

DRAFT

ORDINANCE 2012 - \_\_\_\_\_

AN ORDINANCE RELATING TO SANTA ROSA COUNTY, FLORIDA; AMENDING ORDINANCE 91-24 AS AMENDED; AMENDING ARTICLE 6.05.25 (FAIRPOINT REGIONAL UTILITY SYSTEM WELLFIELD PROTECTION AREA OVERLAY DISTRICT) AS SHOWN IN THE ATTACHED MAP; PROVIDING FOR CHANGES TO THE DISTRICT NAME AND THE DISTRICT BOUNDARIES; DEFINING ALLOWABLE, RESTRICTED, AND PROHIBITED USES AND ADDING PERFORMANCE STANDARDS FOR THOSE USES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

6.05.26 East Milton Area Expanded Wellhead Protection Areas (OPTION 1)

A. Purpose: This overlay district is to provide an added degree of protection for the aquifer recharge area in the vicinity of the Fairpoint Regional Utility System and East Milton Water System wellheads, located outside of the Fairpoint Wellfield Protection Area, which are an important resource in providing potable water for the Fairpoint peninsula and the East Milton Area. It is the intent of this overlay district to protect existing public potable water supply wells from degradation by contamination from regulated substances.

B. Expanded Wellhead Protection Area Boundaries: The Expanded Wellhead Protection Areas are defined as the area within a 2,000 foot radius of public supply potable water wells, as measured from the center of the wellhead, or the 5-year travel time area when known. The Expanded Wellhead Protection Area boundaries are depicted on the Map in Appendix A.

6.05.26 East Milton Area Expanded Wellfield Protection Areas (OPTION 2)

A. Purpose: This overlay district is to provide an added degree of protection for the aquifer recharge area in the vicinity of the Fairpoint Regional Utility System and East Milton Water System wellfield, located outside of the Fairpoint Wellfield Protection Area, which is an important resource in providing potable water for the Fairpoint peninsula and the East Milton Area. It is the intent of this overlay district to protect present and future public potable water supply wells and wellfields from degradation by contamination from regulated substances.

B. Expanded Wellfield Protection Area Boundaries: The Expanded Wellfield Protection Area is described as follows and is depicted on the Map in Appendix A. Point of Beginning: Intersection of State Highway 87 South and Hickory Hammock Road; then follow Hickory Hammock Road

westerly to the western boundary of section 17-1N-27; then follow the western boundary of Sections 17-1N-27, 8-1N-27, 5-1N-27, and 32-2N-27, then commencing at the southwest corner of section 29-2N-27 continue N0° for 2302.06 feet to the northern edge of the Gulf Power easement then N79° on the northern right-of-way for 1184.7 feet to the western edge of a Gulf Power easement, then proceed N23°03'30"W along the right-of-way for 143.6 feet to the southern boundary of the northern ½ of section 29-2N-237, then continue East along the southern half section line to the eastern boundary of section 29-2N-27, then north to the northeast corner of section 29-2N-27, then follow the northern section line of sections 28-2N-27, 27-2N-27, 26-2N-27, 25-2N-27 and 30-2N-26 easterly to the intersection with Highway 90; then follow Highway 90 westerly to the intersection of State Highway 87 South; then proceed South along Highway 87 South to point of beginning.

*The following text is the same for both options.*

C. Definitions

*Regulated substances.*

1. Any liquid or water soluble substance or material that, by reason of its toxic, caustic, corrosive, abrasive, or otherwise injurious properties, may cause harm to human health and the environment.
2. Regulated substances shall include, but are not limited to, those liquid or water soluble substances set forth in the U.S. Environmental Protection Agency (EPA) lists, as amended from time to time, entitled

The List of Extremely Hazardous Substances and Their Threshold Planning Quantities (40 CFR part 355, Appendix A), and

List of Hazardous Substances and Reportable Quantities (40 CFR, Table 302.4).

D. Applicability:

1. The provisions of this chapter shall apply to all new, non-residential development within the East Milton Area Wellfield Protection Overlay District.
2. In addition, the provisions of Section 12.13.02 shall apply to all new development within Wellhead Protection Zones, which are the 500 foot radius around public supply potable water wells, measured from the center of the wellhead. Where there is a conflict, the more restrictive provisions apply.

E. Permitted uses: The uses allowed within the overlay district are those listed as permitted and conditional uses in the underlying zoning districts with the exception of those listed as prohibited in Section 6.05.26.F.

F. Prohibited uses:

1. Solid Waste Disposal and Solid Waste Management Facilities as defined in Rule 62-701, F.A.C.; and

2. Underground storage facilities located within 2,000 feet of a public supply water well, or the 5-year travel time area when known.

