

Exhibit A

Text proposed for deletion is shown ~~stricken~~ and text proposed for addition is shown underlined.
Supplement 58 provided by MuniCode is the base document for the EAR based changes shown.

Chapter 10 SANITARY SEWER SERVICES ELEMENT

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Amended:	July 9, 1991	By Ordinance No. 400
Amended:	October 26, 1993	By Ordinance No. 430
Amended:	November 29, 1994	By Ordinance No. 450
Amended:	December 15, 1998	By Ordinance No. 537
Amended:	September 28, 1999	By Ordinance No. 555
Amended:	May 24, 2005	By Ordinance No. 668
Amended:	August 7, 2007	By Ordinance No. 765
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Amended:	December 11, 2007	By Ordinance No. 782
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Amended:	December 16, 2014	By Ordinance No. 965
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Amended:	May 11, 2021	By Ordinance No. 1158

Section 10.1. Background Information

10.1.A. *Introduction.* In its 1982 Comprehensive Growth Management Plan (CGMP), Martin County set objectives for wastewater management. These included promoting centralized systems, initiating wastewater planning and including regulations in the Land Development Code and performance standards in the CGMP.

After adoption of the 1990 CGMP, the Board of County Commissioners (BCC) commissioned a series of planning documents, including the 1998 Wastewater Master Plan and the 2001 update. Those master plans recommended consolidating the County's wastewater system. Other recommendations included developing and/or expanding facilities in the Port Salerno/Tropical Farms and North County areas; eliminating package treatment plants and on-site sewage treatment and disposal systems (OSTDS) in areas with higher density; reusing sewage effluent for irrigation; and developing a biosolids disposal program. The 2001 Water and Wastewater Master Plan Update provided guidelines that allowed the Martin County Utilities and Solid Waste Department to meet the requirements of Florida Statutes.

The County acknowledges that proper planning for and investment in infrastructure constitutes a fundamental means of achieving the County's vision of environmental, economic, social and fiscal sustainability, and continued high quality of life set forth in the CGMP, especially the Future Land Use Element. Therefore, proper alignment and implementation of the Goals, Objectives and Policies of the CGMP are essential to achieve ~~the~~ these goals.

Full implementation and enforcement of the strategies and policies in this chapter are vitally important. The quality of life and the economy of Martin County rests on its waterways. The County's policy and investment has achieved significant success. ~~In the period from 1982 through 2014, Martin County has eliminated 70 package plants with a combined treatment capacity of 5.8 mgd, by providing regional sewer facilities.~~

The siting, design and permitting standards for OSTDS are within the jurisdiction of the Florida Department of Health and the State Department of Environmental Protection. Therefore, the County may not at this time have the full range of policy alternatives available to it to solve the environmental problems and fiscal challenges posed by failing OSTDS. There also remains some uncertainty as to the absolutely best approach to protect and restore water quality in every given situation. In some circumstances the best way forward is to eliminate OSTDS and provide regional facilities. In other circumstances, given proper standards and safeguards, additional development served by OSTDS may be appropriate. The County is cognizant that knowledge and best management practices regarding regional sewage systems and OSTDS will continue to develop and inform County policies and practices going forward.

~~Within the County's six Community Redevelopment Areas (CRAs), there are areas that meet the criteria for high prioritization for capital investment for the extension of regional sewer facilities. The County's Office of Community Development and the County Utilities Department have prepared preliminary draft utility plans for each CRA. These preliminary draft plans identify the infrastructure needed to provide regional sewage facilities to the CRAs. Preliminary cost estimates have also been prepared.~~

10.1.B. *Purpose and intent.* This element serves as the basis for providing the sanitary sewer facilities and services necessary to manage the wastewater generated by Martin County's existing and future residents. It contains the goals, objectives and policies needed to implement these facilities and services.

Section 10.2. Existing Conditions

10.2.A. *Type of facilities.* Martin County residents are served by on-site sewage treatment and disposal systems (OSTDS), package sewage treatment plants and regional sewage systems. Each facility is described below.

On-site sewage treatment and disposal systems serve individual residences or small developments. Solid wastes settle in the tank and decompose; the remaining liquid is discharged to a drainfield and percolates into the soil. The natural process of filtration and microorganism activity in the soil completes the treatment process. On-site sewage treatment and disposal systems must be pumped out every 3-5 years to remove the accumulated solids, and the waste septage must be treated prior to final disposal.

Package sewage treatment plants are usually small, preconstructed units serving isolated developments. They can be designed to provide any level of service but usually provide no more than secondary treatment. Effluent is usually disposed through percolation ponds or drainfields.

Regional sewage systems are large systems serving densely populated regions, owned either by the public or by investors. Physical and biological methods are used to separate solid and organic matter from the wastewater. Depending on the facility's design and purpose, three levels of treatment are possible: primary, secondary and tertiary. Under FDEP requirements, all systems use secondary and/or tertiary treatment. Effluent to be reused for irrigation receives tertiary treatment.

Six regional systems operate in Martin County. Designated regional sewage systems serving the County are Martin County North, Martin County South, South Martin Regional Utilities, Indiantown Utilities, the Loxahatchee River Environmental Control District (LRECD) and the City of Stuart (Table 10-1).

The goals, objectives and policies contained in this element require planning and operations consistent with the other Elements of this Plan. Wastewater Master Plans have been developed to guide the County's consolidation of sanitary sewer facilities and to address concerns about existing conditions and future needs. For example, the County developed and implemented an industrial waste effluent pretreatment program to ensure pretreatment of industrial waste streams prior to discharge to the public wastewater treatment facility. This program is necessary to ensure proper maintenance and operation of the facility and maintenance of effluent and biosolids standards. ~~The County also conducted a pilot program to determine the economic feasibility and business and public response to conversion of dewatered biosolids for use as a soil amendment (fertilizer). This program considered the dual benefits of reduced landfill space and reduced need for synthetic fertilizers. Based on the findings of the pilot program, the County has issued a contract to build two regional biosolid facilities.~~

10.2.B. Both incorporated and unincorporated areas of Martin County rely on on-site sewage treatment and disposal systems where a regional sewage system is not available.

