

ORDINANCE 35 – 24

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL, FLORIDA, COMPREHENSIVE PLAN BY AMENDING THE INFRASTRUCTURE ELEMENT TO PROVIDE CONSISTENCY WITH THE CAPE CORAL WATER SUPPLY FACILITIES WORK PLAN; ADOPTING THE 2023 CAPE CORAL WATER SUPPLY FACILITIES WORK PLAN AS APPENDIX “A” TO THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

NOW, THEREFORE, THE CITY OF CAPE CORAL, FLORIDA, HEREBY ORDAINS AS FOLLOWS:

Section 1. The City of Cape Coral, Florida (the “City”) hereby adopts a Comprehensive Plan amendment that is necessary in order to update the Comprehensive Plan as follows:

The amendment to Policy 2.3.5. of the Infrastructure Element incorporates the 2023 Water Supply Facilities Work Plan into the Comprehensive Plan. The amendment to the Future Land Use Element is described in Exhibit “A,” attached hereto and incorporated herein by reference.

Section 2. Severability. In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance, which shall remain in full force and effect.

Section 3. Effective Date. The effective date of this plan amendment shall be thirty-one (31) days after the state land planning agency notifies the City that the plan amendment package is complete, or if timely challenged, the date a final order is issued by the Administration Commission finding the amendment to be in compliance in accordance with Section 163.3184(3)(c)4. of the Florida Statutes, whichever is applicable.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL, FLORIDA, AT ITS REGULAR SESSION THIS _____ DAY OF _____, 2024.

JOHN GUNTER, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

GUNTER	_____	CARR	_____
STEINKE	_____	WELSH	_____
SHEPPARD	_____	LONG	_____
HAYDEN	_____	COSDEN	_____

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2024.

KIMBERLY BRUNS
CITY CLERK

APPROVED AS TO FORM:

ALEKSANDR BOKSNER
CITY ATTORNEY
ord/Comp Plan Amendment-Water Supply Facilities Work Plan

CVB

EXHIBIT "A"

INFRASTRUCTURE ELEMENT

GOALS, OBJECTIVES, AND POLICIES

GOAL 1: Consistency with the 5-Year Capital Improvements Program and the adopted levels of service - required public facilities will be provided in a manner that promotes orderly, compact, and efficient urban growth.

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Policy 2.3.5. The City hereby adopts the ~~2017-2023~~ Water Supply Facilities Work Plan, dated ~~May-April 2019~~ 2024, thereby being consistent with the South Florida Water Management District's Lower West Coast Water Supply Plan Update. The City shall continue to coordinate future updates of the Water Supply Facilities Work Plan with the South Florida Water Management District, as required by law.

Objective 2.4: The City will continue to assure that public health, environmental health, property values, and quality of life is maintained through assurance of the provision of solid waste facilities and services.

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