

**LEGISLATIVE #**

**170749A**

1 **ORDINANCE NO. 170749**

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3 **An ordinance of the City of Gainesville, Florida, amending the**  
4 **Comprehensive Plan of the City of Gainesville to provide for water supply**  
5 **planning by adding Policy 2.3.12 to the Conservation, Open Space and**  
6 **Groundwater Recharge Element; amending Objective 1.1 and its policies of**  
7 **the Potable Water and Wastewater Element; amending Objective 1.5 and**  
8 **its policies of the Potable Water and Wastewater Element; amending Policy**  
9 **1.6.2 of the Intergovernmental Coordination Element; providing directions**  
10 **to the City Manager; providing a severability clause; providing a repealing**  
11 **clause; and providing an effective date.**

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13 **WHEREAS**, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a  
14 Comprehensive Plan to guide the future development and growth of the city; and

15 **WHEREAS**, the City of Gainesville Comprehensive Plan, as required by Section 163.3177(1),  
16 Florida Statutes, must provide the principles, guidelines, standards, and strategies for the  
17 orderly and balanced future economic, social, physical, environmental, and fiscal  
18 development of the city as reflected by the community's commitments to implement such  
19 plan; and

20 **WHEREAS**, on January 17, 2017, both the St. Johns River Water Management District and  
21 the Suwanee River Water Management District adopted the North Florida Regional Water  
22 Supply Plan for an area that includes Alachua County and the City of Gainesville; and

23 **WHEREAS**, the North Florida Regional Water Supply Plan establishes a regional framework  
24 for the planning period based on projected population growth and associated demand for  
25 potable water, and identifies essential water resource, water conservation, and water  
26 supply development options that need to be implemented to address future water demand  
27 and water supply goals; and

28 **WHEREAS**, in response to the North Florida Regional Water Supply Plan, staff from the City  
29 of Gainesville and Alachua County have worked together to prepare the Joint Alachua  
30 County/City of Gainesville Water Supply Facilities Work Plan 2018-2028; and

31 **WHEREAS**, pursuant to Section 163.3177, Florida Statutes, this ordinance amends the City  
32 of Gainesville Comprehensive Plan to implement the goals of the North Florida Regional  
33 Water Supply Plan and to adopt the Joint Alachua County/City of Gainesville Water Supply  
34 Facilities Work Plan 2018-2028; and

35 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02  
36 of the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency  
37 pursuant to Section 163.3174, Florida Statutes, held a public hearing on February 22, 2018,  
38 and voted to recommend that the City Commission approve this amendment to the  
39 Comprehensive Plan; and

40 **WHEREAS**, an advertisement no less than two columns wide by ten inches long was placed in  
41 a newspaper of general circulation and provided the public with at least seven days' advance  
42 notice of this ordinance's first public hearing (i.e., transmittal hearing) to be held by the City  
43 Commission in the City Hall Auditorium, located on the first floor of City Hall in the City of  
44 Gainesville; and

45 **WHEREAS**, after the first public hearing, the City of Gainesville transmitted copies of this  
46 proposed amendment to the reviewing agencies and any other local government unit or state  
47 agency that requested same; and

48 **WHEREAS**, a second advertisement no less than two columns wide by ten inches long was  
49 placed in the aforesaid newspaper and provided the public with at least five days' advance  
50 notice of this ordinance's second public hearing (i.e., adoption hearing) to be held by the City  
51 Commission; and

52 **WHEREAS**, public hearings were held pursuant to the notice described above at which  
53 hearings the parties in interest and all others had an opportunity to be and were, in fact,  
54 heard; and

55 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered any  
56 written comments received concerning this amendment to the Comprehensive Plan.

57 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF**  
58 **GAINESVILLE, FLORIDA:**

59 **SECTION 1.** Policy 2.3.12 is added to Objective 2.3 of the Conservation, Open Space and  
60 Groundwater Recharge Element of the City of Gainesville Comprehensive Plan as follows.  
61 Except as amended herein, the remainder of Objective 2.3 and its policies remain in full  
62 force and effect.

63 Policy 2.3.12 The City shall implement water conservation, use, and protection programs  
64 consistent with the Water Management Districts' plans and the Joint  
65 Alachua County/City of Gainesville Water Supply Facilities Work Plan  
66 (WSFWP).  
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69 **SECTION 2.** Objective 1.1 and its policies of the Potable Water and Wastewater Element of  
70 the City of Gainesville Comprehensive Plan is amended as follows.

