

ORDINANCE NO. 2020-03

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN TO ADOPT BY REFERENCE AN UPDATED 10-YEAR WATER SUPPLY FACILITIES WORK PLAN AS REQUIRED BY 163.3177, FLORIDA STATUTES; PROVIDING FOR THE ADOPTION OF AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN TO IMPLEMENT THE UPDATED WATER SUPPLY FACILITIES WORK PLAN; PROVIDING FOR ADOPTION OF UPDATED POLICIES WITHIN THE COMPREHENSIVE PLAN INFRASTRUCTURE ELEMENT; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State Legislature of the State of Florida has mandated that all municipalities adopt comprehensive plans to regulate development and planning with regard to land within their corporate limits; and

WHEREAS, all amendments to the comprehensive development plan must be adopted in accordance with detailed procedures which must be strictly followed; and

WHEREAS, Subsection 163.3167(9), 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, Subsection 163.3177(4)(a), Florida Statutes, requires the City to coordinate its local Comprehensive Plan with the South Florida Water Management District's regional water supply plan; and

WHEREAS, Subsection 163.3177(6)(c), Florida Statutes, requires local governments to prepare and adopt a 10-Year Water Supply Work Plan and to amend their comprehensive plans within 18 months after the water management district approves a regional water supply plan or its update; and

WHEREAS, the South Florida Water Management District approved its Lower East Coast Water Supply Plan Update on November 8, 2018; and

WHEREAS, the City of Westlake has worked in conjunction with Palm Beach County who is the designated regional supplier of potable water for portions of Palm Beach County, including the City of Westlake and worked in conjunction with Palm Beach County so as to remain consistent with the Palm Beach County Plan; and

WHEREAS, the City of Westlake, Florida, has carefully prepared amendments to its comprehensive plan pursuant to sub-section 163.3177(6)(c), Florida Statutes, in order to adopt amendments or revisions in conformance with the adopted Work Plan; and

WHEREAS, the City of Westlake has held all duly required public hearings; both prior to submission of the proposed amendment of the plan to the State Land Planning Agency, Department of Economic Opportunity and after the proposed amendment of the plan was returned to the City of Westlake, in accordance with Chapter 163.3184, Florida Statutes; and

WHEREAS, the City Council desires to adopt the updated Work Plan along with amendments to the current comprehensive plan to guide and control the future development of the City and to preserve, promote and protect the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF WESTLAKE, FLORIDA, THAT:

Section 1: The whereas clauses are hereby incorporated as true and correct findings of fact of the City Council.

Section 2: The City of Westlake hereby adopts by reference, the updated 10-Year Water Supply Work Plan which is attached hereto and incorporated herein as Exhibit "A". The City of Westlake's Comprehensive Plan is hereby amended by adopting water supply related amendments to its current Comprehensive Plan; which amendments are set forth in Exhibit "B" and made a part hereof. These amendments specifically amend by adding Objectives and Policies to its Infrastructure Element of the Comprehensive Plan.

Section 3: A copy of the Comprehensive Plan, as amended, shall be kept on file in the office of the City Clerk, City of Westlake, Florida.

Section 4: The Planning and Zoning Department is hereby directed to transmit three copies of the amendments hereby adopted to the State Land Planning Agency, Department of Economic Opportunity; the Treasure Coast Regional Planning Council, and to any other unit of local government who has filed a written request for a copy, within 10 working days after adoption, in accordance with Section 163.3184(3)(b), Florida Statutes.

Section 5: Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6: Severability. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 7: Effective Date. The effective date of this ordinance amending the City's Comprehensive Plan shall be 31 days after the State Land Planning Agency notifies the City that the plan amendment package is complete. No development orders dependent on this

amendment may be issued or commence before the effective date of this ordinance. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless become effective by the City Council's adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the State Land Planning Agency, Department of Economic Opportunity. If timely challenged, this amendment shall not become effective until the State Land Planning Agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

PASSED this 9th day of March, 2020, on first reading.

PUBLISHED on this ____ day of February, 2020 in the Palm Beach Post.

PASSED AND ADOPTED this 11th day of May, 2020 on second reading.

City of Westlake
Roger Manning, Mayor

Zoie Burgess, City Clerk

Approved as to form and Sufficiency

Pam E. Booker, City Attorney