

Meeting Date: 1/27/2015

Agenda Item 22

REQUESTED COMMISSION ACTION:

<u>Consent</u>	<u>X</u> Ordinance	<u>Resolution</u>	<u>Consideration/ Discussion</u>	<u>Presentation</u>
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SHORT TITLE AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING A COMPREHENSIVE PLAN, TEXT AMENDMENT TO AMEND THE POTABLE WATER SUB-ELEMENT, THE FUTURE LAND USE ELEMENT, AND THE CONSERVATION ELEMENT; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON OCTOBER 22, 2014; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Summary of Purpose and Why:**

Staff is proposing text amendments to the Comprehensive Plan to address the state requirements for local governments to adopt updated Water Supply Facility Work Plans into their comprehensive plans within 18 months after the regional water supply plan is updated (Chapter 163, Part II, Florida Statutes).

The revisions affect the Potable Water Sub-Element, Future Land use Element and the Conservation Element as follows:

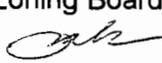
- The Potable Water Sub-Element includes updates in the Consumptive Use Permit-review period, Water Facility Demand, Water Supply Plan date, climate change language, and miscellaneous verbiage corrections;
- The Future Land Use Plan Amendment has an additional Policy added for consistency; and
- The Conservation Element has deletions of two Drainage Element Policies, and miscellaneous verbiage corrections.

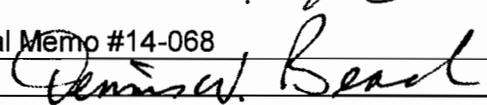
The Planning & Zoning unanimously recommended approval of these to the City's Comprehensive Plan. This is a companion item with the Ten Year Water Supply Plan also on this agenda.

- (1) Origin of request for this action: City of Pompano Beach
- (2) Primary staff contact: Robin M. Bird/ Maggie Barszewski Ext. 7921
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
Dev. Services	10/13/14	Approval	Memo# 14-462 
City Attorney	10/28/14		CAG# 2015-173 
Utilities	1/14/15	Approval	

X Planning and Zoning Board

X City Manager 

Approval Memo #14-068  


ACTION TAKEN BY COMMISSION:

<u>Ordinance</u>	<u>Resolution</u>	<u>Consideration</u>
<u>Workshop</u>		
1 <sup>st</sup> Reading _____	1 <sup>st</sup> Reading _____	Results: _____
2 <sup>nd</sup> Reading _____	_____	Results: _____
_____	_____	_____
_____	_____	_____



**City Attorney's Communication #2015-133**

October 28, 2014

**TO:** Maggie Barszewski, AICP, Planner

**FROM:** Gordon B. Linn, City Attorney

**RE:** Ordinance to Amend the Text of Three Comprehensive Plan Elements to Address State Requirements to Incorporate Compatibility with the Updated Water Facility Work Plan

As requested in your memorandum to me of October 24, 2014, Development Services Memorandum No. 14-483, I have reviewed the Ordinance adopting a Comprehensive Plan Text Amendment that was attached to your memorandum and find same to be acceptable as to legal form and content.

Should you have any further questions regarding this matter, please feel free to contact me.



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GORDON B. LINN

GBL/jrm  
l:cor/zoning/2015-133

ORDINANCE NO. 2015-\_\_\_\_\_

CITY OF POMPANO BEACH  
Broward County, Florida

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING A COMPREHENSIVE PLAN, TEXT AMENDMENT TO AMEND THE POTABLE WATER SUB-ELEMENT, THE FUTURE LAND USE ELEMENT, AND THE CONSERVATION ELEMENT; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON OCTOBER 22, 2014; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Section 163.3184 F.S., the Planning and Zoning Board/Local Planning Agency held a duly noticed public hearing on October 22, 2014 on the proposed amendment to the Future Land Use Element of the adopted City of Pompano Beach Comprehensive Plan, and subsequently recommended approval to the City Commission; and

**WHEREAS**, said amendment proposes to change the text of the Potable Water Sub-Element, the Future Land Use Element, and the Conservation Element of the Comprehensive Plan to address the Chapter 163, FS requirement to adopt the updated the Water Supply Facility Work Plan into the Comprehensive Plan by amending the affected Elements as shown in Exhibit A.

**WHEREAS**, pursuant to Ch. 163.3184(3), Florida Statutes the City Commission held at least one duly noticed public hearing on the proposed amendment to the Future Land Use Element of the adopted City of Pompano Beach Comprehensive Plan; and

**WHEREAS**, at the public hearings, the parties having an interest and all other citizens so desiring had an opportunity to be and were in fact heard; and

**WHEREAS**, all staff reports, minutes of meetings, findings of fact and support documents are hereby incorporated by reference; and

**WHEREAS**, the City Commission has considered the application in its entirety, staff reports, minutes of meetings, findings of fact and support documents and determines the request is in the best interests of the City; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

**SECTION 1:** That the foregoing application recitals, findings of fact, minutes of meetings and all staff reports and documents are true and correct, and are hereby incorporated by reference and transmitted.

**SECTION 2:** That duly noticed public hearing was held on October 22, 2014 by the Local Planning Agency in compliance with Section 163, Florida Statutes, to consider the referenced Future Land Use Element Text Amendment.

**SECTION 3:** That the City Commission hereby approves and adopts the proposed amendment to change the text of the Future Land Use Element of the Comprehensive Plan by amending the affected Elements as shown in Exhibit A.

**SECTION 4:** That the City Clerk is directed to transmit a certified copy of this Ordinance to the Department of Community Affairs and required State Agencies for review under the Alternative Review process allowed by Ch. 163.

**SECTION 5:** The City Clerk is directed to transmit a certified copy of this Ordinance to the Broward County Planning Council with the City's amended Future Land Use Element for the Planning Council to recertify the City Future Land Use Element.

**SECTION 6:** That in the event any provision or application of this Ordinance shall be held invalid, it is the legislative intent that the other provisions and applications thereof shall not be thereby affected;

**SECTION 7:** That all Ordinances or parts of Ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

**SECTION 8:** That this Ordinance shall take effect immediately upon its passage and adoption, but the amendments shall not become effective until the Broward County Planning Council recertifies the City Comprehensive Plan as consistent with the County Land Use Plan.