71 **Objective 1.1 Water and wastewater services shall be provided at adequate levels of**  
72 **service (LOS) to meet the needs of existing and future populations.**

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- Policy 1.1.1 The following LOS standards shall be adopted for potable water:
- a. Maximum Day (Peak) Design Flow: 200 gallons per capita per day;
  - b. Storage Capacity: 1/2 of peak day volume in gallons. This requirement may be met by a combination of storage and auxiliary power;
  - c. Pressure: The system shall be designed for a minimum pressure of 40 psig under forecasted peak hourly demands to assure 20 psig under extreme and unforeseen conditions;
  - d. The City shall reserve potable water capacity for the annual water demand projected by the City for the University of Florida and the power plants.

Policy 1.1.2 The following LOS standards shall be adopted for wastewater services:

- a. Average Day Standard: 106 gallons daily flow per capita.

Policy 1.1.3 The following LOS standard shall be adopted for water supply:

- a. Average Daily Flow: ~~147~~ 124.5 gallons per capita per day.

~~Policy 1.1.4 Within 18 months of the adoption of water supply plans by the St. Johns River Water and Suwannee River Water Management Districts, the City shall amend the Comprehensive Plan to:~~

- ~~a. identify alternative and traditional water supply projects, and conservation and reuse measures that will meet the water needs identified in the water supply plans;~~
- ~~b. incorporate a work plan for at least a 10-year planning period for the development of water supply projects that will meet the water needs identified in the water supply plans.~~

Policy 1.1.4 The Joint Alachua County/City of Gainesville Water Supply Facilities Work Plan: 2018-2028 is hereby adopted by reference.

Policy 1.1.5 Within 18 months of adoption of an updated North Florida Regional Water Supply Plan (NFRWSP), the City shall:

- a. Coordinate with Alachua County to update the Joint Alachua County/City of Gainesville Water Supply Facilities Work Plan (WSFWP) as needed; and
- b. Amend the City of Gainesville Comprehensive Plan as needed.

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Policy 1.1.56 The City shall maintain forecasts of plant flow requirements and provide for plant capacity and other facility expansions in GRU's annually-updated, five-year capital budget to meet the LOS standards.

Policy 1.1.67 The City shall perform ongoing evaluations and studies to determine the water and wastewater systems' needs to meet the requirements of existing and future customers, with the LOS standards to be employed as minimum criteria. The City shall provide financial resources in GRU's operating and annually-updated, five-year capital budgets to renew, replace, improve and maintain the systems in accordance with prudent utility practice as defined in the Utilities System Revenue Bond Resolution (adopted June 6, 1983).

Policy 1.1.78 The City shall only ~~not~~ commit to provide water or wastewater service if sufficient capacities or facilities to serve the proposed project can ~~cannot~~ be made available at the time that the system impacts of the project will occur. The City shall maintain, as part of its Concurrency Management System, records of the expected amount of system demand from projects to which commitments are made and expected project lead and completion times in order to monitor capacity and facility requirements.

Policy 1.1.89 Every five years, the City shall hire independent and qualified consulting firms to evaluate the condition of the water and wastewater systems and the adequacy of the financial and facilities planning performed to maintain the system.

**SECTION 3.** Objective 1.5 and its policies of the Potable Water and Wastewater Element of the City of Gainesville Comprehensive Plan is amended as follows.

**Objective 1.5 Recognizing the importance of potable water supplies, the City shall encourage water conservation through the Joint Alachua County/City of Gainesville Water Supply Facilities Work Plan (WSFWP) and the programs and methods listed below:**

Policy 1.5.1 The City shall ~~continue to~~ offer water conservation education and information to residential and non-residential customers through its Energy/Water Survey Program.

Policy 1.5.2 The City shall ~~continue to~~ minimize water losses from unaccounted sources through its ~~ongoing~~ water loss reduction program.

