

Board of County Commissioners Agenda Report

Date of Meeting: November 20, 2018

Date Submitted: November 1, 2018

To: Honorable Chairperson and Members of the Board

From: Dee Jackson, Interim County Administrator
Allara Mills Gutcher, AICP, The Planning Collaborative

Subject: **PUBLIC HEARING** (Legislative) – Consideration of Adoption of Ordinance 2018-020 to amend the Infrastructure Element of the Comprehensive Plan (LSPA 2018-09)

Statement of Issue:

Consideration of the adoption of Ordinance 2018-020 to amend the Infrastructure Element of the Comprehensive Plan (Attachment 1).

Background:

The Infrastructure Element was last updated/amended in 2001. This element is in need of considerable update to changing conditions and Florida statutory changes in the last seventeen years since the element was amended. According to §163.3177, F. S., an infrastructure element is required in the Comprehensive Plan. More specifically, Part (6)(c) of that section states:

“A general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge element correlated to principles and guidelines for future land use, indicating ways to provide for future potable water, drainage, sanitary sewer, solid waste, and aquifer recharge protection requirements for the area.”

The Planning Commission considered this item at the July 12, 2018 public hearing. Subsequently, the Board of County Commissioners voted to transmit this Element at the August 21, 2018 public hearing to the Department of Economic Opportunity and other required state agencies for review. The County received a “no comment” letter in response to the proposed changes (Attachment 2).

Analysis:

No changes have been made since the Board last heard this item on August 21, 2018.

This element was completely revised and reorganized. For better understanding, the entire element has been stricken, and a new element is proposed. More specifically:

Part A Sanitary Sewer Sub Element:

- For concurrency management purposes, development standards are included to measure levels of service standards against existing conditions. Currently, the Plan does not contain these standards for non-residential uses.
- The residential measure is amended from 100 gallons of wastewater per capita per day to 110. The standard is eliminated from on-site treatment systems as these systems do not connect to a public facility.
- Retains requirement of current Policy 4.3.1 to connect to a sanitary sewage system if within one quarter mile of public facilities. Located in Policy 4A.1.3.
- Retains Policy 4.5.1 as Policy 4A.1.2.
- Retains current Policy 4.5.7 as Policy 4A.1.6.
- Eliminates the requirement of a centralized system for those developments with four dwelling units to the acre or greater. (Current Policy 4.5.3)
- Removed requirements of Policy 4.5.5 as this is legislated and regulated at the state level by the Department of Health. The policy incorrectly states “the County shall permit OSTDS”, which not the practical permitting method.

Part B Potable Water Sub Element:

- For concurrency management purposes, development standards are included for residential and non-residential uses in Policies 4B.1.3 and 4B.1.4. These standards are required to determine the impact of a development.
- The requirement for connection to a centralized or public potable water system is retained as Policy 4B.1.2.
- The wellhead protection policy is now 4B.1.6.
- Current Policies 4.7.5, 4.12.5 and 4.12.6 were required when Quincy Creek was the source for the City of Quincy potable water supply. This is no longer a source of potable water. This creek is otherwise protected in the Conservation Element as a jurisdictional wetland.

Part C Stormwater Management (Drainage Sub Element):

- This sub-element specifically needed updates to relevant citations, as Chapter 62-330 referring to the Environmental Resource Permitting (ERP) was adopted at the state level since the last update to this Element.
- The level of service standards are reorganized and included for better clarity and administration.
- Policies such as Policy 4.10.6 were removed as the County has neither the capacity nor the expertise to monitor impacts to Lake Talquin or the Ochlocknee River.

Part D Solid Waste:

- The County does not offer solid waste services, so this sub-element was reduced to those issues that the County can control.
- The current Recycling Policy (Policy 4.8.4) was removed. Staff reported there was never a Department of Recycling and no recycling programs exist today.
- Other than several that are pre-registered for disaster debris management, there are no active solid waste landfills in Gadsden County according to the FDEP Solid Waste Inventory as of June 2018 with exception to one for yard trash (Quincy Byrd Landfill), a transfer station (Quincy), one at Coastal Forest Resources Company near Havana, and one for vehicular tires. All solid waste is sent to Georgia. Therefore, Policy 4.8.3 and Policy 4.8.5 were removed.