PASSED FIRST READING THIS 27<sup>th</sup> DAY OF JANUARY, 2015.

PASSED SECOND READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
LAMAR FISHER, MAYOR

ATTEST:

\_\_\_\_\_  
MARY L. CHAMBERS  
CITY CLERK

## **Exhibit A**

# **Proposed Amendments To the Pompano Beach Comprehensive Plan Potable Water Sub-Element Future Land Use Element & the Conservation Element**

Proposed text amendments to the Pompano Beach Comprehensive Plan's Potable Water Sub-Element, Future Land Use Element and the Conservation Element to comply with Section 163.3177, Florida Statutes, and to reflect the updates identified in the 2014 Water Supply Facilities Plan.

Note: underlined words are proposed additions, strikethroughs are proposed deletions.

**POTABLE WATER SUB-ELEMENT**  
**GOALS, OBJECTIVES AND POLICIES**

**Goal 1:** Provide safe, reliable, cost effective potable water to all residents and business within the City's water utility service areas and make capital improvements necessary to maintain or improve potable water services.

**Objective 1: Health & Safety**

The City shall ensure the provision of a safe and sanitary supply of potable water to customers in its service area through good operating practices.

- Policy 1: Deliver safe and reliable potable water to residents and businesses in the City of Pompano Beach service area.
- Policy 2: Maintain a conservation rate structure for potable water which provides a minimum level of usage at a cost effective rate
- Policy 3: Maintain agreements for the delivery of safe and reliable potable water to City of Pompano Beach residents and businesses which are served by outside providers
- Policy 4: Provide sufficient water to meet system designed fire flows while maintaining required system pressure.
- Policy 5: Comply with all potable water standards and reporting requirements which pertain to health and safety
- Policy 6: Potable water service providers should notify customers of supply interruptions, ~~when possible~~ as soon as possible and as clearly as possible.
- Policy 7: Minimize the interruption of potable water service to customers and wasted~~lost~~ water by responding quickly to breaks in water mains.
- Policy 8: Follow industry standards in disinfecting water mains in order to maintain optimum chlorine residual levels.
- Policy 9: The City of Pompano Beach shall review all proposed land use plan map amendments within City limits for adequacy of water supplies and identify any adverse impacts on the water supply system.

## Objective 2: Level of Services

The City of Pompano Beach shall maintain the level of service standards at 191 or lower gallons per capita per day.

Policy 1: Capital improvement projects undertaken to maintain the established levels of service will be implemented in accordance with the schedule provided in the Capital Improvement Element of the Comprehensive Plan.

Policy 2: The projected levels of service shall be the minimum levels of service maintained during the ~~ten (10)~~<sup>five (5)</sup> year review period of the Consumptive Use Permit and ten (10) year Water Supply Plan planning periods.

Policy 3: The City shall annually evaluate the level of services standards in order to ascertain continued applicability.

Policy 4: The design capacities and current (2007) demands for the Pompano Beach Water Facility and the Broward County Water Facilities 1A and 2A are as follows

Pompano Beach Water	
Lime Softening Plant	40.00 million gallons per day in Design Capacity
Membrane Plant	10.00 million gallons per day in Design Capacity
Total	50.00 million gallons per day in Design Capacity <u>12.42</u> <del>16.23</del> million gallons per day in Current Demand
Broward County	
2A Plant	30.00 million gallons per day in Design Capacity <u>12.32</u> <del>13.33</del> million gallons per day in Current Demand
Broward County	
1A Plant	10.67 million gallons per day in Design Capacity <u>7.148</u> <del>.00</del> million gallons per day in Current Demand

Note: All demand figures are for 2013~~07~~

Policy 5: Evaluate the need to update the Water Master Plan every five years.

Policy 6: Review the decennial U.S. Census data and adjust accordingly population projections.

Policy 7: The City of Pompano Beach will consult with the water supplier, prior to issuing the building permit or its functional equivalent, to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance of a certificate of occupancy or its functional equivalent by the City.

### **Objective 3: Coordination with other entities**

The City shall through the use of Interlocal Agreements provide potable water service to customers outside the City limits, cooperate with Broward County Utilities which serves customers inside the City limits and maintain interconnections to the potable water systems.

Policy 1: Continue to provide safe and reliable potable water services to the City of Lighthouse Point service area according to Interlocal Agreement

Policy 2: Negotiate an Interlocal Agreement or memorandum of understanding with the Town of Lauderdale by the Sea for the continued provision of safe and reliable potable water services.

Policy 3: Maintain agreements for the delivery of safe and reliable potable water to City of Pompano Beach residents which are served by outside providers.

Policy 4: Monitor development near the Town of Hillsboro Beach wellfield, which is located within the City of Pompano Beach city limits, to assist them in protecting their water supply.

Policy 5: Maintain agreements or memoranda of understanding which provide for various interconnections with other potable water entities which operate their own potable water systems

Policy 6: Share information concerning ongoing water supply needs, especially through the 10 year Water Supply Plan process, with City of Lighthouse Point, Town of Lauderdale by the Sea, and Broward County.

Policy 7: Coordinate with City of Lighthouse Point, Town of Lauderdale by the Sea, and Broward County in the implementation of alternative water supply projects (primarily water reuse), establishment of level of service standards and resource allocations.

#### **Objective 4: Capital Improvements**

The City shall review and revise priorities for the replacement of facilities, correction of existing water supply and facility deficiencies and provisions for future water supply and facility needs, as developed in the Water Master Plan for inclusion in the City's 5 year Capital Improvement Plan and the Capital Improvement Element, taking into account recent technology advances and regulatory requirements.

