policy contained in this ordinance shall not affect the validity of any other provisions of this ordinance, the City of Seminole Comprehensive Plan, or the City of Seminole Land Development Code, but shall instead be automatically renumbered and ordered accordingly.

Section 4. It is the intention of the City Council of the City of Seminole that each and every provision hereof be considered severable, and that the invalidity of any provision or provisions of this ordinance by a court or a determination that any provision or provisions are found not in compliance by the state land planning agency, said provision or provisions shall be administratively severed and such severance shall not affect the validity of any other provisions of this ordinance, the City of Seminole Comprehensive Plan, or the City of Seminole Land Development Code.

Section 5. The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the State Land Planning Agency.

APPROVED ON FIRST READING: April 25, 2017

PUBLISHED: April 14, 2017 & October 13, 2017

PASSED AND ADOPTED ON

SECOND AND FINAL READING: October 24, 2017


LESLIE WATERS, MAYOR

I, Patricia Beliveau, City Clerk of the City of Seminole, Florida, County of Pinellas, State of Florida, a municipal corporation do hereby certify the foregoing and hereto attached is a true and correct copy of Ordinance No. 05-2017 which is on file in the City Clerk's Office:

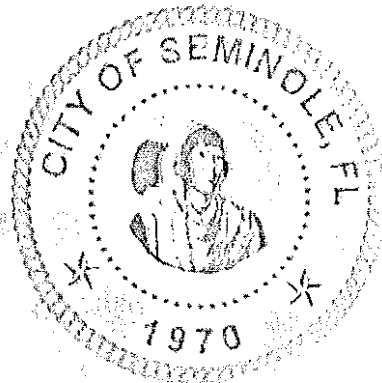
IN WITNESS WHEREOF, I hereunto set my hand and affixed the seal of the City of Seminole, Pinellas County, Florida, this 24 day of October, 2017.



Patricia Beliveau, City Clerk

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INFRASTRUCTURE ELEMENT

GOAL 1:

THE CITY SHALL ENSURE THAT NEEDED SANITARY SEWER, SOLID WASTE, AND POTABLE WATER SERVICES WILL BE PROVIDED BY A SAFE AND EFFICIENT SYSTEM, WHICH MAINTAINS ADEQUATE FACILITIES AND PROVIDES FOR ORDERLY GROWTH AND EXPANSION.

Objective 1.1: Level-of-Service Standards

The City of Seminole shall continue to implement procedures, in cooperation with its sewage, solid waste, and potable water system providers to ensure that development permits are issued only when adequate facility capacity is available to serve the development, and do not result in a reduction in the level-of-service standards adopted within this element.

Policy 1.1.1: The level-of-service standards shall be as follows:

Facility	Time Period	Level-of-Service Standard
Potable Water	Beginning of planning time frame through 2019	Pinellas County LOS and as amended 120 gpcd for 2009-2019
	2020-2025 To extend throughout the time frame of this comprehensive plan	Pinellas County LOS and as amended 115 gpcd for 2020-2025
Sanitary Sewer	To extend through 2025	To determine whether adequate wastewater treatment capacity is available for a development or redevelopment, the City will utilize the County's adopted level of service standard for the South Cross Bayou Wastewater Reclamation Facility.
Solid Waste	To extend through 2025	Pinellas County LOS and as amended (excludes recycled materials)

[Changes in level-of-service standards will be consistent with Pinellas County level-of-service as contained the Regional Water Supply Plan and the Pinellas County Comprehensive Plan.]

Policy 1.1.2: Through the land development regulations, ensure that the development, expansion, replacement, or modification of infrastructure facilities is compatible with adopted level-of-service standards and the City shall cooperate with Pinellas County as the service provider in this regard.

Policy 1.1.3: Continue to maintain formal allocation agreements for Pinellas County to provide water, sewer, and solid waste (disposal) services consistent with adopted level-of-service standards.

Policy 1.1.4: The Land Development Code shall establish provisions and criteria that development orders and permits shall be issued only if public facilities, such as roadways, recreation/open space, water, sewer, solid waste and drainage, necessary to meet level of service standards are available concurrent or phased with the impacts of the development or such impacts are mitigated.

Policy 1.1.5: The Land Development Code shall establish provisions and criteria for the issuance of development orders and permits for existing sites and/or development where level of service standard deficiencies exist.

GOAL 2:

THE CITY SHALL SUPPORT PINELLAS COUNTY AND SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD) EFFORTS TO MAINTAIN THE HIGHEST POTABLE WATER QUALITY STANDARDS AND PROMOTE CONSERVATION WHILE PROTECTING THE SURROUNDING NATURAL ENVIRONMENT.

[Tampa Bay Water has the authority and responsibility to provide water supply to its member governments as described in the data and analysis]

Objective 2.1: Potable Water

The City, SWFWMD and Pinellas County shall work together to encourage reduction in potable water demand.

Policy 2.1.1: Require that low water usage plumbing fixtures pursuant to the Florida Building Code, as amended, be installed in all new buildings or in conjunction with renovations.

Policy 2.1.2: Continue to enforce the water conservation provisions of the *Pinellas County Code* and coordinate with the Southwest Florida Water Management District (SWFWMD) to restrict the unnecessary consumption of potable water.

Policy 2.1.3: Through the Land Development Code require, pursuant to Florida Statutes, the installation of rain sensor devices for new irrigation systems which will override the timing cycle when adequate rainfall has occurred.

Policy 2.1.4: Continue to maintain a Water Supply Facilities Work Plan that is consistent with the Southwest Florida Water Management District's Water Supply Plan by updating the Work plan within 18 months of an update to the District's Regional Supply Plan that affects the City.