Part E Natural Groundwater Protection and Recharge

This sub-element was updated to reflect current conditions and documentation/references. Newer policies are introduced to better reflect the intent of protection of groundwater in Gadsden County. Defunct policies such as Policies 4.12.5 and 4.12.6 are removed. In addition, the Water Management District does not review local government development order applications unless it is an Area of Critical State Concern and that stipulation is part of that Agreement, so those references were removed.

Recommendation:

Options include:

1. Adopt Ordinance 2018-020 which amends the Infrastructure Element of the Comprehensive Plan (LSAP 2018-09).
2. Don't adopt Ordinance 2018-020 which amends the Infrastructure Element of the Comprehensive Plan (LSLPA 2018-09).
3. Adopt an amended version of Ordinance 2018-020 which amends the Infrastructure Element of the Comprehensive Plan (LSLPA 2018-09).
4. Board direction

Planning Commission Recommendation:

Option 1

Attachment(s):

1. Ordinance 2018-020 with Exhibit A - Infrastructure Element in underline (proposed version) and strikethrough (current, to be replaced version) format.
2. No comment letter from the Department of Economic Opportunity.
3. Newspaper Advertisement.

ORDINANCE 2018 -020

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA AMENDING THE INFRASTRUCTURE ELEMENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL, SEVERABILITY, AND CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida legislature has adopted Chapter 163, F.S., which requires Gadsden County to prepare and adopt and enforce a comprehensive plan; and

WHEREAS, the Gadsden County Local Planning Agency held a properly noticed public hearing to consider the proposed amendments to the Infrastructure Element of the Comprehensive Plan on July 12, 2018, ("LSPA 2018-09"), and recommended that the amendments be approved by the Gadsden County Board of County Commissioners for adoption; and

WHEREAS, the Gadsden County Board of County Commissioners held a properly noticed public hearing on August 21, 2018 to consider the transmission of LSPA 2018-09 to the Department of Economic Opportunity ("DEO") for review, and after consideration of the data and analyses and public comments received during the public hearing, voted to transmit LSPA 2018-09 to the DEO; and

WHEREAS, the DEO has completed its review of LSPA 2018-09 and issued a "no comment" letter; and,

WHEREAS, in the exercise of its authority, the Board of County Commissioners of Gadsden County finds it necessary and desirable to adopt and does hereby adopt the Comprehensive Plan Amendment LSPA 2018-09, in order to encourage the most appropriate use of land, water and resources, consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the unincorporated jurisdictional boundaries of Gadsden County.

Now therefore, be it ordained by the Board of County Commissioners of Gadsden County, Florida, that:

SECTION I: Approval and Adoption of Amendment.

The amendment to the Infrastructure Element of the Gadsden County Comprehensive Plan, as attached hereto as Exhibit "A" is hereby adopted and approved.

SECTION II: Repeal

All parts of the Infrastructure Element of the Gadsden County Comprehensive Plan in existence prior to the adoption of this ordinance are hereby repealed and shall have no further effect whatsoever.

SECTION III: Severability

If any phrase or portion of this Ordinance, or the particular application thereof, shall be held void, unenforceable or unconstitutional by any court, administrative agency or other body with appropriate jurisdiction, the remaining provisions, sentences, clauses, or phrases and their application shall not be affected and shall remain in full force and effect.

Section IV: Correction of Scrivener's Errors

The County Attorney may correct any scrivener's errors found in this Ordinance, including the Exhibits attached hereto, by filing a corrected copy of the Ordinance with the Clerk.

Section V: Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be thirty-one (31) days after the state land planning agency notifies the County that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administrative Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

The above and foregoing Ordinance was read and approved at a duly convened regular meeting of the Board of County Commissioners of Gadsden County, Florida, this 20th day of November, 2018.

BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA

By: _____

Brenda Holt, Chairperson

Nicholas Thomas

Clerk of the Circuit Court

INFRASTRUCTURE ELEMENT

The purpose of this element is to provide for general sanitary sewer, solid waste, drainage, and potable water policies, and natural groundwater aquifer protection; the correlation of these services to land use; and, direction for the facility services provided by Gadsden County. Because Gadsden County does not provide centralized potable water, sanitary sewer, or solid waste services, those systems shall rely on state oversight and permitting.