According to the General Soil Map of Martin County (Figure 10-1, on file with the Martin County Growth Management Department and on the County's website), the County has 15 "soil map units". Each unit represents a unique natural area, consisting of one or more major soil types and some minor soils. On-site sewage treatment and disposal system may pose health, safety and environmental problems if located in areas with unsuitable soils. The map is based on the Soil Survey of the Martin County Area, which has revealed that most of the County's soils have some limitations for on-site sewage treatment and disposal system absorption fields. These limitations include poor filtering, seepage, sandiness, slow rate of percolation, wetness, ponding and excess humus, as well as a shallow depth to bedrock or to a cemented pan. All of these characteristics affect absorption of effluent. The depth to bedrock/cemented pan affects installation of on-site sewage treatment and disposal systems. Therefore, use of on-site sewage treatment and disposal systems is regulated so these limitations can be overcome by testing and by designing, constructing and maintaining systems specifically geared to address the particular soil or situation. Higher densities should be avoided where more limited soils are present.

On-site sewage treatment and disposal systems must be located in accordance with setback requirements for potable water wells and surface water and wetlands. In addition, the Wellfield Protection Ordinance prohibits on-site sewage treatment and disposal systems within 200 feet of wells that supply public water.

The majority of on-site sewage treatment and disposal system approvals have been in rural areas, coastal communities and subdivisions grandfathered in under previous regulations. Since on-site sewage treatment and disposal systems discharge wastewater of a lower quality than water from a treatment plant, a high density of homes with on-site sewage treatment and disposal systems can threaten a wellfield or the water quality of surface water. Problems may also arise from improper installation or maintenance.

Regardless of the cause, on-site sewage treatment and disposal systems can fail and groundwater can be contaminated. Therefore, Martin County has established a policy requiring on-site sewage treatment and disposal system areas that experience problems to connect to regionalized sewer service.

In the County's Urban Service District, on-site sewage treatment and disposal systems will be prohibited where regional sewage systems are available. For existing residential uses utilizing on-site sewage treatment and disposal systems, a program to connect those areas with high densities, high water table, and poor soils—must be developed.

Restrictions on the use of on-site sewage treatment and disposal systems coupled with policies which limit the intensity of use and limit negative impacts remain an alternative to provide reasonable use of property in rural areas outside the Primary Urban Service District. On-site sewage treatment and disposal systems that are directly related to and supportive of agriculture, including agri-tourism or would not jeopardize the integrity of the agricultural purpose of the district are allowed. All systems shall be consistent with the policies in Section 10.4

10.2.C. *Package plants.* New developments within the Primary Urban Service District are required to connect to a regional sewage system. Martin County's policies that discourage package plants and work to build an integrated, efficient and cost effective group of regional sewage systems have been effective. When the

original comprehensive plan was adopted in 1982, there were over 100 package plants in Martin County. The County has eliminated over seventy package plants in its service area since 1982.

All investor-owned systems are regulated by the Florida Public Service Commission and must adhere to the County level of service standard in Policy 10.1B.5.

10.2.D. *Regional sewage systems.* Due to the problems associated with package plants and on-site sewage treatment and disposal systems, Martin County has pursued a policy of consolidating wastewater systems by acquiring wastewater treatment facilities.

The Loxahatchee River Environmental Control District (LRECD) in Palm Beach County provides sewer service for a portion of Martin County south of Jonathan Dickinson State Park. LRECD has committed to expand its facilities in accordance with FDEP rules and regulations.

Interlocal agreements, through which one entity provides services, capacity or facilities to another, may be executed if they are in the best interest of the parties involved. The County currently provides sanitary sewer service to Sewall's Point and Ocean Breeze through interlocal agreements. On October 28, 2008, the County entered into a 20-year interlocal agreement with the City of Stuart in which the City will provide 1.1 MGD of sewer treatment capacity and the County will provide the same amount of potable water treatment to the City.

Figures 11-1 and 11-2 in Chapter 11 indicates the existing and potential service areas of each of the regional plants. Service areas in the southern portion of Martin County are not fully defined. Only regional sewage systems in this section shall be eligible for hook-ups for new development. This list shall not be changed without a plan amendment.

**Table 10-1
Regional Sewage Systems in Martin County**

Facility (Ownership)	Type of Treatment	Disposal Methods	Actual Flow (MGD)	Rated Capacity
North System (County)	Tertiary	Deep well Landscape irrigation	1.36 <u>1.78</u>	2.76
South System (County)	Tertiary	Landscape irrigation Deep well	2.90 <u>2.95</u>	5.9
City of Stuart Plant (City)	Tertiary	Deep well Landscape irrigation	1.56	4.0
South Martin Regional Utilities	Tertiary	Percolation ponds, landscape irrigation	0.8 AADF*	1.4 AADF*
Indiantown Utilities (Private Village of Indiantown)	Tertiary	Percolation ponds, reuse Agricultural irrigation	0.45 <u>0.362</u>	1.1 <u>0.75</u>
Loxahatchee River Environmental Control District (LRECD)	Tertiary	Landscape irrigation Deep well (back-up)	6.5 <u>6.949</u>	11.0

* The majority of systems are measured using the 3-month average daily flow; This system is measured using average annual daily flow.

Source: Regional utilities

10.2.E. *Issues in wastewater management.* The issues that emerge from current conditions in Martin County are:

1. Some of the remaining package systems are not properly financed or operated, resulting in unacceptable effluent quality.
2. High densities of on-site sewage treatment and disposal systems on small lots, on-site sewage treatment and disposal systems in unsuitable soils and poor construction or poor maintenance of on-site sewage treatment and disposal systems can lead to contamination of potable water wells, groundwater and surface waters.
3. Conservation of potable water has been enhanced through reuse of wastewater effluent.
4. Regional sewage systems will need further expansion to serve residents who currently are on failing on-site sewage treatment and disposal systems or package plant systems and to serve future residents.
5. Adoption of the CGMP in 1990 effectively ended the proliferation of new package plants.