- Policy 1: The construction of capital improvements will be prioritized based upon periodic review of the master plans, accounting for changes recent technology advances and regulatory requirements,
- Policy 2: Where Potable water service is required concurrent with private development, it shall be the responsibility of the developer to provide these systems (except in unique State or Federal grant situation).
- Policy 3: Whenever possible, the City shall attempt to supplement potable water improvements with funding from additional revenue sources including the issuance of City revenue bonds.
- Policy 4: Prepare Master Plans for system improvements and submit recommended improvements for the first five years in the City of Pompano Beach Capital Improvement Plan. Water system improvements shall include improvements to Water Treatment Plant, Water Reuse Plant, reuse distribution system, potable water distribution system or wellfields
- Policy 5: Utility Department will evaluate the need to update Master Plan every 5 years.
- Policy 6: Upgrade water mains and lines as suggested in the Water Master Plan at strategic locations to meet current and future demand as well as maximize water quality and maintain fire flows.
- Policy 7: To minimize the interruption of potable water service to customers due to breaks in water mains, the City's Capital Improvement Plan will follow recommendations in the Water Master Plan which addresses water line replacement at an economically feasible rate.
- Policy 8: To minimize rate increases for customers, the City's Capital Improvement Plan will follow the recommendations of the Water Master Plan, Water Supply Plan and staff considerations which address the replacement of capital equipment near the end of the equipment life expectancy.
- Policy 9: Rates for potable water usage shall include adequate funding for capital improvements.

### **Objective 5: Water Reuse**

The existing water reuse facility will reduce consumption of potable water supplies for non potable water purposes, thereby conserving limited supplies of potable water.

- Policy 1: Water reuse practices in the aquifer recharge areas will assist in the replenishment of the aquifer and halt the westward flow of the saltwater intrusion line.
- Policy 2: Continue to provide reuse water at a rate lower than potable water rate.
- Policy 3: Continue to construct distribution lines for the Water Reuse plant, which will enable residents, businesses and city properties to utilize reuse water for outside irrigation functions at the minimum rate of \$300,000 per year-.
- Policy 4: Evaluate the need to update Water Reuse Master Plan every five years.
- Policy 5: Seek available grants (federal, state and local) for the expansion of the reuse water distribution system
- Policy 6: Encourage hook-ups to water reuse distribution system, especially large users, to decrease potable water usage for irrigation.
- Policy 7: Install reuse distribution lines at a rate to meet Lower East Coast Water Supply Plan requirements for 2030~~25~~.
- Policy 8: Upgrade Water Reuse Facility to include advanced treatment in order to meet future water quality regulatory requirements for projects such as wellfield recharge, ~~as specified in the Lower East Coast Plan.~~

### **Objective 6: Other Alternative Water Supply Sources**

The City shall pursue alternative sources of raw water supply/treatment such as utilization of the Floridian Aquifer through reverse osmosis and to supplement the existing water reuse system.

- Policy 1: The City shall pursue alternative water supply sources as recommended in the Water Master Plan based on need.
- Policy 2: Develop Alternative Water Supplies, such as Reuse or Floridian aquifer wells, to satisfy projected water demands, which cannot be met through increased allocations in the Consumptive Use Permit.

Policy 3: Develop partnerships with other utilities, in order to minimize cost increases, investigating other alternative water supplies such as the use of the reuse water, stormwater reservoirs and stormwater recharge.

Policy 4: Continue exploring the water storage capabilities of the C-51 storage facility

### **Objective 7: Conservation**

Conserve potable water resources through a proactive water conservation program

Policy 1: Maintain existing water surcharge fee which is levied during times of water shortages.

Policy 2: Current and future raw water withdrawals shall comply with the requirements of the SFWMD consumptive use permit

Policy 3: For all new building permits, water conserving fixtures shall be required.

Policy 4: Encourage the planting of "Florida Friendly" plants and support "Florida-Friendly Best Management Practices for Protection of Water Resources by Green Industries, 2008". ~~xeriscape practices in new landscape installations~~

Policy 5: Continue the public education program to encourage water conservation

Policy 6: Maintain leak prevention and detection program such that unaccounted water loss is maintained at less than 10%.

Policy 7: Continue to implement a formal water conservation program as required by the Consumptive Use Permit.

Policy 8: Revise Code of Ordinances to include updated conservation program

Policy 9: Participate in Broward County's water conservation programs, such as "Mobile irrigation", "Water Matters" and "Know the Flow".

Policy 10: Adopt and enforce a year-round irrigation program as referenced in the City of Pompano Beach 10 year Water Supply Plan

### **Objective 8: Aquifer Resource and Protection**

The city shall operate the potable water system and water reuse system in a manner that treats the Biscayne Aquifer as a renewable resource and protects it from depletion.

- Policy 1: The City shall adhere to the restrictions of the Wellfield Protection Ordinance.
- Policy 2: The City shall adhere to the restrictions of the Consumptive Use Permit.
- Policy 3: Protect the integrity of the two wellfields by designating wellfield sites with a suitable land use designation which restricts inappropriate development.
- Policy 4: Protect the integrity of the two wellfields by City ownership of the wellfield sites or restrictive easements on the wellfield sites and water lines from the wells.
- Policy 5: Continue to monitor saltwater intrusion near eastern wells so that wells remain usable and that timely action to save the wells can be taken
- Policy 6: Prevent saltwater intrusion into eastern wellfield site by adding reuse water to prevent western movement of the saltwater intrusion line wellfield.
- Policy 7: Follow recommended practices and make improvements to the wells in the eastern and western wellfields as recommended in the Water Master Plan as necessary to maintain capacity and water quality.
- Policy 8: Review all land use plan map amendments, rezonings and site plan applications to insure that there is sufficient potable water resources available and that they pose no ~~noxious~~harmful impacts to the Biscayne Aquifer.

### **Objective 9: Maintenance Procedures**

Follow recommended maintenance industry standards and construct required improvements to assure proper operating capabilities as recommended in the Water Master Plan

- Policy 1: Maintain Water Treatment Plant Facility and Equipment such that Facility meets all regulatory requirements and that said equipment and facility are maintained and improved as needed.
- Policy 2: A proper preventative maintenance program effectively requires 80-90% of maintenance time, while emergency maintenance occupies only 10-20% of all maintenance hours (AWWA Manual 5).
- Policy 3: Plant chemicals are handled such that all safety requirements are met in order to prevent accidents resulting in injury, loss of life, disruption of service or costs due to environmental remediation or liability.