- G. Permitting Requirements: An applicant for any permitted non-residential use that involves the use, storage, handling or disposal of regulated substances is required to meet the development standards found in Section 6.05.26.H; or receive a General Exemption approval, or a Special Exemption approval from the County.

General Exception approval will be granted concurrent with Site Plan approval upon demonstration of compliance with Section 6.05.26.I.

Special Exception approval may be granted by the Zoning Board upon demonstration of compliance with Section 6.05.26.J.

- H. Development Standards: In addition to other applicable provisions of this code, an applicant must meet the following development standards as applicable:

1. The use of secondary containment is required for all storage and distribution of regulated substances. Such containment systems must be easily inspected and designed to intercept any leak or release from the primary containment vessel or structure. Secondary containment must be sized to accommodate 110% of the substance volume.

2. No nonresidential facility shall discharge any regulated substance, either directly or indirectly, into the soil or groundwater.

3. New underground storage facilities within the Wellfield Protection District shall meet the following requirements:

a. Double-walled tank and piping with continuous leak detection system in between the walls; or

b. An impervious secondary containment having monitoring well(s) or detector located therein; and

c. For each of the above options, it is required that the facility install, maintain, and monitor a groundwater testing system.

4. New underground facilities for transportation of regulated substances within the Wellfield Protection District shall be constructed to ensure no leakage into the soil or groundwater.

5. All permitted facilities must adhere to appropriate federal and state standards for storage, handling and disposal of any hazardous materials.

6. A contingency plan for all permitted facilities must be prepared for preventing hazardous materials from contaminating the surficial aquifer should fire or other natural catastrophes, equipment failure, or releases occur.

7. Areas where regulated substances are stored shall not drain to the soil, a stormwater system, water body, or a sewage disposal system.

8. All vehicle and equipment washing must be done in a self contained area (e.g. with recycling system) designed to ensure that hazardous materials do not reach the soil, a water body or a sewage disposal system. This does not apply to discharges to a sewer that were approved by the sewer utility, consistent with Chapter 62-625, F.A.C and Chapter 403, F.S.. Water used in wash down areas shall be treated to remove contaminants prior to discharge consistent with Rule 62-660, F.A.C.

9. All new commercial and industrial land uses that involve the use, handling, storage or disposal of regulated materials shall be required to prevent contact between the aforementioned materials and stormwater. Secondary containment does not apply to materials applied in an outdoor setting as part of an approved activity's landscaping maintenance plan.

10. Fuel dispensing - Sites where fuel is dispensed shall be designed to contain fuel spills on site without contaminating stormwater systems, sewage disposal systems, soil, surface water or groundwater.

11. Fuel tanks or storage as part of permanently installed equipment shall be placed in a secondary containment device such that a fuel spill or leak will not reach the soil or a water body.

12. Wastewater treatment plants must meet FDEP requirements. Effluent disposal cannot be located within 2,000 feet of a public supply water well, or the 5-year travel time area when known.

I. General Exceptions: Facilities qualifying for General Exception approval are exempt from the permitting requirements of Section 6.05.26.H.

a. Facilities and activities qualifying for a general exemption include residential uses, public utilities (except effluent disposal from a wastewater treatment facility), commercial lawn maintenance businesses, parks, maintenance of office facilities, retail sales, agriculture, silviculture, transportation facilities, and the like.

b. A general exemption application shall be required for any nonresidential activity claiming a general exemption under this section.

c. Such application shall be submitted as part of a Site Plan application and must contain a concise statement by the applicant detailing the circumstances upon which the applicant believes he would be entitled to a General Exception.

J. Special Exceptions: Exemption from the requirements of Section 6.05.26.H may be granted by Special Exception, subject to the following requirements:

a. Special Exceptions will be process as outlined in Section 2.04.00.C.

b. The applicant must provide substantial scientific evidence that special or unusual circumstances and adequate technology exist to isolate the facility or activity from the potable water supply.

c. In granting the special exception, the Zoning Board may prescribe any additional appropriate conditions and safeguards which are necessary to protect the wellfield.

K. Non-Conforming Sites or Facilities: Any expansion, modification or alteration which would increase the storage, handling, use or production of regulated substances at an existing non-conforming site or facility shall be required to meet the development standards of Section 6.05.26.H or obtain General Exception or Special Exception approval as described above.

L. Non-conforming uses: Non-conforming uses in operation at the time of adoption of this ordinance are allowed to continue operation. Expansion of such uses that would increase the storage, handling, use or production of regulated substances is prohibited.

M. Variances: The Board of County Commissioners may grant a variance from one or more of the above requirements upon finding that the proposed facility would not create a risk to ground water quality. Variances will be processed consistent with Section 2.04.00.A.