10.2.F. *Level of service for effluent disposal.* Two waste streams are generated by wastewater treatment plants: effluent and biosolid streams. Before disposal, effluent streams must be disinfected in accordance with FDEP criteria. Disposal alternatives include discharge to land via percolation ponds or drainfields, reuse via spray irrigation or deep well injection. Before disposal, biosolids must undergo further biological treatment, called digestion, which reduces pathogens and volatile solids (odor-causing constituents). The biosolids are then disposed of as a liquid or further dewatered for disposal at a solid waste landfill or for application on agricultural land. Section 159.102 of the Martin County Code of Ordinances effectively eliminated land application in Martin County effective June 2001. FDEP has regulatory responsibility for ensuring adequate disposal capacity for the waste streams generated by wastewater plants. Martin County works with FDEP to document that sufficient effluent and biosolids disposal capacity exists before allowing additional connections to any sanitary sewer facility.

Section 10.3. Future needs

Wastewater Master Plans have been developed to guide the County's consolidation of sanitary sewer facilities and to address concerns about existing conditions and future needs (Table 10-2).

Service area population and flow projections have been developed to determine future demand.

The service areas for the North System and the South System are shown on Figure 11-1 in Chapter 11. The Tropical Farms Wastewater Treatment Plant needs one additional expansion to assure build-out capacity and appropriate disposal of effluent and biosolids. The Capital Improvement Plan gives further details of plant expansion.

Martin County is working with the FDEP to eliminate package plants and on-site sewage treatment and disposal systems not meeting the minimum criteria established by the Florida Department of Health, FDEP and other regulatory agencies. In extending sewer service, priority will be given to developed areas with groundwater or surface water contamination or pollution and to areas not served by regional sewage systems with lot sizes smaller than one-third acre. Priority will not be given to package plants in full compliance with all regulations or areas using on-site sewage treatment and disposal system that are in compliance with regulations and are not problematic. The County will continue programs for pretreatment of industrial waste streams, effluent reuse and biosolids disposal.

All of these activities are addressed in section 10.4, Goals, Objectives and Policies. This element and its implementation are designed to meet the County's long-term wastewater facility needs, preserve and protect the quality and quantity of Martin County's ground and surface water, and implement the CGMP.

Table 10-2
Required Future Capacity of Martin County Regional Sewage Systems
~~2015 and 2025, 2035 and 2045~~

Facility	2015 <u>2025</u>	Required capacity (MGD)*	2025 <u>2035</u>	Required capacity (MGD)*	<u>2045</u>	Required capacity (MGD)*
	Projected population served		Projected population served		Projected population served	
Martin County North	22,500 including Hutchinson Island 15,988	2.3 <u>1.3</u>	23,550 <u>18,488</u>	2.76 <u>1.5</u>	<u>19,628</u>	<u>1.7</u>
Martin County South	52,750 <u>47,964</u>	3.9 <u>3.78</u> at 90%**	63,575 <u>55,343</u>	5.0 at 90%** <u>4.8</u>	<u>58,879</u>	<u>5.4</u>
City of Stuart	18,213 <u>20,098</u>	3.0	<u>20,098</u>	3.0		
South Martin Regional Utility	25,622 <u>33,607</u>	0.9 AADF <u>1.15</u> AADF	<u>33,607</u>	1.15 AADF		
Village of Indiantown	9,818 <u>16,422</u>	1.0 <u>2.0</u>	<u>16,422</u>	<u>2.0</u>		
LRECD	5,660 <u>6,050</u>	0.61 <u>0.65</u>	<u>6,050</u>	<u>0.65</u>		

* Based on 100 GPCD (gallons per capita demand)

** ~~Required capacity equals estimated flow divided by 90% to account for permit requirements.~~

Note: Population estimates for the regional systems are based on the ~~2005~~ 2014 Martin County Utility Master Plan.

LRECD = Loxahatchee River Environmental Control District.

Section 10.4. Goals, Objectives and Policies

Goal 10.1. To provide regional sewage systems in a timely, cost-efficient manner to advance and protect public health, safety and welfare, and protect the environment while maximizing use of existing facilities and promoting compact urban development.

Objective 10.1A. To develop a program for correcting public and private wastewater deficiencies within 10 years.

Policy 10.1A.1. The County shall regularly inspect and assess its wastewater collection facilities, including manholes, pipelines and service laterals. Based on the inspection findings, rehabilitation alternatives will be included in the subsequent revision to the Capital Improvement Plan and considered in the following annual budget. The County shall continue to allocate sufficient funds to ensure that maintenance and replacement needs are met in a timely manner.

Policy 10.1A.2. Deficiencies will be corrected according to the following priorities, in descending order:

- (1) Deficiencies that are immediate threats to health and safety shall be corrected immediately.
- (2) Deficiencies that, if not corrected, may affect health and safety within one year or before the health and safety of the public is affected;
- (3) Deficiencies that are necessary to protect the environment and to meet all laws and regulations shall be corrected within two years, or as agreed upon by the FDEP or other regulatory agencies.

Policy 10.1A.3. Work programs and capital facility improvements to correct facility deficiencies shall be coordinated with the Capital Improvements Element.

Policy 10.1A.4. The County shall work with the Florida Department of Health and the FDEP to assure that all permitted wastewater package plants and on-site sewage treatment and disposal systems can be expected to function adequately and to be properly maintained.

Policy 10.1A.5. As part of the consolidation of wastewater treatment facilities, the County shall prioritize extension of service to existing residential areas with one or more of the following conditions:

- (1) Package plant or on-site sewage treatment and disposal system failure;
- (2) Ground or surface water contamination or pollution, including on-site sewage treatment and disposal systems at high densities in unsuitable soils;
- (3) Lack of compliance with the recommended 500-foot setback from surface water;
- (4) On-site sewage treatment and disposal systems at densities exceeding three units per acre or serving multifamily units on small lots.