## **Intergovernmental Coordination**

### **New Policy:**

To ensure coordination of the Comprehensive Plan with the Lower East Coast Water Supply Plan Update, approved by the South Florida Water Management District on ~~February 15, 2007~~, September 12, 2013 and prepare updates to Water Supply Plan within 18 months of any future updates to the LEC as approved by the South Florida Water Management District.

## **Land Use**

### **New Policy:**

Require that all future land use map amendments ensure the availability of potable water supplies and water supply facilities, and reuse where available.

## **Conservation**

### **New Policy:**

Protect and conserve the water resources of the Biscayne Aquifer by reducing per capita demand for potable water and developing alternative water supplies, primarily reuse water.

## **Goal 2: Incorporate the best available data and science, into its policy and planning decisions for infrastructure, (recognizing the uncertainty associated with long range climate change predictions).**

### **Objective 1: Southeast Florida Regional Climate Change Compact Ratification**

Policy 1: The City shall adopt the southeast Florida Regional Climate Change Compact Agreed Modified Guidance developed by the U.S. Army Corps as a starting point for climate change action.

### **Objective 2: Ensure Resiliency**

The City shall ensure resiliency of existing and future water resources, water and wastewater infrastructure to the predicted impacts of climate impacts for the protection of water quality, flood damage and water shortages.

Policy 1: Identify public water infrastructure at risk from sea level rise and other climate change related impacts and provide periodic updated assessments no later than every five years.

Policy 2: Provide for increase assessments needed for projected water and wastewater management as changing land use patterns occur under the potential impacts of climate change.

Policy 3: Protect existing well fields, surface storage facilities, control structures, water and wastewater treatment plants and transmission infrastructure from increased coastal flooding, sea level rise, saltwater intrusion, and other potential future climate change impacts, and plan for infrastructure replacement and relocation as needed.

Policy 4: Continue to enforce mandatory reuse zones for commercial and multifamily property irrigation when reuse water is available.

Policy 5: Continue to support a comprehensive saltwater intrusion monitoring program, together with the South Florida Water Management District and the United States Geological Survey that provides measurable movement of the saltwater intrusion line.

Policy 6: Improve resilience to coastal and inland flooding, salt water intrusion, and other related impacts of climate change and sea level rise through the Comprehensive Plan Amendments and related Elements, the Ten Year Water Supply Facility Work Plan, and the Water and Reuse Master Plans.

### **Objective 3: Intergovernmental Coordination**

The City shall create and maintain effective intergovernmental coordination and ongoing communication that supports sustainable water supplies and resource protection while maintaining climate change preparedness.

Policy 1: Collaborate with local, regional, state and federal partner agencies on developing the scientific, technical knowledge and integrated modeling efforts and continuous data collection needed to understand the potential impacts of climate change on the region's water resources.

## LAND USE ELEMENT

### GOALS, OBJECTIVES AND POLICIES

#### Goal

01.00.00 The attainment of a living environment which provides the maximum physical, economic and social wellbeing for the City and its residents through the thoughtful and planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.

#### Objective Levels of Service

01.01.00 Annually review and periodically update Level of Service requirements availability of facilities and services.

#### Policies

01.01.01 Adopt and maintain community services based on the Level of Service Standards contained in the various Elements of the City's Comprehensive Plan.

01.01.02 Review all proposals for development or redevelopment and base the approval of same on the continued maintenance of all adopted Level of Service Standards.

01.01.03 Phase development concurrent with the availability or phasing of infrastructure, potable water, traffic and drainage capacity.

01.01.04 Maintain public and private recreation and open space facilities at a level of five (5) acres for each 1,000 residents.

01.01.05 Review proposals for new development to identify the cumulative impacts of the proposed development on public services and facilities.

- 01.01.06 All site plan applications shall provide pedestrian facilities, such as but not limited to sidewalks and street trees (where not in conflict with underground utilities and permitted by City Engineer)
- 01.01.07 All site plan applications shall identify existing facilities and provide, where deficient, transit improvements, such as but not limited to bus shelters, benches, hardened surface for loading and unloading, garbage cans, bicycle racks and appropriate pedestrian connections along bus route, subject to coordination with Broward County Mass Transit.
- 01.01.08 Those facilities which are subject to concurrency requirements include: traffic circulation/transit, parks and recreation, drainage and flood protection, potable water, solid waste, sanitary sewer facilities and public schools.
- 01.01.09 To ensure the adequate provision of public services and facilities, the City shall take into consideration the tourist population and the seasonal demands placed upon the City's infrastructure.
- 01.01.10 The City shall utilize the highway capacity methodology endorsed by the Broward County Metropolitan Planning Organization and approved by the Broward County Board of County Commissioners to determine the capacities and levels of service on the regional roadway network.
- 01.01.11 Require that all future land use map amendments ensure the availability of potable water supplies and water supply facilities, and reuse where available.

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#### **Objective Natural Resources & Historic Preservation**

01.06.00 Protect natural resources and historic properties in all land use considerations.

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~~01.06.05 Create a new Conservation Land Use Plan map designation by 2010.~~

01.06.056 Require permits for new development/redevelopment to protect native vegetation and require the removal of exotic vegetation species.

01.06.067 Enforce the procedures for compliance with the County Wellfield Protection Ordinance in areas of the City that fall within Zone 3 as depicted on the natural resource map series, at all levels of development, including Land Use Plan Amendments and Site Plans.

01.06.078 Review all proposals for development with consideration to the Natural Resource Map Series and discourage activities which would have a detrimental impact on significant natural resource areas which may or may not be designated by Broward County as Local Areas of Particular Concern.

01.06.089 Require all development on the barrier island lying partially on or seaward of the Coastal Construction Control line to comply with the provisions as set forth in Chapter 161 Florida Statutes.

01.06.099 Protect the integrity of the two wellfields by designating wellfield sites with a suitable land use designation which restricts inappropriate development.

01.06.1011 Protect the integrity of the two wellfields by City ownership of the wellfield sites or restrictive easements on the wellfield sites and water lines from the wells.

01.06.1112 Review all land use plan map amendments, rezonings and site plan applications to insure that there is sufficient potable water resources available and that they pose no noxious impacts to the Biscayne Aquifer.