Infrastructure Sub Elements:

A. Sanitary Sewer, B. Potable Water, C. Drainage, D. Solid Waste, E. Natural Groundwater Protection.

A. Sanitary Sewer Sub Element

GOAL 4A: REQUIRE ADEQUATE SEWAGE DISPOSAL.

OBJECTIVE 4A.1: Support the usage of existing centralized sewage disposal systems or otherwise require the usage of on-site wastewater treatment and disposal systems (OWTDS).

Policy 4A.1.1: Unless connected to a centralized system, in correlation with Section 64E-6.001 of the Florida Administrative Code, the County shall require all structures used or intended for human occupancy, employment, or service to the public and in locations where people congregate, to provide approved wastewater treatment and disposal systems and drainfields for the structure or development prior to receipt of a Certificate of Occupancy by the Building Official.

Policy 4A.1.2: No OWTDS shall be allowed within one-hundred (100) feet of any jurisdictional wetland.

Policy 4A.1.3: New development within one-quarter (1/4) mile of an existing centralized sewage disposal system shall be required to connect to the existing system prior to the issuance of any Certificate of Occupancy by the Building Official.

Policy 4A.1.4: For concurrency purposes, residential developments connecting to a centralized sewage disposal system shall use 110 gallons of wastewater per capita per day.

Policy 4A.1.5: For concurrency purposes, non-residential developments connecting to a centralized sewage disposal system shall use 166 gallons per 1,000 square feet, or 90% of the potable water concurrency standard, whichever is greater.

Policy 4A.1.6: Any new development located along and at the terminus of Reynolds Road shall either be served by a centralized sewage disposal system or OWTDS enhanced to deliver secondary levels of treatment to further treat effluent prior to discharge into the drain fields when

located less than two hundred (200) feet from the Florida Department of Environmental Protection's jurisdictional wetland line. Affected properties include those named in Land Use Amendments 2003-1 for Miller and Hill.

B. Potable Water Sub Element

GOAL 4B: ENSURE SAFE POTABLE WATER IS AVAILABLE.

OBJECTIVE 4B.1: Support the usage of centralized potable water systems or otherwise require the usage of safe water supply.

Policy 4B.1.1: Unless connected to a centralized system, in correlation with Section 62-532.400 of the Florida Administrative Code, the County shall require all structures used or intended for human occupancy, employment, or service to the public and in locations where people congregate, to provide approved potable water wells for the structure or development prior to receipt of a Certificate of Occupancy by the Building Official.

Policy 4B.1.2: New development within one-quarter (1/4) mile of an existing centralized or public potable water supply system shall be required to connect to the existing system prior to the issuance of any Certificate of Occupancy by the Building Official.

Policy 4B.1.3: For concurrency purposes, residential developments connecting to a centralized or public potable water system shall use 125 gallons per capita per day.

Policy 4B.1.4: For concurrency purposes, non-residential developments connecting to a centralized or public potable water system shall be considered at capacity when 90% of the respective supply of that facility has been reached at a calculation of the average of the previous three months usage.

Policy 4B.1.5: Gadsden County shall undertake emergency measures specified in the Northwest Florida Water Management District Water Shortage Plan in the event of a potable water emergency.

Policy 4B.1.6: Pursuant to Chapter 62-521, Florida Administrative Code (FAC), a Wellhead Protection Area of five-hundred (500) feet is or shall be established for community, transient non-community, or non-transient non-community systems. This area shall be located within the entire parcel that will contain the wellhead. For the purposes of this policy, the definitions of each system shall be as outlined in Chapter 62-521, FAC.

Policy 4B.1.7: Gadsden County shall work with the Northwest Florida Water Management District regarding the implementation of water use restrictions during a declared water shortage emergency.

C. Stormwater Management

GOAL 4C: PROVIDE AN ADEQUATE STORMWATER DRAINAGE SYSTEM.

OBJECTIVE 4C.1: Require drainage facilities to reduce stormwater pollution and provide reasonable protection from flood damage.