Areas of high-intensity commercial and/or industrial use may receive priority based on proximity to an existing collection system, deficiency of the existing treatment facility serving the area and/or its impact on the surrounding environment, and funding availability.

Policy 10.1A.6. Extension of sanitary sewer lines and expansion of plant capacity shall be coordinated with the projected demand for service as established in the Future Land Use Maps (Chapter 4 of the CGMP). To assure consistency with the established land use pattern, sanitary sewer service will be extended consistent with the following determinations:

- (1) Extension of service is proposed to an area delineated as a Primary Urban Service District. (The Primary Urban Service District is designated on Figure 4-2, Urban Service Boundaries in Chapter 4.)

Editor's note(s)—Figure 4-2 is on file in the office of the Martin County Growth Management Department and on the County's website.

- (2) The land use is defined in the Future Land Use Element (section 4.7A) as Commercial or Higher Intensity Institutional (Other), or Industrial use, or higher density residential development. For new residential development within the Primary Urban Service District, all single family subdivisions with lot sizes of less than one acre and all multi-family development shall be served by a regional sewer system;
- (3) Engineering and fiscal assessment has been made of the optimum use of existing facilities and sanitary sewer systems; and
- (4) The extension of sanitary sewer service and expansion of plant capacity do not hamper the provision of service to existing priorities in the urban service district or promote urban sprawl; provide for the efficient use of land; and maximize the use of existing facilities. This finding shall be made following a complete staff assessment.

Policy 10.1A.7. Sanitary sewer lines may be extended from the Primary Urban Service District to serve the following facilities, as described in the Jonathan Dickinson State Park Unit Management Plan:

- COMPREHENSIVE GROWTH MANAGEMENT PLAN
Chapter 10 SANITARY SEWER SERVICES ELEMENT

River Campground (45 sites);
Boat ramp restroom;
Dump station;
Picnic area restrooms (3);
Concession building;
Environmental education and research center;
Cabins (12);
Staff residences (3);
Boy Scout Camp facilities;
Girl Scout Camp facilities;
Pine Grove Campground;
Camp Pavilion;
Ranger Station; and
Administrative/Maintenance Complex.

Such extensions are intended to reduce or eliminate the impact on the Loxahatchee River of the public facilities located within the specific portions of Jonathan Dickinson State Park listed above and are considered to be waivers. These waivers shall not be used (1) to serve, encourage or justify other development outside the Primary Urban Service District or (2) to encourage, support or justify an increase in density in surrounding or nearby areas or any other amendment to the Comprehensive Growth Management Plan.

Policy 10.1A.8. Sanitary sewer lines may be extended from the Primary Urban Service District to serve the following previously approved projects provided that the project is proceeding in accordance with its timetable of development, is consistent with all conditions of approval, and is maintaining its schedule of construction or other activities established in the development order.

- (1) Lots 67, 68, 75, 89, 90, 119 through 122 and lots 191 through 220 of Canopy Creek PUD (f/k/a Tusawilla PUD as recorded in Plat Book 16, Pages 039-001 to 039-036, Public Records of Martin County, Florida).
- (2) Bridgewater Preserve as recorded in Plat Book 16, Pages 033-001 to 033-007, Public Records of Martin County, Florida. Any increase in residential density shall require approval by the Board of County Commissioners for a PUD Zoning Agreement and revised master/final site plan which is consistent with the Rural Density future land use designation and requires that the project connect to the existing potable water and sanitary sewer lines.
- (3) Seven J's Industrial Subdivision, as recorded in Plat Book 15, Page 97 and/or any replat or redevelopment of the property contained within the plat recorded in Plat Book 15, Page 97.
- (4) The County landfill, parcel number 07-38-40-000-00020-7 and parcel number 07-38-40-000-000-00021-6.
- (5) Martingale Commons PUD f/k/a Palm City 95 PUD.
- (6) Sheriff's Shooting Range, parcel number 08-38-40-000-000-00011-0.
- (7) Parcel number 28-40-42-000-000-00020-5, parcel number 28-40-42-000-000-00040-1, parcel number 28-42-000-000-00011-0, and parcel number 21-40-42-004-000-00005-0 on S.E. Island Way.

Policy 10.1A.9 Facilities at the Martin Correctional Institution may continue to receive sanitary sewer service from the City of Port St. Lucie in accordance with an interlocal agreement between Martin County, the City of Port St. Lucie and the Florida Department of Corrections. This is a specific exception and Port St. Lucie Utilities is not recognized as a regional utility for providing wastewater in Martin County.

Policy 10.1A.10 An exception to the prohibition of public facilities outside the Primary Urban Service District shall be provided for the 107-acre parcel of County owned land located on the north side of SW Citrus Boulevard, approximately 2,000 feet east of the Indiantown airport, parcel number 03-40-39-000-000-00011-0 and parcel number 34-39-39-000-000-00021-0.

Policy 10.1A.11. The County aims to fairly balance developers' ability to economically develop property with the public interest in providing regional wastewater service in the primary urban service district. Development proposals shall not be approved where adequate regional water and sewage facilities cannot be provided, unless the development can meet the requirements for an on-site sewage treatment and disposal system found in Policies 10.2A.7 and 10.2A.8.

Policy 10.1A.12. Package treatment plants shall be prohibited except within the Seven J's Industrial Area and Martingale Commons PUD, provided that the respective project is proceeding in accordance with its timetable of development and conditions of approval.