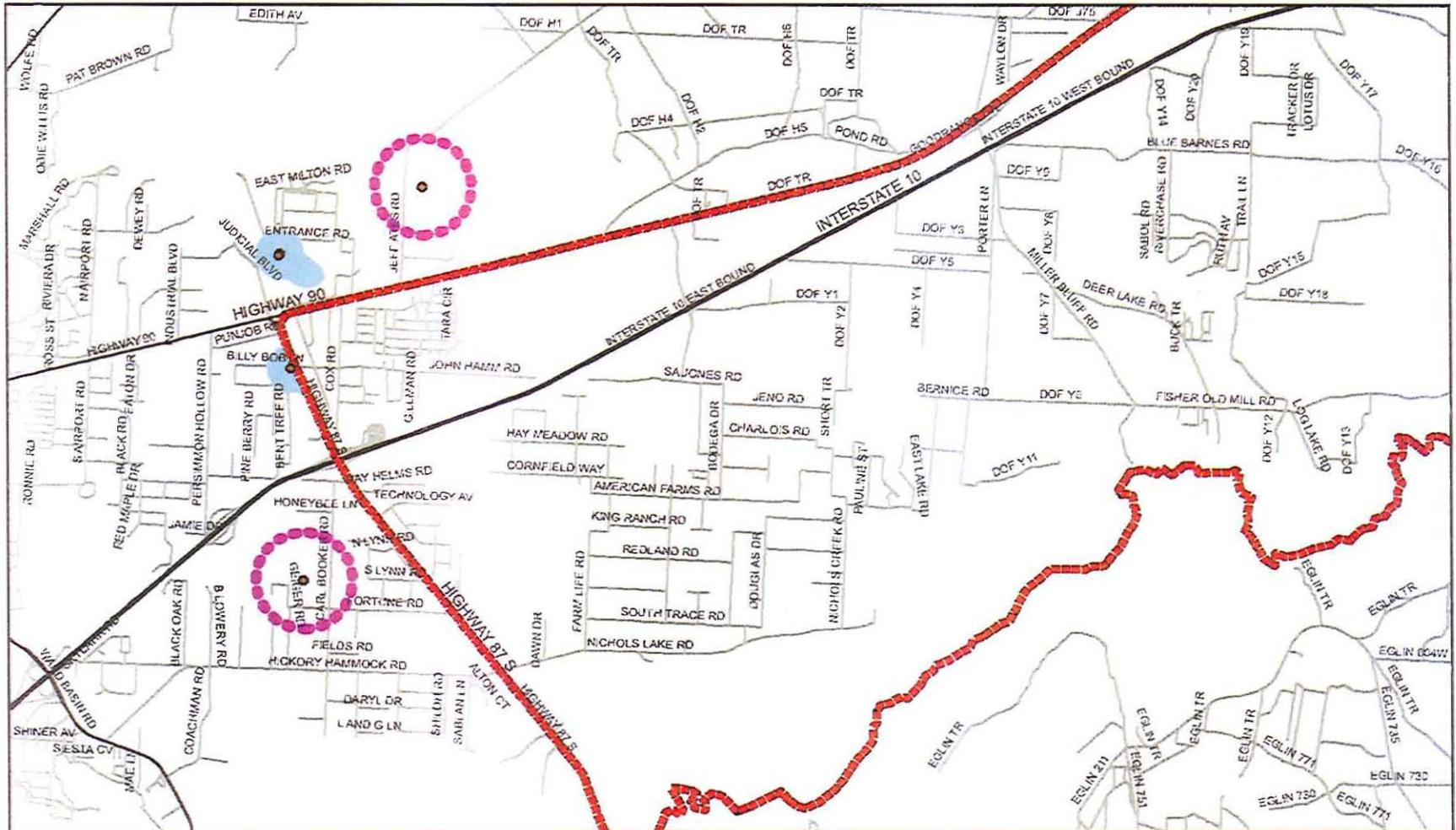
N. Trade Secrets: The County shall not disclose any trade secrets of the permittee under this article that are exempted from such disclosure by federal or state law; provided, however, that the burden shall be on the permittee to demonstrate entitlement to such nondisclosure.