Policy 4C.1.1: The level of service standards for attenuation shall be as follows and shall apply to all development except those developments listed in Policy 4C.1.2:

- 1) For retention ponds: as required by the Northwest Florida Water Management District or applicable state agency.
- 2) For detention ponds: Post development runoff rates shall not exceed pre-development rates for a 25-year frequency storm event of a critical duration. The FDOT 1-hour, 4-hour, 8-hour, and 24-hour rainfall distribution shall be used to determine the critical duration.
- 3) Storm sewer systems: 3 year storm.
- 4) Cross drains: 100 year/24 hour storm for closed systems. 25 year/24 hour storm for open systems.

Policy 4C.1.2: The following developments are exempted from the level of service requirements listed in Policy 4C.1.1:

- 1) One single family home, duplex, triplex, or quadraplex not exceeding a total development impervious surface footprint of five-thousand (5,000) square feet in size.
- 2) The construction of one accessory structure for a residential use not exceeding one-thousand feet (1,000) in size.
- 3) Any agriculture or forestry activity that are exempt from Chapter 40A-44, Florida Administrative Code (F.A.C.).
- 4) Emergencies requiring immediate action to prevent substantial and imminent harm and danger to the public.

Policy 4C.1.3: The level of service standards adopted in Policy 4C.1.1 shall be used to verify adequate stormwater capacity is in place and available to serve new development and structures no later than the issuance of a Certificate of Occupancy by Gadsden County.

Policy 4C.1.4: All stormwater management systems shall be designed to provide a level of treatment which meets or exceeds Chapters 62-330, Florida Administrative Code, "Environmental Resource Permitting".

Policy 4C.1.5: The Gadsden County Stormwater Policy and Procedures Manual shall be revised and incorporated fully into the Land Development Regulations by December 2019.

Policy 4C.1.6: Gadsden County shall identify drainage patterns and develop corrections and improvement programs to correct and improve drainage deficiencies. Funding sources shall be sought to implement the study and program(s) necessary.

Policy 4C.1.7: When considering projects that involve re-paving or a road construction project, the Public Works Department shall advise the Gadsden County Administrator if drainage facilities are in need of repair or upgrade prior to initialization of the project.

D. Solid Waste

GOAL 4D: PROMOTE INCREASED USE OF WASTE COLLECTION.

OBJECTIVE 4D.1: Decrease occurrences of illegal waste disposal.

Policy 4D.1.1: County staff shall work with local municipalities and contracted solid waste collectors to increase waste collection from residents.

Policy 4D.1.2: Review the effectiveness of a countywide mandatory solid waste collection requirement for residential and commercial users.

Policy 4D.1.3: Strengthen regulations to prevent illegal dumping of solid waste within the unincorporated areas of Gadsden County.

Policy 4D.1.4: The County shall promote awareness and educational opportunities for recycling and other waste disposal reduction opportunities.

E. Natural Groundwater Protection and Recharge

OBJECTIVE 4E.1: Coordinate with other governmental agencies to protect the Floridan Aquifer and natural groundwater recharge areas.

Policy 4E.1.1: The County shall prohibit land uses that may discharge substances which could infiltrate, contaminate, or degrade the Floridan Aquifer especially in areas considered “most vulnerable” by the Northwest Florida Water Management District in the Apalachicola River and Bay Surface Water Improvement and Management (SWIM) Plan adopted November 2017, and the Ochlockonee River and Bay SWIM Plan adopted September 2017.

Policy 4E.1.2: All silvicultural development and redevelopment shall meet the standards outlined in “Silviculture Best Management Practices” produced by the Department of Agriculture and Consumer Affairs Florida Forest Service dated 2008.

Policy 4E.1.3: All agricultural activities shall meet the requirements of agricultural best management practices as developed by the Florida Department of Agriculture and Consumer Services.

Policy 4E.1.4: Gadsden County shall coordinate with the Northwest Florida Water Management District at such time a high aquifer recharge area is designated within Gadsden County.

Policy 4E.1.5: Any discharge into an Outstanding Florida Water shall be designed as specified in Chapter 62-4, Florida Administrative Code.