Policy 10.1A.13. In accordance with Policy 10.1A.8, if there is a gravity sewer line, force main or lift station in a public easement or right-of-way within 500 feet of Seven J's or Martingale Commons, the respective property will be required to connect to these facilities and the construction and/or utilization of package treatment plants or onsite treatment and disposal systems within these developments shall be prohibited. All properties deriving a special benefit from the connection shall pay for the expenses that are properly attributable to providing such connection under generally accepted accounting principles including, but not limited to, expenses related to the line extension, reimbursement to the County for any funds advanced, and all connection costs or other applicable capital facility charges. Such expenses shall be apportioned to and collected from such properties in a manner that fairly and reasonably apportions such expenses based upon an objectively determinable methodology in accordance with Section 71.103 of the Martin County Code, or other similar method of cost recovery permitted under Florida law. Until such time as facilities are available for connection, the use of on-site sewage treatment and disposal systems up to 2,000 gpd flows shall be allowed. Any existing uses on on-site sewage treatment and disposal systems must connect to the regional sewage system within 365 days of the date of receiving notice of the availability of the facilities.

Objective 10.1B. To plan for public facilities sufficient to meet future sanitary sewer needs based on adopted level-of-service standards and projected populations for the 5-year and 10-year planning periods.

Policy 10.1B.1. The Martin County Utilities and Solid Waste Department shall review and amend as necessary the Wastewater Master Plans as part of the annual adoption of the Capital Improvements Plan.

Policy 10.1B.2. The County shall maintain and improve an information system to assist in evaluating wastewater management, including wastewater quantity, quality and use. This system shall assist in resolving administrative, operational and maintenance issues related to the development of a comprehensive wastewater system, including system consolidation and possible regionalization of facilities. The information system shall include existing conditions of wastewater plants as reported by the FDEP. Maps of sewerred areas will be updated quarterly.

Policy 10.1B.3. The County shall continue to acquire wastewater treatment facilities that meet the minimum standards established in the proposed County Wastewater Facility Ordinance, provided that:

- (1) The County determines it is in the public interest to offer utility services to best manage wastewater resources;
- (2) Ownership by the County will establish equal or greater long-range stability of the utility;
- (3) The acquisition can be accomplished without a significant change in existing rate structures or will result in providing high-quality service more cost-effectively;
- (4) There is a willing seller, or the County will exercise its right of eminent domain.

- COMPREHENSIVE GROWTH MANAGEMENT PLAN
Chapter 10 SANITARY SEWER SERVICES ELEMENT

Policy 10.1B.4. The County shall manage the location, timing, scale and character of development options in areas not served by regional sewage system to ensure that (1) future development is provided with safe and sanitary means of wastewater disposal and (2) natural resources are not harmed by improper treatment and disposal of wastewater effluent. The CGMP and Land Development Regulations will be used to implement this policy.

Policy 10.1B.5. The level of service standards shall be incorporated into the Martin County Capital Improvements Element. The following level of service standard for residential and nonresidential use is hereby adopted for all sanitary sewer treatment facilities in Martin County and shall be used as the basis for determining the availability of capacity and the demand generated by a development:

Facility	Residential Level of Service	Year
Wastewater Treatment Systems	100 gallons per capita, per day	2015
	<u>195 gallons per Equivalent Residential Connection</u>	<u>2025-2045</u>
	100 gallons per capita, per day	2025

Facility	Nonresidential Level of Service	Year
Wastewater Treatment Systems	0.1 gallons per sq. ft.	2015-2025-2045
	<u>195 gallons per Equivalent Residential Connection</u>	<u>2025-2045</u>
	0.1 gallons per sq. ft.	2025

This level of service represents a County-wide average compiled from the best available data.

Policy 10.1B.6. To ensure available capacity of County-owned regional sewage systems, the County shall begin design of essential improvements when the system reaches 80 percent of total rated capacity. Construction will begin when the system reaches 90 percent of total rated capacity. No additional reservations shall be made at 100 percent of rated capacity unless construction is underway. The County adopted the Adequate Public Facilities Ordinance to ensure that capacity is coordinated with approved developments.

Policy 10.1B.7. The County will monitor level of service standards for wastewater service and will report the results in the annual report on level of service for all County services.

Policy 10.1B.8. The Utilities and Solid Waste Department shall review all development proposals, plans and specifications to ensure that all sanitary sewer transmission systems meet County minimum standards, are consistent with the County's consolidation efforts and do not reduce levels of service.

Policy 10.1B.9. The County shall use treated wastewater effluent for irrigation purposes to the maximum extent practical.

Policy 10.1B.10. Martin County shall investigate Federal and State grants and other revenue sources to subsidize the cost of sanitary sewer services to existing areas that need such service.

Objective 10.1C. To adopt the following criteria for extending public facilities that maintain adopted level of service standards and promote compact urban development:

Policy 10.1C.1. The extension of sanitary sewer lines and expansion of treatment plant capacity shall be based on the projected demand for service as established in the Future Land Use Maps (Chapter 4). To assure consistency of efficient service provision with the established land use pattern, the following determinations must be made:

- (1) The adopted level of service standards will be maintained and adequate capacity is available as determined by an analysis of the current and projected future population growth within the existing service area and the proposed area to be served;
- (2) Extension of regional sewage systems shall be limited to those areas identified within the Future Land Use Element of this plan that are in the Primary Urban Service District, as shown on Figure 4-2, Urban Service Districts in the Future Land Use Element (Chapter 4) of the CGMP; to Jonathon Dickenson State Park as provided in Policy 10.1A.7 and projects that have vested under previous approvals, as provided in Policy 10.1A.8;

Editor's note(s)—Figure 4-2 is on file in the office of the Martin County Growth Management Department and on the County's website.

- (3) It would be practical, feasible and cost-efficient to provide the service in a long-term expansion program;
- (4) Extension would be in the public interest; and
- (5) Service shall not be extended to new development within the Secondary Urban Service District except to projects that have vested under previous approvals.

Policy 10.1C.2. Public service areas shall be expanded based on their ability to serve new customers cost-effectively and without jeopardizing levels of service for present and future customers in existing service areas.

Policy 10.1C.3. To maintain the level-of-service standards specified in Policy 10.1B.5., the County shall ensure that adequate facility capacity exists or will be provided concurrent with development. Staff will analyze facility capacity based on adopted level of service standards and the projected need resulting from the development.

