

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Authorization to schedule public hearings to enact a Reclaimed Water Ordinance

DEPARTMENT: Planning and Development **DIVISION:** Administration

AUTHORIZED BY: Donald S. Fisher **CONTACT:** Donald S. Fisher **EXT.** 7397

<p>Agenda Date <u>06/24/03</u> Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/></p> <p>Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/></p>

MOTION/RECOMMENDATION:

Authorize Planning and Development Director to schedule and advertise public hearings to consider an amendment to the Land Development Code of Seminole County to enact a Reclaimed Water Ordinance.

(Countywide)

(Donald S. Fisher, Planning and Development Director)

BACKGROUND:

The St. Johns River Water Management District has delineated measures which would enable Seminole County to meet a goal of 50 percent reclaimed water use and reduce per capita consumption of potable water. One of these measures includes the enactment of a Reclaimed Water Ordinance for new development.

Attached is a copy of the proposed ordinance which has been distributed to the Development Advisory Board (DAB) and the Sustainable Community Advisory Council (SCAC) for review and comment. Public hearings will be set for the Planning and Zoning Commission and Board of County Commissioners subsequent to review of the ordinance by DAB and SCAC.

Reviewed by:
Co Atty: _____
DFS: _____
Other: _____
DCM: <u>[Signature]</u>
CM: <u>[Signature]</u>
File No. <u>cpda01</u>

Attachments: Proposed ordinance.

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY; AMENDING DEFINITIONS; REQUIRING RECLAIMED WATER SYSTEM CONNECTIONS; PROVIDING CONSTRUCTION AND DESIGN STANDARDS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners ("Board") has evaluated the provisions of Seminole County's land development regulations relative to its reclaimed water program and determined that certain codes must be amended to improve management of reclaimed water; and

WHEREAS, requirements of the St. Johns River Water Management District and demands created by a rapidly increasing population have created the need for additional potable water conservation measures in Seminole County; and

WHEREAS, the best use for potable water resources is human consumption and therefore use of potable water for irrigation should be minimized to preserve water for human consumption; and

WHEREAS, the use of reclaimed water for irrigation uses is a water conservation tool which preserves potable water resources; and

WHEREAS, the Board desires to outline County management and enforcement responsibilities regarding use of reclaimed water; and

WHEREAS, the provisions of this Ordinance are consistent with the provisions of the Seminole County Comprehensive Plan; and

WHEREAS, a Private Property Rights Analysis relating to this Ordinance has been prepared and made available for public review; and

WHEREAS, an Economic Impact Statement relating to this Ordinance has been prepared and made available for public review,

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. Definitions. Section 2.3 of the Land Development Code of Seminole County Code is hereby amended to read as follows:

Dry line: A pipe installed underground for the purpose of transporting water but which is not connected to a water system.

Reuse or Reclaimed Water: Wastewater treated beyond the normal effluent treatment requirements allowing for use in commercial, residential and agricultural business and landscape irrigation.

Reuse Water System or Reclaimed Water System: Any plant, well, pipe, tank, reservoir, facility, property or any combination thereof, which is used for or has capacity for use as a mechanism for obtaining and supplying reclaimed water.

Site: The location of any development.

Section 2. Section 30.1234, Land Development Code of Seminole County, is hereby created to read as follows:

Section 30.1234. Reclaimed Water Systems.

(a) Requirements.

(1) A reclaimed water system shall be installed concurrently with any development for which a central potable water system is required to be installed and which is subject to the requirements of Chapter 35 or Chapter 40 of this Code if a reclaimed water supply of adequate capacity is available within 1,250 feet of the closest point of the site and a connection can be made between the site and the reclaimed water supply through existing easements or rights-of-way.

(2) In the event that an adequate reclaimed water supply is not currently available as defined above, a reclaimed water system consisting of dry lines shall be installed if the utility provider to the site has adopted a reclaimed water master plan which provides that reclaimed water will be made available to the site within ten (10) years of the date of application for development approval.

(b) Design and installation.

Design and installation of a reclaimed water system shall be done in accordance with Florida Administrative Code Chapter 62-610, "Reuse of Reclaimed Water and Land Application," and Appendix F of this Code, "Water and Sewer Standards." In the

event of a conflict between the Florida Administrative Code Chapter 62-610 and Appendix F of this Code, the Florida Administrative Code shall govern.

(c) Exemptions.

The requirements of this Section shall not apply to any development for which an application for site plan review, or an application for final engineering review in association with a final plat, in regard to the subject development was submitted to the Planning and Development Department of Seminole County prior to June 1, 2003.

Section 3. Codification. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Land Development Code of Seminole County, Florida and that the word "ordinance" may be changed to "section", "article", or other appropriate word or phrase and the sections of this Ordinance may be renumbered or relettered to accomplish such intention; providing, however, that Sections 3, 4 and 5 shall not be codified.

Section 4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given

effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. Effective date. This Ordinance shall take effect upon filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners.

ENACTED this ____ day of _____, 2003.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

Daryl G. McLain, Chairman

KC/gn

4/11/03 5/22/03

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