

## **ORDINANCE NO. 10-2022**

**AN ORDINANCE OF THE CITY OF SEMINOLE, FLORIDA, AMENDING THE CITY OF SEMINOLE COMPREHENSIVE PLAN, INFRASTRUCTURE ELEMENT, TO ADDRESS WATER SUPPLY PLANNING AS REQUIRED BY STATE LAW; 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 an amendment to the Comprehensive Plan Infrastructure Element to address the Regional Water Supply Plan update prepared by the Southwest Florida Water Management District; and,

**WHEREAS**, the City of Seminole Developmental Review Board, acting as the Local Planning Agency, after due public notice held a public hearing on December 20, 2021, to consider amending the comprehensive plan to address the required update to the Infrastructure Element concerning water supply planning; and,

**WHEREAS**, subsequent to the public hearing the Local Planning Agency recommended that the amendment to the comprehensive plan to update the Infrastructure Element be transmitted to the City Council for review and action; and,

**WHEREAS**, after due notice, pursuant to Subsection 163.3184 (11), published on March 30, 2022, the City of Seminole City Council on April 12, 2022, adopted on first reading the proposed amendment to update the Infrastructure Element concerning 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 published on November 23, 2022, the City of Seminole City Council acting as the Local Governing Body on December 06, 2022, adopted on second and final reading the amendment to update the Infrastructure Element; and,

**WHEREAS**, the City of Seminole affirmatively declares that said adopted comprehensive plan amendment is consistent with the Countywide Plan and the Countywide Rules, as amended.

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



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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 (LOS) 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 <u>2020</u>	Pinellas County & <u>St Petersburg</u> LOS and as amended <del>120</del> <u>115</u> gpcd <u>County and 125 gpcd</u> <u>St Petersburg</u> for 2009-2019 <u>2020-2030</u>
	<u>2020-2025</u> <u>2025-2030</u> To extend throughout the time frame of this comprehensive plan	Pinellas County & <u>St Petersburg</u> LOS and as amended 115 gpcd for <u>County and 125 gpcd</u> <u>St Petersburg</u> 2020-2025 <u>2025-2030</u>
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 & St Petersburg level-of-service as contained the Regional Water Supply Plan and the Pinellas County & St Petersburg 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



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standards and the City shall cooperate with Pinellas County & St Petersburg as the service providers 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.



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**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.

**GOAL 3:**

**THE CITY SHALL SUPPORT PINELLAS COUNTY EFFORTS TO PROVIDE FOR THE SAFE COLLECTION, TREATMENT, AND DISPOSAL OF WASTEWATER WHILE PROTECTING THE SURROUNDING NATURAL ENVIRONMENT.**

[Residents of Seminole contract directly with Pinellas County Utilities for sanitary sewer service.]

**Objective 3.1: Sanitary Sewer**

**The City shall work with Pinellas County to reduce the demand for potable water through the reuse of wastewater.**

**Policy 3.1.1:** Continue to coordinate with Pinellas County in its promotion of treated wastewater for irrigation and landscaping.

**Policy 3.1.2:** Examine the feasibility of reusing treated wastewater for irrigation and landscaping.

**Policy 3.1.3:** Continue to encourage the elimination of septic tanks within its municipal boundaries, and will not approve any new septic tanks.

**GOAL 4:**

**THE CITY SHALL SUPPORT PINELLAS COUNTY EFFORTS TO PROVIDE FOR THE SAFE COLLECTION, TREATMENT, AND DISPOSAL OF SOLID WASTE WHILE PROTECTING THE SURROUNDING NATURAL ENVIRONMENT.**

**Objective 4.1: Solid Waste**

**The City shall work with its franchise solid waste provider and Pinellas County to maintain or reduce its per capita generation of non-recyclable solid waste.**

**Policy 4.1.1:** Continue to implement a resource recovery program that encourages City residents and businesses to recycle glass, aluminum, newsprint, and other waste products as may be appropriate.

**GOAL 5:**



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**STORMWATER SHALL BE MANAGED TO PROVIDE FLOOD PROTECTION FOR RESIDENTS AND BUSINESSES AND TO PRESERVE, PROTECT, AND ENHANCE THE WATER QUALITY OF RECEIVING WATERBODIES.**

**Objective 5.1: Master Drainage Plan and Drainage Level of Service**

Stormwater deficiencies that are the responsibility of the City that have been identified through stormwater management planning shall be implemented through the Capital Improvements Element and/or the annual budgeting process.