Policy 10.1C.4. In reviewing future development proposals and determining appropriate density allocations, the staff analysis will include evaluation of possible limitations in water supply and related problems of water quality, wastewater effluent and biosolids disposal. Development orders will not be approved where adequate water and sewer facilities cannot be provided.

Policy 10.1C.5. All developments within established sewer service areas shall donate all needed sanitary sewer collection lines, lift stations, force mains and appurtenances along with suitable easements and shall pay all applicable capital facility costs when services are reserved by the County. This policy shall be implemented by: (a) formation of special assessment districts, or (b) execution of a standard developer's agreement, or (c) execution of an interim agreement in accordance with the Land Development Regulations.

Policy 10.1C.6. When a property owner requests the County to provide wastewater service to a property and providing the service requires installation of a transmission line, the County will allow a portion of the capital facility charge as a credit towards construction of the line.

Policy 10.1C.7. To encourage developers to provide sewer capacity in excess of their project's needs, the County shall consider cost recovery agreements. The owner and the County shall apply credit towards the capital facility charges (CFC) in accordance with the CFC credit policy in effect at the time.

Policy 10.1C.8. Wastewater system improvements shall be located, designed and installed in a manner that is cost-effective, functional, responsive to the specific needs of existing and planned future land uses in the service area, and compatible with surrounding natural systems. Wastewater main extension shall be aligned and installed in a manner that prevents undue loss of established tree canopies or soil through induced erosion. Features of land altered by construction shall be returned as close as possible to the original condition. The timing and staging of construction shall be scheduled to minimize disruptive impacts, including those on residential quality and traffic flow.

Policy 10.1C.9. The County has defined detailed service area maps of government-owned or investor-owned sewerage systems that will be used to implement the Martin County Land Development Regulations as regional sewage systems. The ~~five~~ six government owned regional sewage systems are Martin County North, Martin County South, South Martin Regional Utilities, the Loxahatchee River Environmental Control District, Indiantown and the City of Stuart. ~~The Indiantown Utility is the only investor-owned regional sewage system.~~ Any changes in the list of eligible utilities and their service areas will be made by plan amendment. These map(s) shall be amended annually as necessary. The service area for private facilities shall be as certified and regulated by the Florida Public Service Commission. The service areas for governmentally-owned facilities shall be as determined by master plans or other appropriate documents authorized by the jurisdictional entity. Figure 11-1 in Chapter 11 shows the current regional utilities service areas in Martin County.

Objective 10.1D. To maintain a 10-year schedule of capital improvement needs for wastewater facilities, that is updated annually in conformance with the review process set forth in the Capital Improvements Element.

Policy 10.1D.1. Proposed capital improvement projects will be evaluated and ranked according to the following priorities, in descending order:

- (1) Correction of deficiencies;
- (2) Service to existing developments;
- (3) Service to enclave and infill areas within the urban service area;
- (4) Extension of service to new developments:
 - (a) Service to meet legal commitments and vested projects;
 - (b) Service to new developments.

Policy 10.1D.2. Ten-year wastewater facility work programs shall be evaluated annually to ensure that projects are prioritized based on current conditions and anticipated future resident demand, consistent with the Capital Improvements Element.

Policy 10.1D.3. The sanitary sewer system projects listed in the 10-year CIP will be prioritized in the wastewater facility program. This list may be evaluated annually and reprioritized as necessary.

Policy 10.1D.4. The 10-year wastewater facility work program shall be coordinated with other proposed work in public road rights-of-way to ensure consistency and cost-effectiveness of work in the County and in conjunction with State or municipal improvements.

Objective 10.1E. To continue coordinating with the FDEP to determine sanitary sewer facility deficiencies.

Policy 10.1E.1. No new package plants shall be allowed except for projects specified in Policy 10.1A.11 that are vested based on master plan approval consistent with the policies in effect at the time of approval. To maintain vested rights, projects must be proceeding in accordance with their timetables and the conditions of approval. No connections to existing package plants shall be allowed if enforcement action by FDEP would preclude such connections.

Policy 10.1E.2. Existing customers of package plants will be connected to regional systems when:

- (1) The useful life of the package plant has been exhausted;
- (2) It is cost-effective; or
- (3) The package plant falls into noncompliance with FDEP regulations and is required to connect.

Policy 10.1E.3. When package plants are connected to regional systems, property owners benefiting from the connection shall pay all connection costs, including capital facility charges.

Goal 10.2. Martin County shall provide a safe, environmentally friendly alternative for wastewater treatment where regional sewage service is not available.

Objective 10.2A. Martin County shall require strict standards for on-site sewage treatment and disposal systems which protect the public health, the surficial aquifer, the St. Lucie Estuary, and wetlands and other surface waters.

Policy 10.2A.1. All new development within the primary urban service district requiring site planning or platting shall connect to a regional sewage system if a wastewater collection or transmission line with sufficient available capacity exists within one-quarter mile of the development as accessed via public easements or rights-of-way, and the regional sewage system has available capacity.

Policy 10.2A.2. Developments required to extend lines to connect to a regional sewage system shall do so in accordance with the requirements of that regional sewage system. For County-owned and/or operated systems, the routing and size of the wastewater collection and/or transmission main extension shall be in accordance with the County's master wastewater pipe network plan to be adopted by resolution. Where urban land use designations require future extension of wastewater collection and/or transmission mains, the mains shall be required to be extended the full length of the right-of-way or easement which is adjacent to the property.

Policy 10.2A.3. All single-family and duplex residential properties must connect to a regional sewage system within 365 days of the date of receiving notice that a gravity sewer collection main with sufficient available capacity is adjacent to the property within an easement or right-of-way, and the regional sewage system has available capacity.

Policy 10.2A.4. All multifamily and nonresidential properties must connect to a regional sewage system within 365 days of the date of receiving notice that a gravity sewer collection or a wastewater transmission (force) main with sufficient available capacity is adjacent to the property within an easement or right-of-way, and the regional sewage system has available capacity.