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149 Policy 1.5.3 The City shall use a ~~continue its~~ conservation rate structure as an economic  
150 means of promoting water conservation ~~throughout the year~~.  
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152 Policy 1.5.4 The City shall ~~continue to~~ include water conservation techniques, including  
153 "Florida-Friendly Landscaping" ~~"Florida-Friendly" landscaping~~, in the City's  
154 Land Development Code ~~landscape ordinance~~.  
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156 Policy 1.5.5 The City shall ~~continue to~~ offer free water conservation information as part  
157 of at least one utility billing statement per year.  
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159 Policy 1.5.6 The City shall require the use of reclaimed water in reclaimed water service  
160 areas.  
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162 Policy 1.5.7 The City shall ~~continue to~~ require low-volume plumbing devices, consistent  
163 with applicable building codes.  
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165 Policy 1.5.8 The City will work with Alachua County and the water management districts  
166 to develop a model ordinance or plan to better regulate private irrigation  
167 wells.  
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169 Policy 1.5.9 The City will conserve water on City properties by maximizing the use of  
170 "Florida-Friendly Landscaping" ~~"Florida-Friendly" landscaping to the extent~~  
171 ~~feasible~~ in new landscaping projects.  
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174 **SECTION 4.** Policy 1.6.2 of the Intergovernmental Coordination Element of the City of  
175 Gainesville Comprehensive Plan is amended as follows. Except as amended herein, the  
176 remainder of Objective 1.6 and its policies remain in full force and effect.

177 Policy 1.6.2 The City shall maintain water conservation and water supply programs that  
178 are consistent with the Water Management Districts' plans.  
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181 **SECTION 5.** It is the intent of the City Commission that the provisions of Sections 1  
182 through 4 of this ordinance shall become and be made a part of the City of Gainesville

183 Comprehensive Plan and that the sections and paragraphs of the Comprehensive Plan may  
184 be renumbered in order to accomplish such intent.

185 **SECTION 6.** The City Manager or designee is authorized and directed to make the necessary  
186 changes to the City of Gainesville Comprehensive Plan in order to fully implement this  
187 ordinance. The City Manager or designee is authorized to correct any typographical errors  
188 that do not affect the intent of this ordinance.

189 **SECTION 7.** Within ten working days of the transmittal (first) hearing, the City Manager or  
190 designee is authorized and directed to transmit this plan amendment and appropriate  
191 supporting data and analyses to the reviewing agencies and to any other local government  
192 or governmental agency that has filed a written request for same with the City. Within ten  
193 working days of the adoption (second) hearing, the City Manager or designee is authorized  
194 and directed to transmit this plan amendment and appropriate supporting data and  
195 analyses to the state land planning agency and any other agency or local government that  
196 provide timely comments to the City.

197 **SECTION 8.** If any word, phrase, clause, paragraph, section, or provision of this ordinance  
198 or the application hereof to any person or circumstance is held invalid or unconstitutional,  
199 such finding shall not affect the other provisions or applications of this ordinance that can  
200 be given effect without the invalid or unconstitutional provision or application, and to this  
201 end the provisions of this ordinance are declared severable.

202 **SECTION 9.** All ordinances or parts of ordinances in conflict herewith are to the extent of  
203 such conflict hereby repealed on the effective date of this plan amendment.



204 **SECTION 10.** This ordinance shall become effective immediately upon adoption; however,  
205 the effective date of this amendment to the City of Gainesville Comprehensive Plan, if the  
206 amendment is not timely challenged, shall be 31 days after the state land planning agency  
207 notifies the City that the plan amendment package is complete in accordance with Section  
208 163.3184, Florida Statutes. If timely challenged, this Comprehensive Plan amendment shall  
209 become effective on the date the state land planning agency or the Administration  
210 Commission enters a final order determining the amendment to be in compliance with  
211 Chapter 163, Florida Statutes. No development orders, development permits, or land uses  
212 dependent on this Comprehensive Plan amendment may be issued or commenced before  
213 this amendment has become effective.

214 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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\_\_\_\_\_  
LAUREN POE  
MAYOR

222 Attest:

Approved as to form and legality:

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\_\_\_\_\_  
OMICHELE D. GAINEY  
CLERK OF THE COMMISSION

\_\_\_\_\_  
NICOLLE M. SHALLEY  
CITY ATTORNEY

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231 This ordinance passed on (first) transmittal hearing this \_\_\_\_ day of \_\_\_\_\_, 2018.

232 This ordinance passed on (second) adoption hearing this \_\_\_\_ day of \_\_\_\_\_, 2018.