**Policy 5.1.1:** The City drainage system shall maintain a level of service D, which is a 25-year frequency, 24-hour storm event.

**Policy 5.1.2:** Implement the drainage projects identified through stormwater management planning.

**Policy 5.1.3:** Continue to identify stormwater management system deficiencies and implement, through the annual budget and/or capital improvements program, projects for correcting such deficiencies.

**Policy 5.1.4:** Continue to contribute to the region-wide effort to ensure that Lake Seminole, Long Bayou, and Boca Ciega Bay maintain designations as Outstanding Florida Waters and Aquatic Preserves.

**Policy 5.1.5:** Ensure that stormwater run-off meets all applicable federal, state, regional, and local standards, including those of the National Pollutant Discharge Eliminations System, and the applicable chapters of the Florida Administrative Code.

**Policy 5.1.6:** The City, in cooperation with the County and SWFWMD, shall implement an educational program which advises its citizens of the dangers associated with non-point source pollution. This program shall address, at a minimum, the following:

- Proper pesticide and fertilizer application practices;
- Uses of turf blocks for patios, sidewalks, driveways, etc., to limit impervious surface area;
- The importance of maintaining motor vehicles to prevent the accumulation of oils, grease, transmission fluid, etc., on driveways; and
- The importance of regularly collecting and properly composting yard debris to prevent the accumulation of detritus which can adversely affect surface water quality.

**Policy 5.1.7:** At the time of site plan review, apply stormwater management provisions within the Land Development Code, or approved development agreement if applicable, and utilize the following level-of-service standards for private projects and development to support the goals of the Comprehensive Plan.



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- As may be applicable, federal, state, and local regulations relating to flood control, stormwater treatment and wetland protection shall continue to be met in public and private project design.
- If applicable, the twenty-five year storm design standard, pursuant to SWFWMD requirements for stormwater quality treatment/storage quantity, shall confine the runoff from a 25 year, 24 hour rainfall event within drainage channel banks, or within designated twenty-five year floodplains, in order to protect human life and minimize property damage.
- If applicable, the one-hundred year storm design standard, pursuant to SWFWMD requirements for stormwater quality treatment/storage quantity, shall protect homes and commercial buildings against flooding by a 100 year, 24 hour rainfall event.
- Preference shall be given to stormwater management options which restore floodplains.

**Policy 5.1.8:** The Land Development Code shall contain stormwater management design requirements for new development and redevelopment in addition to level of service standards which, at a minimum, protect natural drainage features found within the City as follows:

- Ensure that all parcels of land, other than an individual single family parcel, be able to show that the development or redevelopment of a site meets the City's stormwater regulations or results in improved stormwater treatment when compared to its previous state;
- Ensure that individual single-family construction will be reviewed to make sure that on-site construction and regrading do not create an adverse impact on neighboring properties or the City's or County's stormwater system;
- To the maximum extent legally possible, new residential development shall not be located in the Coastal High Hazard Area;
- Ensure the prevention of erosion, retardation of runoff, and protection of natural functions and values of the floodplain shall be considered while promoting public usage;
- Require development or redevelopment proposals to be consistent with performance standards regulating development within the designated floodplain; and
- Encourage the use of low-impact development techniques.



- 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.** Exhibit A to this ordinance is hereby adopted as part of the Infrastructure Element to address the required update regarding water supply planning.
- Section 3.** It is the intention of the City Council of the City of Seminole that each provision hereof be considered severable, and that the invalidity of any provision of 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.
- Section 4.** The effective date of this plan amendment shall not be effective until 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, an amendment does 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.

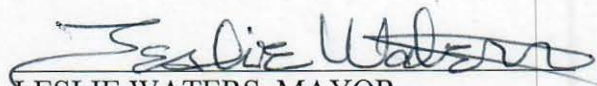
PUBLISHED: March 30, 2022

APPROVED ON FIRST READING: April 12, 2022

PUBLISHED: November 23, 2022

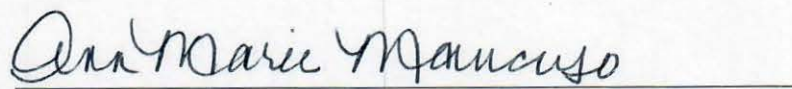
PASSED AND ADOPTED ON

SECOND AND FINAL READING: December 06, 2022

  
LESLIE WATERS, MAYOR

I, Ann Marie Mancuso, 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. 10-2022 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 6 day of December, 2022.

  
Ann Marie Mancuso, City Clerk

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