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## CONSERVATION ELEMENT

### GOALS, OBJECTIVES AND POLICIES

#### Goal

- 09.00.00 To protect, enhance and effectively manage the natural resources of the City in order to achieve a high environmental quality including factors that affect energy conservation.

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#### Objective

- 09.03.00 The quality and quantity of the City's groundwater resources shall be maintained and, where possible, enhanced.

#### Policies

- 09.03.01 The City shall make certain that all development within a production "wellfield cone of influence" complies with the County Wellfield Ordinance.
- 09.03.02 The western wellfield production quantity and quality shall be monitored particularly because of the increasing reliance on that wellfield.
- 09.03.03 City policies shall promote water conservation and, wherever possible, the re-use of water where the quality requirements permit.
- 09.03.04 The City shall keep current the emergency water conservation plan.
- 09.03.05 The City shall make certain that all unused wells are capped (per County and SFWMD regulations) to avoid pollution.
- 09.03.06 The City shall explore the possibility of ~~providing~~servicing alternative sources of water.
- 09.03.07 The City shall, within its jurisdiction, enforce the graduated detailed and specific water reductions set forth by the South Florida Water Management District during times of water shortage.
- ~~09.03.08 The City will adopt and enforce stormwater discharge water quality standards as established by Broward County, specifically Article V, Chapter 27 of the Broward County Code of Ordinances, and as specified in the National Pollution Discharge Elimination System (NPDES) permit.~~

~~09.03.09 The City shall implement the permit regulations contained within the National Pollution Discharge Elimination System (NPDES) permit when issued by the EPA and provide adequate funding.~~

09.03.810 The City shall continue its water reuse program to combat saltwater intrusion.

09.03.911 Protect and conserve the water resources of the Biscayne Aquifer by reducing per capita demand for potable water and developing alternative water supplies, primarily reuse water.

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**PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY  
MEMORANDUM #14-068**

**DATE:** October 28, 2014  
**TO:** City Commission  
**FROM:** Planning and Zoning Board/ Local Planning Agency  
**SUBJECT:** Text Amendment  
Proposed Text Amendments to the Potable Water Sub-Element, Future Land Use  
Element and the Conservation Element

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At the meeting of the Planning and Zoning Board/ Local Planning Agency held on October 22, 2014, the Board considered several revisions to the Potable Water Sub-Element, Future Land Use Element and the Conservation Element of the Comprehensive Plan as set forth in the Department of Development Services Administrative Report 14-462.

The proposed text amendments to the Comprehensive Plan are to address the state requirements for local governments to adopt updated Water Supply Facility Work Plans into their comprehensive plans within 18 months after the regional water supply plan is updated (Chapter 163, Part II, Florida Statutes).

It is the unanimous recommendation of the Board that the text amendment be approved.

  
\_\_\_\_\_  
Jim Beeson  
Chairman  
Planning and Zoning Board/ Local Planning Agency



MEMORANDUM
Development Services

ADMINISTRATIVE MEMORANDUM NO. 14-462

DATE: October 13, 2014
TO: Planning and Zoning Board
VIA: Robin M. Bird, Director of Development Services
FROM: Maggie Barszewski, AICP, Planner
RE: Proposed Text Amendments to the Potable Water Sub-Element, Future Land Use Element and the Conservation Element

October 22, 2014 Meeting

Staff is proposing text amendments to the Comprehensive Plan to address the state requirements for local governments to adopt updated Water Supply Facility Work Plans into their comprehensive plans within 18 months after the regional water supply plan is updated (Chapter 163, Part II, Florida Statutes). The revisions affect the Potable Water Sub-Element, Future Land use Element and the Conservation Element as follows:

- The Potable Water Sub-Element has updates in the Consumptive Use Permit review period, Water Facility Demand, water Supply Plan date, climate change language, and miscellaneous verbiage corrections;
• The Future Land Use Plan Amendment has an additional Policy added for consistency; and
• The Conservation Element has deletions of two Drainage Element Policies, and miscellaneous verbiage corrections.

Staff is requesting the Board approve these recommended changes to the City Commission for adoption.

G:\Zoning 2009\Comprehensive Plan Text Amendments\Comp Plan Update for Water Supply Elements 2014\Memo\_P&Z.doc

**Proposed Amendments  
to the Pompano Beach Comprehensive Plan  
for all Potable Water-related Elements Affected by the  
10-Year Water Supply Plan Update**

These amendments address the state requirements for local governments to adopt updated Water Supply Facility Work Plans into their comprehensive plans within 18 months after the regional water supply plan is updated (Chapter 163, Part II, Florida Statutes). The 2013 Lower East Coast (LEC) Water Supply Plan (LECWSP) was adopted by the South Florida Water Management District's (SFWMD) Governing Board on September 12, 2013. Subsequently, LEC region local governments are required to adopt Water Supply Facility Work Plan updates and related goals, objectives and policies in their comprehensive plans by March 12, 2015.

**Proposed Amendments**  
**To the Pompano Beach Comprehensive Plan**  
**Potable Water Sub-Element**  
**Future Land Use Element & the**  
**Conservation Element**

Proposed text amendments to the Pompano Beach Comprehensive Plan's Potable Water Sub-Element, Future Land Use Element and the Conservation Element to comply with Section 163.3177, Florida Statutes, and to reflect the updates identified in the 2014 Water Supply Facilities Plan.

**Note: underlined words are proposed additions, strikethroughs are proposed deletions.**

**POTABLE WATER SUB-ELEMENT**  
**GOALS, OBJECTIVES AND POLICIES**

**Goal 1:** Provide safe, reliable, cost effective potable water to all residents and business within the City's water utility service areas and make capital improvements necessary to maintain or improve potable water services.

**Objective 1: Health & Safety**

The City shall ensure the provision of a safe and sanitary supply of potable water to customers in its service area through good operating practices.