Policy 4E.1.6: Gadsden County shall coordinate with the Northwest Florida Water Management District to protect surface waters, specifically Class I surface waters as listed in Chapter 62-302, Florida Administrative Code

OBJECTIVE 4E.2: Prohibit the degradation of natural drainage systems.

Policy 4E.2.1: The filling, channelization, ditching, or other physical alteration of land which results in net loss of stormwater storage within areas inundated by a 100-year storm event shall be prohibited.

Policy 4E.2.2: Development shall not have an adverse impact on stormwater storage capacities or water quality, increase the likelihood of flooding, cause erosion, or cause other unfavorable drainage conditions.

Policy 4E.2.3: Sediment control measures shall be taken as part of any land clearing or development project, except for those activities which are considered bona-fide agricultural or silvicultural activities. If the development activity is considered a bona-fide agricultural or silvicultural activity, then the applicable best management practices shall be followed.

Policy 4E.2.4: The use of Low-Impact Development (LID) designs in site development shall be included in at least fifty (50) percent of the required open space. This may be accomplished by:

- 1) Preserving and/or recreating natural landscape features.
- 2) Minimizing effective imperviousness to create functional and appealing site drainage features.
- 3) Using stormwater as a resource rather than a waste product.
- 4) The use of rain gardens, bio retention facilities, vegetated rooftops, rain barrels, and permeable pavements shall be considered LID design approaches.

INFRASTRUCTURE ELEMENT

INTRODUCTION

~~———— The following plan element provides direction for the use, maintenance and location of general sanitary sewer, solid waste, drainage, potable water facilities and natural groundwater aquifer recharge areas in conformance with the Future Land Use Element of this Comprehensive Plan. The data collected for this plan element and analysis of this data contained in the County's *Data and Analysis* document, are not part of this adopted plan element, but serve to provide a foundation and basis for the formulation of this portion of the Comprehensive Plan.~~

~~———— The future growth of the County depends upon the safe, adequate and economical provision of public facilities and services. This portion of the Comprehensive Plan provides a goal, objectives and policies which direct the implementation and use of such public facilities in a logical and economical fashion as well as, in a manner which is consistent with the State of Florida Comprehensive Plan, the Apalachee Regional Comprehensive Policy Plan and the various elements of the Comprehensive Plan.~~

GOAL, OBJECTIVES AND POLICIES

~~**GOAL 4: TO HAVE ORDERLY DEVELOPMENT AND PRUDENT MANAGEMENT OF NATURAL RESOURCES FOR THE PROVISION OF SANITARY SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER AND NATURAL GROUNDWATER AQUIFER RECHARGE WHICH MAXIMIZES THE USE OF EXISTING FACILITIES AND PROVIDES THE ADOPTED LEVEL OF SERVICE CONCURRENT WITH DEVELOPMENT.**~~

~~**OBJECTIVE 4.1: The County shall monitor projected demands for Sanitary Sewer Service, Potable water, Drainage Improvements, and Solid Waste Disposal to maintain adequate Levels of Service of these facilities.**~~

~~**Policy 4.1.1:** The County shall provide that within the schedule contained in the Capital Improvements Element, that capital improvement projects needed for replacement or correction of existing deficiencies be given priority over providing for future facilities needs. Existing deficiencies or projected needs identified by the County shall be included in annual updates to the Capital Improvements Element.~~

~~**OBJECTIVE 4.2: The projected demand for infrastructure through 2010 shall be met by the following actions:**~~

~~**4.2 (A) Sanitary Sewer**~~

- ~~1. The County shall encourage multifamily housing and commercial/industrial operations to locate where central sewer is accessible, i.e., the Urban Service Areas adjacent to municipal sewer systems.~~
- ~~2. Subdivisions that require mounded systems will be required to provide a minimum of three acres for lots in areas with limiting soils and provide for area for two drain fields. Mounded on-site systems shall be designed by a Florida registered professional engineer.~~

~~3. The County supports ongoing research and policy development into the regulation and maintenance of On Site Treatment and Disposal Systems; (OSTDS), and shall amend OSTDS policies per Department of Health and Department of Community Affairs recommendations.~~