**OPTION 1**  
**Appendix A**

**East Milton Area Expanded**  
**Wellhead Protection Areas Map**

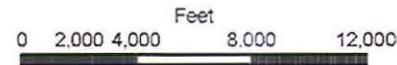
# Appendix A - Option 1

## Wellfield Protection Area and Expanded Wellfield Protection Area



### Legend

- |                                   |                    |  |                          |
|-----------------------------------|--------------------|--|--------------------------|
| Main Roads                        | Streets            | Wells Outside Protection Area            | 2000' Buffer of Wellhead |
| Current Wellfield Protection Area | 5 Year Travel Time | <b>Option 1 Wellfield Expansion Area</b> |                          |
| <b>Feature Description</b>        |                    |  |                          |

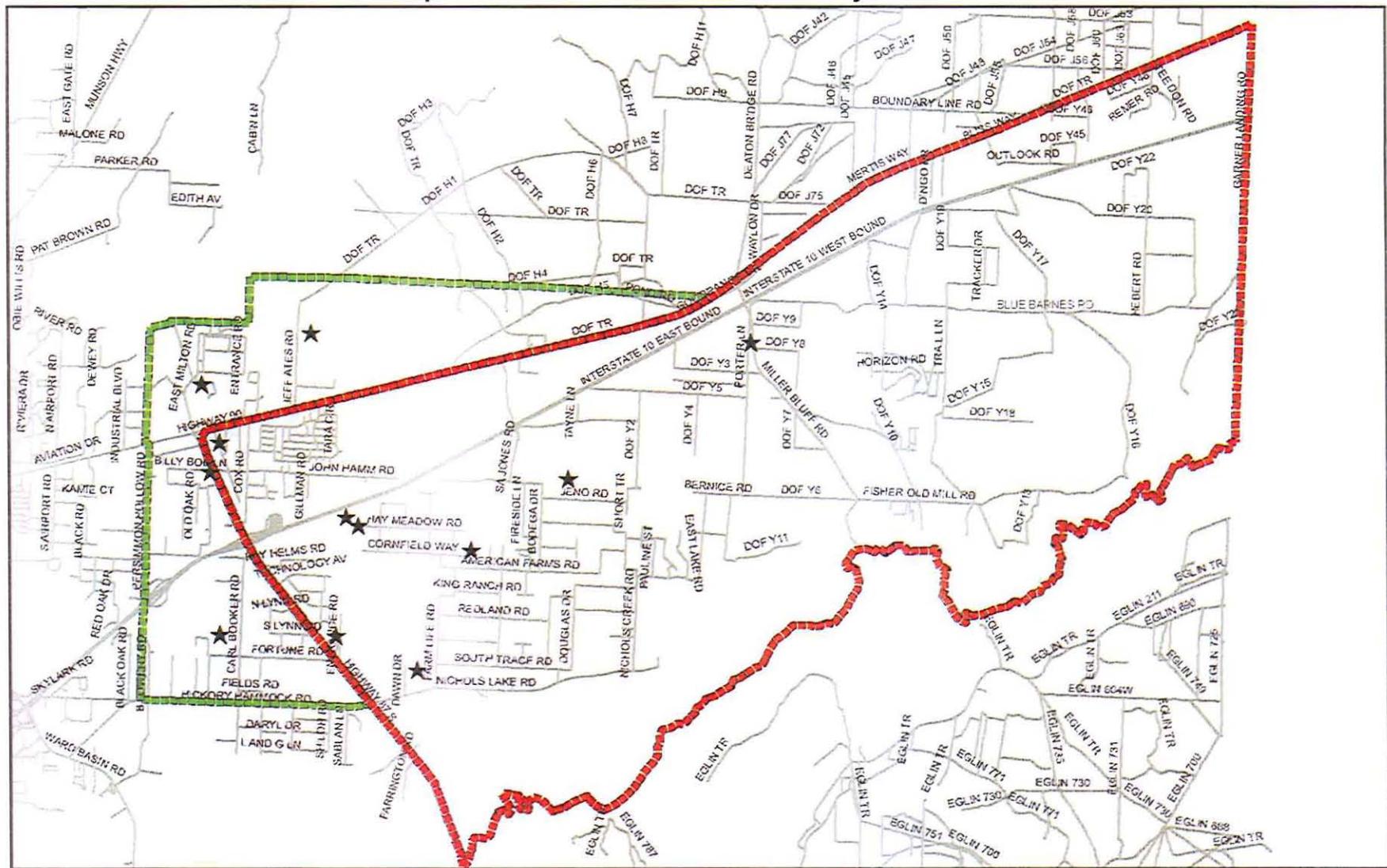


Map Document (C:\m\av-s-d\mva\m\work\WellfieldProtectionArea\Option 1 Expansion Aug 2012.mxd)  
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**OPTION 2**  
**Appendix A**

**East Milton Area Expanded  
Wellfield Protection Area Map**

## Appendix A - Option 2 Expanded Wellfield Protection Overlay District



### Legend

- ★ Wells
- Current Wellfield Protection Area
- Wellfield Expansion Area
- Streets



Miles