- Policy 1: Deliver safe and reliable potable water to residents and businesses in the City of Pompano Beach service area.
- Policy 2: Maintain a conservation rate structure for potable water which provides a minimum level of usage at a cost effective rate
- Policy 3: Maintain agreements for the delivery of safe and reliable potable water to City of Pompano Beach residents and businesses which are served by outside providers
- Policy 4: Provide sufficient water to meet system designed fire flows while maintaining required system pressure.
- Policy 5: Comply with all potable water standards and reporting requirements which pertain to health and safety
- Policy 6: Potable water service providers should notify customers of supply interruptions, ~~when possible~~ as soon as possible and as clearly as possible.
- Policy 7: Minimize the interruption of potable water service to customers and wastedlost water by responding quickly to breaks in water mains.
- Policy 8: Follow industry standards in disinfecting water mains in order to maintain optimum chlorine residual levels.
- Policy 9: The City of Pompano Beach shall review all proposed land use plan map amendments within City limits for adequacy of water supplies and identify any adverse impacts on the water supply system.

## Objective 2: Level of Services

The City of Pompano Beach shall maintain the level of service standards at 191 or lower gallons per capita per day.

Policy 1: Capital improvement projects undertaken to maintain the established levels of service will be implemented in accordance with the schedule provided in the Capital Improvement Element of the Comprehensive Plan.

Policy 2: The projected levels of service shall be the minimum levels of service maintained during the ~~ten (10) five (5)~~ year review period of the Consumptive Use Permit and ten (10) year Water Supply Plan planning periods.

Policy 3: The City shall annually evaluate the level of services standards in order to ascertain continued applicability.

Policy 4: The design capacities and current (2007) demands for the Pompano Beach Water Facility and the Broward County Water Facilities 1A and 2A are as follows

Pompano Beach Water	
Lime Softening Plant	40.00 million gallons per day in Design Capacity
Membrane Plant	10.00 million gallons per day in Design Capacity
Total	50.00 million gallons per day in Design Capacity <u>12.42</u> <del>13.33</del> million gallons per day in Current Demand
Broward County	
2A Plant	30.00 million gallons per day in Design Capacity <u>12.32</u> <del>13.33</del> million gallons per day in Current Demand
Broward County	
1A Plant	10.67 million gallons per day in Design Capacity <u>7.14</u> <del>8.00</del> million gallons per day in Current Demand

Note: All demand figures are for 201307

Policy 5: Evaluate the need to update the Water Master Plan every five years.

Policy 6: Review the decennial U.S. Census data and adjust accordingly population projections.

Policy 7: The City of Pompano Beach will consult with the water supplier, prior to issuing the building permit or its functional equivalent, to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance of a certificate of occupancy or its functional equivalent by the City.

### **Objective 3: Coordination with other entities**

The City shall through the use of Interlocal Agreements provide potable water service to customers outside the City limits, cooperate with Broward County Utilities which serves customers inside the City limits and maintain interconnections to the potable water systems.

- Policy 1: Continue to provide safe and reliable potable water services to the City of Lighthouse Point service area according to Interlocal Agreement
- Policy 2: Negotiate an Interlocal Agreement or memorandum of understanding with the Town of Lauderdale by the Sea for the continued provision of safe and reliable potable water services.
- Policy 3: Maintain agreements for the delivery of safe and reliable potable water to City of Pompano Beach residents which are served by outside providers.
- Policy 4: Monitor development near the Town of Hillsboro Beach wellfield, which is located within the City of Pompano Beach city limits, to assist them in protecting their water supply.
- Policy 5: Maintain agreements or memoranda of understanding which provide for various interconnections with other potable water entities which operate their own potable water systems
- Policy 6: Share information concerning ongoing water supply needs, especially through the 10 year Water Supply Plan process, with City of Lighthouse Point, Town of Lauderdale by the Sea, and Broward County.
- Policy 7: Coordinate with City of Lighthouse Point, Town of Lauderdale by the Sea, and Broward County in the implementation of alternative water supply projects (primarily water reuse), establishment of level of service standards and resource allocations.

#### **Objective 4: Capital Improvements**

The City shall review and revise priorities for the replacement of facilities, correction of existing water supply and facility deficiencies and provisions for future water supply and facility needs, as developed in the Water Master Plan for inclusion in the City's 5 year Capital Improvement Plan and the Capital Improvement Element, taking into account recent technology advances and regulatory requirements.

- Policy 1: The construction of capital improvements will be prioritized based upon periodic review of the master plans, accounting for changes recent technology advances and regulatory requirements,
- Policy 2: Where Potable water service is required concurrent with private development, it shall be the responsibility of the developer to provide these systems (except in unique State or Federal grant situation).
- Policy 3: Whenever possible, the City shall attempt to supplement potable water improvements with funding from additional revenue sources including the issuance of City revenue bonds.
- Policy 4: Prepare Master Plans for system improvements and submit recommended improvements for the first five years in the City of Pompano Beach Capital Improvement Plan. Water system improvements shall include improvements to Water Treatment Plant, Water Reuse Plant, reuse distribution system, potable water distribution system or wellfields
- Policy 5: Utility Department will evaluate the need to update Master Plan every 5 years.
- Policy 6: Upgrade water mains and lines as suggested in the Water Master Plan at strategic locations to meet current and future demand as well as maximize water quality and maintain fire flows.
- Policy 7: To minimize the interruption of potable water service to customers due to breaks in water mains, the City's Capital Improvement Plan will follow recommendations in the Water Master Plan which addresses water line replacement at an economically feasible rate.
- Policy 8: To minimize rate increases for customers, the City's Capital Improvement Plan will follow the recommendations of the Water Master Plan, Water Supply Plan and staff considerations which address the replacement of capital equipment near the end of the equipment life expectancy.
- Policy 9: Rates for potable water usage shall include adequate funding for capital improvements.

### **Objective 5: Water Reuse**

The existing water reuse facility will reduce consumption of potable water supplies for non potable water purposes, thereby conserving limited supplies of potable water.