4.2 (B) Potable Water

- ~~1. Encourage residential and commercial/industrial developments to locate where municipal or central water is accessible. No new areas shall be rezoned commercial or industrial without access to a central water supply.~~
- ~~2. Discourage the proliferation of deep wells in subdivisions.~~

4.2 (C) Drainage

- ~~1. Drainage facility deficiencies identified in the Traffic Circulation Element Data and Analysis will be scheduled for correction in the Capital Improvements Element.~~

4.2 (D) Solid Waste

- ~~1. The County shall maintain a solid waste recycling center and construction debris facility.~~
- ~~2. The County shall actively work with the incorporated municipalities to ensure that future solid waste disposal needs are met.~~

~~**Policy 4.2.1:** The County shall coordinate with the municipalities, adjacent counties and independent utility providers as provided in the Intergovernmental Coordination Element to avoid unwarranted duplication of public services.~~

~~**OBJECTIVE 4.3:** The County shall promote the extension of central water and sewer to existing or developing high density areas and limit expansion into environmentally sensitive areas.~~

~~**Policy 4.3.1:** The County shall require new developments to connect to sanitary sewage systems and central water systems, if they are within ¼ mile of such public facilities, within 24 months if the provider can provide capacity.~~

~~**Policy 4.3.2:** Central water and sewage systems shall not be expanded to service new development in floodprone or conservation areas beyond lots or parcels of record that currently have structures on them.~~

~~**Policy 4.3.3:** New Development of Regional Impact shall be designed for central water and sewer systems.~~

~~**OBJECTIVE 4.4:** Operation, design and maintenance of all sanitary sewer, potable water, and solid waste facilities shall meet the minimum requirements of Chapter 403, Florida Statutes and implementing regulations and minimize the effects of facility-associated pollution on water and air systems.~~

~~**Policy 4.4.1:** The County shall provide for facility life expansion through the permitting of greywater systems for irrigation purposes, and maintenance and enhanced operation of its solid~~

waste recycling center. By 2005 the County shall identify a site and funding mechanisms to provide for a solid waste landfill facility for municipal and construction debris disposal for County residents and businesses.

SANITARY SEWER SUB-ELEMENT

OBJECTIVE 4.5: ~~The County shall discourage urban sprawl by guiding higher density developments to Urban Service Areas and Rural Residential Areas that have sufficient capability to accommodate sanitary sewer systems and on-site treatment and disposal systems (OSTDS) in an environmentally safe manner in the unincorporated areas.~~

Policy 4.5.1: ~~The County shall prohibit the installation of OSTDS in locations with unsuitable soils and within 100 feet of wetlands, creeks, streams, ponds, lakes and critical habitat areas (endangered and threatened animals and plant species). Mound systems (soil absorption systems) are prohibited in mobile home parks.~~

Policy 4.5.2: ~~The County shall allow existing OSTDS and package treatment plants to be used in Urban Service Areas and Rural Residential Areas. New development within ¼ mile of an existing central sanitary sewer system must connect to such system within 24 months providing there is sufficient permitted capacity.~~

Policy 4.5.3: ~~Central sewage and water systems shall be required for developments with a density in excess of 4 dwelling units per acre.~~

Policy 4.5.4: ~~The County adopts an average daily flow rate of 100 gallons per day per person as the design Level of Service Standard for central sanitary sewer facilities serving the unincorporated areas of the County. For on-site treatment and disposal systems, the level of service shall be 100 gallons per day per bedroom.~~

Policy 4.5.5: ~~The County shall permit OSTDS subject to minimum standards of Rule 64E-6, Florida Administrative Code, Policies 4.5.1 and 4.12.6, the Future Land Use Map, Policy 1.5.2 of the Future Land Use Element, and the following requirements:~~

- ~~1. A maximum of 4 units per acre with central water. Exclusive of streams, lakes, normally wet ditches, marshes or other such bodies or surface water.~~
- ~~2. A mound system must be used if the water table is within 24 inches of the surface.~~

Policy 4.5.6: ~~By 2005, the County shall review its policies and procedures on permitting On-Site Treatment and Disposal Systems with respect to permitting, revised state regulations, land use controls, and developing technologies.~~

