

May 16, 2024

The Honorable Tommy Ruzzano
Mayor, City of Margate
5790 Margate Boulevard
Margate, Florida 33063

Dear Mayor Ruzzano:

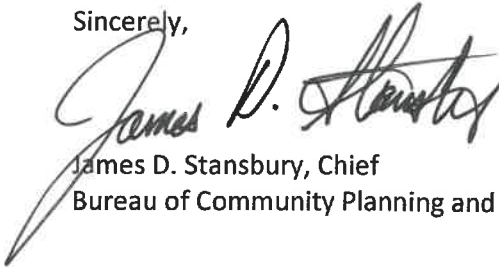
The Florida Department of Commerce (FloridaCommerce) has reviewed the City of Margate's proposed comprehensive plan amendment (Amendment No. 24-02ESR), received on April 16, 2024, pursuant to the expedited state review process in section 163.3184(2) and (3), Florida Statutes (F.S.). We have identified a comment related to adverse impacts to important state resources and facilities within FloridaCommerce's authorized scope of review. The Agency's comment regarding these amendments are attached to this letter.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to FloridaCommerce and any affected party that provided comment on the amendment pursuant to section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be transmitted to FloridaCommerce within ten working days after the second public hearing pursuant to 163.3184(3)(c)2., F.S.** Under section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after FloridaCommerce notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by FloridaCommerce or the Administration Commission.

If you have any questions concerning this review, please contact Adanis Suttle, Planning Analyst, by telephone at 850-921-3269 or by email at adanis.suttle@commerce.fl.gov.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/as

Enclosure(s): Procedures for Adoption

cc: Cale Curtis, City Manager, City of Margate

Isabel Cosio Carballo, MPA, Executive Director, South Florida Regional Planning Council

Agency's comments:

South Florida Water Management District: Completed its review of the proposed amendment package submitted by the City of Margate (City). The package includes the City's Water Supply Facilities Work Plan update. The District provides the following comments under Section 163.3184(3)(g), Florida Statutes (F.S.). There appear to be no regionally significant water resource issues; however, the District offers the following technical guidance regarding Regional Water Supply.

- The City is required to revise its Water Supply Facilities Work Plan (Work Plan) within 18 months after approval of the Lower East Coast (LEC) Water Supply Plan Update by the District's Governing Board. The District's Governing Board approved the current LEC Water Supply Plan Update on November 8, 2018. Therefore, the City's Work Plan was to be updated and adopted by **May 2020**. The District received this Work Plan update approximately 4 years after the May 2020 due date, and as such the Work Plan is based on significantly outdated data and information.
- The District is finalizing the next five-year update to the LEC Water Supply Plan and is anticipated to be approved by the District's Governing Board later this year. The City's Work Plan will need to be updated within 18 months of approval of the 2024 update. Pursuant to Section 163.3177(6)(c), Florida Statutes (F.S.), "The work plan shall be updated, at a minimum, every 5 years within 18 months after the governing board of a water management district approves an updated regional water supply plan."

The District also offers the following advisory comments regarding Consumptive Use Permitting, Water Conservation, and Water Reuse:

Work Plan Section 3.3 – Water Utility Consumptive Use Permit

- The information in this section is outdated and needs to be updated to reflect the Water Use Permit issued on 9/2/2020.

Work Plan Section 3.4 – Water Conservation Program

- The **water conservation rate structures** table has rate structures that are incorrect. This section needs to be updated with the correct information.
- The **"use of xeriscape principles section"** is outdated. The term "Xeriscape" has been replaced by Florida-Friendly Landscaping. The District recommends that the City update this language to reflect the current Florida Statutes. There are resources available if the City would like to consider adopting a local Florida-Friendly Landscaping ordinance (Chapter 373.185,

Florida Statutes).

- Upon reviewing the City's website, there is no dedicated Water Conservation page. The District recommends the City implement a Water Conservation link on the City's website that includes information such as the local Water Conservation ordinance, allowed irrigation days, times, tips, links, etc.

Work Plan Section 7.0 – Goals, Objectives, and Policies

- The City indicates the following changes will be made to **Objective 1.2** related to the previously proposed reuse system:

- While the District accepts these changes, it is preferred that the original language in Objective 1.2 is retained regarding the reuse system. More information on Water Reuse can be found in the following link:

https://www.sfwmd.gov/sites/default/files/Water_Reuse_Brochure_FINAL.pdf

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using FloridaCommerce’s electronic amendment submittal portal “**Comprehensive Plan and Amendment Upload**” (<https://fldeo.my.salesforce-sites.com/cp/>) **or** submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.