- Policy 1: Water reuse practices in the aquifer recharge areas will assist in the replenishment of the aquifer and halt the westward flow of the saltwater intrusion line.
- Policy 2: Continue to provide reuse water at a rate lower than potable water rate.
- Policy 3: Continue to construct distribution lines for the Water Reuse plant, which will enable residents, businesses and city properties to utilize reuse water for outside irrigation functions at the minimum rate of \$300,000 per year.
- Policy 4: Evaluate the need to update Water Reuse Master Plan every five years.
- Policy 5: Seek available grants (federal, state and local) for the expansion of the reuse water distribution system
- Policy 6: Encourage hook-ups to water reuse distribution system, especially large users, to decrease potable water usage for irrigation.
- Policy 7: Install reuse distribution lines at a rate to meet Lower East Coast Water Supply Plan requirements for ~~2030~~2025.
- Policy 8: Upgrade Water Reuse Facility to include advanced treatment in order to meet future water quality regulatory requirements for projects such as wellfield recharge, ~~as specified in the Lower East Coast Plan.~~

### **Objective 6: Other Alternative Water Supply Sources**

The City shall pursue alternative sources of raw water supply/treatment such as utilization of the Floridan Aquifer through reverse osmosis and to supplement the existing water reuse system.

- Policy 1: The City shall pursue alternative water supply sources as recommended in the Water Master Plan based on need.
- Policy 2: Develop Alternative Water Supplies, such as Reuse or Floridan aquifer wells, to satisfy projected water demands, which cannot be met through increased allocations in the Consumptive Use Permit.

Policy 3: Develop partnerships with other utilities, in order to minimize cost increases, investigating other alternative water supplies such as the use of the reuse water, stormwater reservoirs and stormwater recharge.

Policy 4: Continue exploring the water storage capabilities of the C-51 storage facility

### **Objective 7: Conservation**

Conserve potable water resources through a proactive water conservation program

Policy 1: Maintain existing water surcharge fee which is levied during times of water shortages.

Policy 2: Current and future raw water withdrawals shall comply with the requirements of the SFWMD consumptive use permit

Policy 3: For all new building permits, water conserving fixtures shall be required.

Policy 4: Encourage the planting of "Florida Friendly" plants and support "Florida-Friendly Best Management Practices for Protection of Water Resources by Green Industries, 2008". ~~xeriscape practices in new landscape installations~~

Policy 5: Continue the public education program to encourage water conservation

Policy 6: Maintain leak prevention and detection program such that unaccounted water loss is maintained at less than 10%.

Policy 7: Continue to implement a formal water conservation program as required by the Consumptive Use Permit.

Policy 8: Revise Code of Ordinances to include updated conservation program

Policy 9: Participate in Broward County's water conservation programs, such as "Mobile irrigation", "Water Matters" and "Know the Flow".

Policy 10: Adopt and enforce a year-round irrigation program as referenced in the City of Pompano Beach 10 year Water Supply Plan

### **Objective 8: Aquifer Resource and Protection**

The city shall operate the potable water system and water reuse system in a manner that treats the Biscayne Aquifer as a renewable resource and protects it from depletion.

- Policy 1: The City shall adhere to the restrictions of the Wellfield Protection Ordinance.
- Policy 2: The City shall adhere to the restrictions of the Consumptive Use Permit.
- Policy 3: Protect the integrity of the two wellfields by designating wellfield sites with a suitable land use designation which restricts inappropriate development.
- Policy 4: Protect the integrity of the two wellfields by City ownership of the wellfield sites or restrictive easements on the wellfield sites and water lines from the wells.
- Policy 5: Continue to monitor saltwater intrusion near eastern wells so that wells remain usable and that timely action to save the wells can be taken
- Policy 6: Prevent saltwater intrusion into eastern wellfield site by adding reuse water to prevent western movement of the saltwater intrusion line wellfield.
- Policy 7: Follow recommended practices and make improvements to the wells in the eastern and western wellfields as recommended in the Water Master Plan as necessary to maintain capacity and water quality.
- Policy 8: Review all land use plan map amendments, rezonings and site plan applications to insure that there is sufficient potable water resources available and that they pose no ~~noxious~~harmful impacts to the Biscayne Aquifer.

### **Objective 9: Maintenance Procedures**

Follow recommended maintenance industry standards and construct required improvements to assure proper operating capabilities as recommended in the Water Master Plan

- Policy 1: Maintain Water Treatment Plant Facility and Equipment such that Facility meets all regulatory requirements and that said equipment and facility are maintained and improved as needed.
- Policy 2: A proper preventative maintenance program effectively requires 80-90% of maintenance time, while emergency maintenance occupies only 10-20% of all maintenance hours (AWWA Manual 5).
- Policy 3: Plant chemicals are handled such that all safety requirements are met in order to prevent accidents resulting in injury, loss of life. disruption of service or costs due to environmental remediation or liability.

## **Intergovernmental Coordination**

### **New Policy:**

To ensure coordination of the Comprehensive Plan with the Lower East Coast Water Supply Plan Update, approved by the South Florida Water Management District on ~~February 15, 2007~~, September 12, 2013 and prepare updates to Water Supply Plan within 18 months of any future updates to the LEC as approved by the South Florida Water Management District.

## **Land Use**

### **New Policy:**

Require that all future land use map amendments ensure the availability of potable water supplies and water supply facilities, and reuse where available.

## **Conservation**

### **New Policy:**

Protect and conserve the water resources of the Biscayne Aquifer by reducing per capita demand for potable water and developing alternative water supplies, primarily reuse water.

## **Goal 2: Incorporate the best available data and science, into its policy and planning decisions for infrastructure, (recognizing the uncertainty associated with long range climate change predictions).**

### **Objective 1: Southeast Florida Regional Climate Change Compact Ratification**

Policy 1: The City shall adopt the southeast Florida Regional Climate Change Compact Agreed Modified Guidance developed by the U.S. Army Corps as a starting point for climate change action.

### **Objective 2: Ensure Resiliency**

The City shall ensure resiliency of existing and future water resources, water and wastewater infrastructure to the predicted impacts of climate impacts for the protection of water quality, flood damage and water shortages.

Policy 1: Identify public water infrastructure at risk from sea level rise and other climate change related impacts and provide periodic updated assessments no later than every five years.

Policy 2: Provide for increase assessments needed for projected water and wastewater management as changing land use patterns occur under the potential impacts of climate change.

Policy 3: Protect existing well fields, surface storage facilities, control structures, water and wastewater treatment plants and transmission infrastructure from increased coastal flooding, sea level rise, saltwater intrusion, and other potential future climate change impacts, and plan for infrastructure replacement and relocation as needed.

Policy 4: Continue to enforce mandatory reuse zones for commercial and multifamily property irrigation when reuse water is available.

