

EXECUTIVE SUMMARY



To: Patti McLauchlin, City Manager

Through: Katie P. Halloran, Planning Director

From: Alison Higgins, Sustainability Coordinator

Meeting Date: April 4, 2023

Agenda Item: **Text Amendments to the General Ordinances for Water Supply Work Plan**

Action Statement:

The purpose of this ordinance is to amend the City's General Ordinances to conserve potable water by 1) Creating a two-day a week landscape irrigation schedules as mandated by the South Florida Management District; and 2) Mandating low flow fixtures.

Background:

The South Florida Water Management District requires the City of Key West to adopt these amendments to City Code to minimize irrigation water usage and to require lower flow fixtures during renovations. Water conservation within the Florida Keys Aqueduct Authority system may help reduce saltwater intrusion pressure and bolster the City's resilience efforts to mitigate against sea level rise and its effects on our fresh water drinking wells on the mainland.

The adopted and effective City of Key West Comprehensive Plan of 2013 contains the Water Supply Work Plan required by Florida Statutes 163, Part II. This statute requires local governments to prepare and adopt 10-Year Water Supply Facilities Work Plans into their comprehensive plans within 18 months after the South Florida Water Management District (SFWMD) approves a regional water supply plan or its update. The Lower East Coast Water Supply Plan Update (LECWSP Update) was adopted by the District's Governing Board on November 8, 2018. The State of Florida requires that the 10-year Water Supply Facilities Work Plan Update address the development of traditional and alternative water supplies and management strategies, including conservation and reuse. The data and analyses, including population projections, water demands and service areas must cover at least a 10-year planning period and be consistent to the LEWSP and the updated comprehensive plan amendment.

The City of Key West does not have its own water utility and relies entirely on the Florida Keys Aqueduct Authority for all its water production and distribution throughout the City. Therefore, as updated by the LEWSP, the FCAA projections of water supply, water demand and management strategies are those that form the basis of the amendments to the City's General Ordinances in order to implement the City Water Supply plan.

The amendments below do two things:

- 1) Create two day per week irrigation schedules, as mandated by South Florida Water Management District. Odd numbered addresses can water on Wednesdays and Saturdays and even addresses on Thursdays and Sundays.
- 2) Require EPA certified (WaterSense®) low flow fixtures for faucets, showers, toilets, urinals, dishwashers and clothes washers.

Request / Proposed Text Amendment:

The proposed text amendments can be found in the attached ordinance. Overall, the proposed text amendments add language to the following sections of the General Ordinances:

- Chapter 14 Buildings and Building Regulations, Article II Building Codes, Section 14-35, Amendments to the Building Code.
- Chapter 74 Utilities, Article III Water and Water Management, Division 2 Conservation, Subdivision II: Permanent Water Conservation Measures.

General Ordinance Amendment Process:

City Commission:	November 1st, 2022 (first reading)
City Clerk renders to DEO:	Up to 45 days
City Commission:	April 4, 2023 (second reading)
Local Appeal Period:	30 Days
City Clerk renders to DEO:	10 working Days
DEO Review:	TBD
DEO Final Order:	General Ordinance amendments become effective when the final order is received

Analysis:

Chapter 14: The Fixture Efficiencies amendments to the Building code mirror an ordinance that Miami Dade County adopted in 2009, but that ordinance only mandated high efficiency fixtures on new buildings. As Key West is primarily built out, we can only affect meaningful conservation and resilience efforts by expanding the ordinance to include renovations. In addition to the data and analysis undertaken for the Key West Water Supply Work Plan, the attached Fixture Memo provides additional data and analysis that supports this amendment, by documenting availability and affordability of the fixtures as well as the cumulative effects on our shared and finite freshwater resources.

Chapter 74: The Permanent Water Conservation Measures adopts the mandatory South Florida Water Management District's Year-round landscape irrigation conservation measures. All basic irrigation systems, be they residential, commercial, institutional, governmental or industrial, can only run two days a week on specific, allotted days according to address: Odd numbered addresses on Wednesdays and Saturdays; Even numbered addresses on Thursdays and Sundays. The ordinance allows for efficient irrigation systems such as micro irrigation, low volume irrigation, cisterns, rain-barrels and hand watering on any days, as well as for basic irrigation to establish new landscaping.

Both of these rules will go into effect on September 1, 2023, after a month-long education and outreach effort.

Other Matters:

Options / Advantages / Disadvantages:

Option 1:

Approve the proposed General Ordinance text amendments to: Chapter 14 Buildings and Building Regulations, Article II Building Codes, Section 14.35, Sec 604.4, and P2903.2, and Chapter 74 Utilities, Article III Water and Water Management, Division 2 Conservation, Subdivision II: Permanent Water Conservation Measures, Sec 74-295, 74-296, 74-297, 74-299, and 74-300.

- a. Consistency with Strategic Plan:
 - ✓ Priority #2, Adaptation, Goal #2: Short Term Critical Projects, Objective #6: Protect Water Supply
 - ✓ Priority #4, Environmental Protection, Goal #4: Water Efficiency and Resilience, Objective #1: Support Water Supply Plan.
- b. Financial Impact:

There will be no cost to the City if this request is approved.

Option 2:

Deny the proposed General Ordinance text amendments.

- a. Consistency with Strategic Plan: Denying the proposed General Ordinance is not consistent with the City's Strategic Plan.
- b. Financial Impact:

There will be no cost to the City if this request is denied.

Recommendation:

Staff supports and recommends approval of Option 1.