Policy 10.2A.5. When the Martin County Board of County Commissioners makes a determination, based upon facts and evidence that:

1. The sanitary sewer service being supplied to an area by an on-site sewage treatment and disposal system constitutes a health hazard or environmental harm; and
2. Connection to a regional sewage system is a reasonable means of avoiding such health or environmental hazard;

then the property owners shall be required to connect to a regional sewage system if a wastewater collection or transmission line with sufficient available capacity exists within one-quarter mile of the development as accessed via public easements or rights-of-way, and the regional sewage system has available capacity. All such connections shall be made in accordance with rules and regulations that provide for charges for these connections as determined by the Board of County Commissioners or the private regional sewage utility.

Policy 10.2A.6. Once a service connection is made to a regional sewage system, disconnection from that regional sewage system is prohibited.

Policy 10.2A.7. The use of on-site sewage treatment and disposal systems to provide sanitary sewer service shall be limited to the following:

1. Single-family dwellings on existing legally created residential lots of record as of April 1, 1982.
2. Duplex units on existing legally created residential lots of record as of April 1, 1982, provided that:
 - a. The lot of record is serviced by a regional potable water system.

- COMPREHENSIVE GROWTH MANAGEMENT PLAN
Chapter 10 SANITARY SEWER SERVICES ELEMENT

- b. The duplex is located in a subdivision which is zoned for duplex use and is designated for medium density or high density use on the future land use map of the Comprehensive Plan, and which was three-fourths developed in duplex use on April 1, 1982.
 - c. A regional sewage system gravity sewer collection main is not available within 1,000 feet of the subject duplex lot.
 - d. An agreement is executed with the County to connect to a regional sewage system within one year from the date that a gravity sewer collection main with sufficient available capacity is adjacent to the property within an easement or right-of-way, and the regional sewage system has available capacity.
3. Single-family lots created between April 1, 1982 and December 16, 2014 shall comply with the following:
 - a. Each on-site sewage treatment and disposal system shall be located on a lot.
 - b. Each lot shall have a usable minimum area of one-half acre per unit when the development is serviced by a private well.
 - c. Each lot shall have a usable minimum area of one-third acre per unit when the development is serviced by a regional water supply system.
 - d. The septic tank must be set back 75 feet from a drinking water well and 50 feet from irrigation well.
4. New subdivisions for single-family dwellings, on lots of a minimum one acre of usable upland area if a regional sewage system collection or transmission line with sufficient available capacity does not exist within one-quarter mile of the development as accessed via public easements or rights-of-way, and the regional sewage system does not have available capacity. For purposes of this section, the term "usable upland area" shall not include:
 - a. Street rights-of-way.
 - b. Drainage easements.
 - c. Utility easements, except those allowing only overhead wires.
 - d. Wetlands.
 - e. Streams, lakes or similar bodies of water.
5. Any new residential or nonresidential use outside the primary urban service district on a lot of a minimum one acre of usable upland area per unit shall be in compliance with the following:
 - a. For any use, the allowed potable water demand must match the allowed sewage flow. Allowed flows for potable water cannot exceed allowed flows for sanitary sewage and vice versa. The potable water demand shall be calculated in accordance with the Standards for On-Site Sewage Treatment and Disposal Systems, of the State of Florida Department of Health, Chapter 64E-6, Florida Administrative Code.
6. Nonresidential use of On-site Sewage Treatment and Disposal Systems. On-site sewage treatment and disposal systems can serve nonresidential uses when a regional sewage system is not available. In addition, the use must be determined by the Florida Department of Health not to constitute a high expected failure rate.

An on-site sewage treatment and disposal system shall not be approved:

 - a. Where an existing sanitary sewer (either government-owned or investor-owned) is available for connection, which means the system: (1) is not under an FDEP moratorium,

(2) has adequate hydraulic capacity to accept the quantity of sewage to be generated by the proposed establishment, and (3) complies with the following conditions:

- (1) For estimated sewage flows of 600 or fewer gallons per day, there is a gravity sewer line in a public easement or right-of-way abutting or within 100 feet of the property, and gravity flow can be maintained from the building drain to the sewer line.
 - (2) For estimated sewage flows of 601 to 1,200 gallons per day, there is a gravity sewer line, force main or lift station in a public easement or right-of-way within 100 feet of the property.
 - (3) For estimated sewage flows of 1,200 to 2,000 gallons per day, there is a gravity sewer line, force main or lift station in a public easement or right-of-way within 500 feet of the property.
- b. For treatment and disposal of industrial, hazardous or toxic wastes;
 - c. For onsite sewage treatment and disposal systems in excess of 2,000 gpd flows within the PUSD.

Policy 10.2A.8. The following standards shall apply to all on-site sewage treatment and disposal system installations:

1. No onsite sewage treatment and disposal system shall exceed a total site buildout flow of 2,000 gpd, except as described below and in Policy 4.13A.8(5) and Policy 4.1B.2(4). Total site buildout shall be as determined by the Florida Department of Health.
2. All on-site sewage treatment and disposal systems shall be designed, located and installed in accordance with the "Standards for On-Site Sewage Treatment and Disposal Systems," State of Florida Department of Health, Chapter 64E-6, Florida Administrative Code or as required by the goals, objectives and policies of this element, whichever is the more restrictive.
3. On-site sewage treatment and disposal systems (including the drainfield) shall not be located within ten feet of designated upland preserve areas.
4. The property owner shall be responsible for assuring adequate drainage so adjacent parcels will not be adversely affected.
5. When a parcel of land is located on or surrounding a water body or wetland, the on-site sewage treatment and disposal system shall be placed on the side of the parcel farthest from and at least 75 feet from the water body or wetland. This requirement shall be designated on the final plat of any approved subdivision located on or surrounding a water body or wetland. In the case of a lot of record created prior to April 1, 1982, the requirement set forth in this subsection shall be waived in cases of severe hardships. The Growth Management Department director may approve such a waiver in writing upon a finding that requiring the 75-foot setback would prevent any reasonable use of the lot and upon an affirmative recommendation of the Florida Department of Health. A severe hardship does not exist if the building(s), driveways or other features on the property can be moved and still comply with all the current codes.
6. Each on-site sewage treatment and disposal system tank utilized must be equipped with an on-site sewage treatment and disposal system effluent filter. These filters must be maintained by the property owner and must remain in service for the life of the on-site sewage treatment and disposal system. A list of approved filters is available at the Florida Department of Health.
7. The installation of an on-site sewage treatment and disposal system shall not be permissible when the use is determined by the Florida Department of Health to constitute a high expected failure level.