Policy 5: Continue to support a comprehensive saltwater intrusion monitoring program, together with the South Florida Water Management District and the United States Geological Survey that provides measurable movement of the saltwater intrusion line.

Policy 6: Improve resilience to coastal and inland flooding, salt water intrusion, and other related impacts of climate change and sea level rise through the Comprehensive Plan Amendments and related Elements, the Ten Year Water Supply Facility Work Plan, and the Water and Reuse Master Plans.

### **Objective 3: Intergovernmental Coordination**

The City shall create and maintain effective intergovernmental coordination and ongoing communication that supports sustainable water supplies and resource protection while maintaining climate change preparedness.

Policy 1: Collaborate with local, regional, state and federal partner agencies on developing the scientific, technical knowledge and integrated modeling efforts and continuous data collection needed to understand the potential impacts of climate change on the region's water resources.

## LAND USE ELEMENT

### GOALS, OBJECTIVES AND POLICIES

#### Goal

- 01.00.00 The attainment of a living environment which provides the maximum physical, economic and social wellbeing for the City and its residents through the thoughtful and planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.

#### Objective Levels of Service

- 01.01.00 Annually review and periodically update Level of Service requirements availability of facilities and services.

#### Policies

- 01.01.01 Adopt and maintain community services based on the Level of Service Standards contained in the various Elements of the City's Comprehensive Plan.
- 01.01.02 Review all proposals for development or redevelopment and base the approval of same on the continued maintenance of all adopted Level of Service Standards.
- 01.01.03 Phase development concurrent with the availability or phasing of infrastructure, potable water, traffic and drainage capacity.
- 01.01.04 Maintain public and private recreation and open space facilities at a level of five (5) acres for each 1,000 residents.
- 01.01.05 Review proposals for new development to identify the cumulative impacts of the proposed development on public services and facilities.

- 01.01.06 All site plan applications shall provide pedestrian facilities, such as but not limited to sidewalks and street trees (where not in conflict with underground utilities and permitted by City Engineer)
- 01.01.07 All site plan applications shall identify existing facilities and provide, where deficient, transit improvements, such as but not limited to bus shelters, benches, hardened surface for loading and unloading, garbage cans, bicycle racks and appropriate pedestrian connections along bus route, subject to coordination with Broward County Mass Transit.
- 01.01.08 Those facilities which are subject to concurrency requirements include: traffic circulation/transit, parks and recreation, drainage and flood protection, potable water, solid waste, sanitary sewer facilities and public schools.
- 01.01.09 To ensure the adequate provision of public services and facilities, the City shall take into consideration the tourist population and the seasonal demands placed upon the City's infrastructure.
- 01.01.10 The City shall utilize the highway capacity methodology endorsed by the Broward County Metropolitan Planning Organization and approved by the Broward County Board of County Commissioners to determine the capacities and levels of service on the regional roadway network.
- 01.01.11 Require that all future land use map amendments ensure the availability of potable water supplies and water supply facilities, and reuse where available.

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### **Objective Natural Resources & Historic Preservation**

01.06.00 Protect natural resources and historic properties in all land use considerations.

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~~01.06.05 Create a new Conservation Land Use Plan map designation by 2010.~~

01.06.056 Require permits for new development/redevelopment to protect native vegetation and require the removal of exotic vegetation species.

01.06.067 Enforce the procedures for compliance with the County Wellfield Protection Ordinance in areas of the City that fall within Zone 3 as depicted on the natural resource map series, at all levels of development, including Land Use Plan Amendments and Site Plans.

01.06.078 Review all proposals for development with consideration to the Natural Resource Map Series and discourage activities which would have a detrimental impact on significant natural resource areas which may or may not be designated by Broward County as Local Areas of Particular Concern.

01.06.089 Require all development on the barrier island lying partially on or seaward of the Coastal Construction Control line to comply with the provisions as set forth in Chapter 161 Florida Statutes.

01.06.090 Protect the integrity of the two wellfields by designating wellfield sites with a suitable land use designation which restricts inappropriate development.

01.06.1011 Protect the integrity of the two wellfields by City ownership of the wellfield sites or restrictive easements on the wellfield sites and water lines from the wells.

01.06.1112 Review all land use plan map amendments, rezonings and site plan applications to insure that there is sufficient potable water resources available and that they pose no noxious impacts to the Biscayne Aquifer.

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**CONSERVATION ELEMENT**

**GOALS, OBJECTIVES AND POLICIES**

**Goal**

09.00.00 To protect, enhance and effectively manage the natural resources of the City in order to achieve a high environmental quality including factors that affect energy conservation.

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**Objective**

09.03.00 The quality and quantity of the City's groundwater resources shall be maintained and, where possible, enhanced.

**Policies**

09.03.01 The City shall make certain that all development within a production "wellfield cone of influence" complies with the County Wellfield Ordinance.

09.03.02 The western wellfield production quantity and quality shall be monitored particularly because of the increasing reliance on that wellfield.

09.03.03 City policies shall promote water conservation and, wherever possible, the re-use of water where the quality requirements permit.

09.03.04 The City shall keep current the emergency water conservation plan.

09.03.05 The City shall make certain that all unused wells are capped (per County and SFWMD regulations) to avoid pollution.

09.03.06 The City shall explore the possibility of ~~providing~~<sup>servicing</sup> alternative sources of water.

09.03.07 The City shall, within its jurisdiction, enforce the graduated detailed and specific water reductions set forth by the South Florida Water Management District during times of water shortage.

~~09.03.08 The City will adopt and enforce stormwater discharge water quality standards as established by Broward County, specifically Article V, Chapter 27 of the Broward County Code of Ordinances, and as specified in the National Pollution Discharge Elimination System (NPDES) permit.~~

~~09.03.09 The City shall implement the permit regulations contained within the National Pollution Discharge Elimination System (NPDES) permit when issued by the EPA and provide adequate funding.~~

09.03.810 The City shall continue its water reuse program to combat saltwater intrusion.

09.03.911 Protect and conserve the water resources of the Biscayne Aquifer by reducing per capita demand for potable water and developing alternative water supplies, primarily reuse water.

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