8. On-site sewage treatment and disposal systems shall be set back a minimum of 15 feet from the design high-water line of a retention or detention area designed to contain standing or flowing water for less than 72 hours after a rainfall, or the design high-water level of normally dry drainage ditches or normally dry individual lot stormwater retention area.
9. For on-site sewage treatment and disposal systems outside the Primary Urban Service District the BCC may waive the 2,000 gpd limitation set forth in Policy 10.2A.8.1 above, to the extent necessary for nonresidential or agricultural uses permitted by the future land use designation and zoning district, but in no event shall the waiver allow total site buildout flows to exceed 5000 gpd.
 - a. In order to obtain a waiver of Policy 10.2A.8.1. a person must submit an application in a form prescribed by the County Administrator. The application must contain a concise statement by the applicant detailing the circumstances that justify a waiver of the 2,000 gpd flow limitation. The application must also contain written concurrence from the Florida Department of Health that the use to be served requires a system greater than 2,000 gpd total site buildout flow, but the system does not exceed 5,000 gpd total site buildout flow.
 - b. The waiver shall not be granted unless the Board determines that:
 1. The proposed system meets all criteria required by the Florida Department of Health.
 2. The system has been located to protect wetlands, wellfields, water bodies, drainage facilities or other surface waters, to the maximum extent practicable. For on-site sewage treatment and disposal systems adjacent to wetlands, wellfields, water bodies, drainage facilities and other surface waters, a minimum setback of 200 feet has been provided.
 - c. In granting the waiver, the Board may prescribe any appropriate maintenance conditions.
 - d. In granting the waiver, the Board's decision shall be based upon the particular circumstances of the application and shall not constitute a precedent for other waiver applications.

Policy 10.2A.9. The following standards shall apply to all on-site sewage treatment and disposal systems that require repair or replacement:

1. Each existing on-site sewage treatment and disposal systems must be equipped with an on-site sewage treatment and disposal system effluent filter. These filters must be maintained by the property owner and must remain in service for the life of the on-site sewage treatment and disposal system. A list of approved filters is available at the Florida Department of Health.
2. If the existing on-site sewage treatment and disposal system is located within 75 feet of a water body or wetland, the effluent disposal portion of the system must be relocated to at least 75 feet from the water body or wetland. If potable water wells, property size, or other similar site restraints exist that prevent the relocation of the effluent disposal system to the proper setback, then the effluent disposal system must be moved as far as possible from the water body or wetland, as approved by the Florida Department of Health.

Goal 10.3. Martin County shall ensure that all County actions regarding water and wastewater policies, procedures and programs support, maintain and further a safe, healthy and ecologically balanced St. Lucie River Estuary and Indian River Lagoon, and Loxahatchee River watershed.

Objective 10.3.A. Martin County shall consider changes to Comprehensive Plan policies and the Land Development Regulations regarding OSTDS and regional sewage facilities to ensure that its policies and regulations are

consistent with state-of-the-art knowledge and policies to achieve the County's goal of clean water and fiscal efficiency.

Policy 10.3A.1. ~~Martin County shall monitor the research results produced by the Florida Department of Health's, on-going six-year, \$5.1 million "Florida Onsite Sewage Nitrogen Reduction Strategies Study," the Department of Health's planned research into the effectiveness of effluent filters, the performance and management of advanced onsite systems, drip irrigation disposal of septic tank effluent, the life expectancy of onsite systems; as well as research being conducted by other public agencies and universities regarding contamination of water resources from OSTDS and methods to avoid it.~~

Policy 10.3A.2. ~~Martin County shall complete its own \$280,000 study in an attempt to document the extent to which OSTDS are contributing contamination to the County's surface water resources and modifies its policies and practices as a result of the research findings.~~

Policy 10.3A.3 1. The Martin County Utilities and Solid Waste Management Department, Growth Management Department and the Engineering Department shall synthesize contemporary research findings and periodically report such findings to the Board of County Commissioners for formulation, maintenance or modification of OSTDS and regional sewage service goals, objectives and policies to protect public health and the natural environment, and to advance the future land use goals of the Comprehensive Plan, to the greatest extent feasible.

Goal 10.4 Martin County shall ensure compliance with Florida House Bill 1379/Senate Bill 1632. This legislation added new Comprehensive Plan requirements related to sewage treatment and system evaluation that the Utilities Element must address by the stated deadline of July 1, 2024. The proposed new Utilities Element policies satisfy these requirements.

Objective 10.4.A. Within unincorporated Martin County for any development of more than 50 residential lots, whether built or unbuilt, with more than one onsite sewage treatment and disposal system per 1 acre, the County shall consider the feasibility of providing sanitary sewer services within a 10-year planning horizon. The foregoing does not apply to areas designated as a rural area of opportunity. An onsite sewage treatment and disposal system is presumed to exist on a developed parcel if sanitary sewer services are not available at or adjacent to the parcel boundary.

Objective 10.4B The Annual Average Daily Flow (MDF) capacity of the facilities under the full or partial governance of Martin County, any associated transmission facilities and the projected wastewater flow at these facilities for at least the next 20 years are depicted in Tables 10-2 above. Expected future new construction and connections of onsite sewage treatment and disposal systems to sanitary sewer are currently on a 20 year, or more, planning horizon as demonstrated in the Martin County Utility Master Plan, as may be amended periodically and which is on file at Martin County Utilities. Developers of new construction are required to add infrastructure commensurate to the size of the new construction as per the existing Martin County Utilities Minimum Design and Construction Standards.