Policy 4.5.7: ~~New Major and Minor Subdivision developments located along and at the terminus of Reynolds Road shall require that new development lots; if not served by central sewer, shall be served by on-site treatment and disposal systems enhanced to deliver secondary levels of treatment to further treat effluent prior to discharge into drain fields located less than 200' (two hundred feet), from the Florida Department of Environmental Protection's jurisdictional wetlands~~

line. Affected properties are those named in Land Use Amendments 2003-1 for Miller and Hill.
(ORD. 2003-10, 11-4-03)

POTABLE WATER SUB-ELEMENT

~~OBJECTIVE 4.6:~~ ~~The County shall work with the municipalities and Talquin Electric Cooperative to guide the provision of centralized potable water systems for development to the Urban Service Areas and Rural Residential Areas to maximize the use of existing facility capacity and discourage urban sprawl.~~

~~Policy 4.6.1:~~ ~~The County adopts an average daily flow rate of 100 gallons per day per person as the design Level of Service Standard for potable water facilities serving the unincorporated areas of the County. For proposed subdivision design, the design rate shall be 350 gallons per Dwelling Unit.~~

~~OBJECTIVE 4.7:~~ ~~The County shall coordinate with Talquin Electric Co-operative, the Northwest Florida Water Management District and municipal water suppliers on potable water conservation issues important to the County.~~

~~Policy 4.7.1:~~ ~~The County shall continue to enforce water use restrictions upon declaration of a water shortage by the Northwest Florida Water Management District.~~

~~Policy 4.7.2:~~ ~~The County shall provide a water conservation program that stresses education for adults and children concerning practices and methods. This program will address basic and innovative strategies such as water conserving plumbing fixtures and the use of drought tolerant native vegetation.~~

~~Policy 4.7.3:~~ ~~The County shall use guidelines as provided by the Northwest Florida Water Management District to develop its Water Shortage Plan.~~

~~Policy 4.7.4:~~ ~~The County shall cooperate with adjacent municipalities and Talquin Electric to provide protection for all potable water supply wells by restricting development within 500 feet of the cones of influence for established well field areas. New wellfields will be restricted within 500' of an existing septic tank drainfield.~~

~~Policy 4.7.5:~~ ~~The County shall use such measures as best management practices (BMPs) to provide for the conservation, appropriate use and protection of the quality and quantity of current and projected water sources such as the Quincy Creek and Interlocken Lakes Drainage Basins, water recharge areas and potable water wells.~~

~~Policy 4.7.6:~~ ~~The County shall permit the use of greywater systems for irrigation purposes, or other appropriate re-use applications. The county shall support the re-use of effluent from Advanced Waste Treatment facilities when appropriate.~~

~~Policy 4.7.7:~~ ~~The County shall encourage the installation of water saving fixtures and devices in new and retro-fitted buildings in new developments and redevelopments.~~

SOLID WASTE SUB-ELEMENT

~~OBJECTIVE 4.8: The County shall promote the increased use of contracted waste collections services, support or establish a construction debris facility and seek to increase levels of recycling of all waste and debris at central locations.~~

~~Policy 4.8.1:~~ In accordance with the Florida Department of Environmental Protection requirements, the County shall restrict the location of landfills within cones of influence of wellfields and conversely, new wellfields which would be adversely affected by an existing landfill.

~~Policy 4.8.2:~~ The County shall actively solicit its citizens to use the contracted waste collection services and forego dumping trash to vacant lots or burning trash through newspaper and radio advertisements. The County's Code Enforcement officer will develop a public education program for improved community awareness and prescribe penalties against any illegal dumping.

~~Policy 4.8.3:~~ By 2005 the County shall identify a site and finding mechanisms to acquire property for a future landfill facility for municipal and construction debris disposal to ensure that the County's future waste disposal needs.

~~Policy 4.8.4:~~ The County shall continue to maintain a recycling station at a central locations to permit the collection of reusable and recyclable materials. County residents shall be encouraged to bring recyclable glass, plastic, aluminum, newspapers, and other acceptable materials to these locations. The Department of Recycling is responsible for implementing this program.

~~Policy 4.8.5:~~ The County shall seek to maintain its long-term contract with private enterprise to dispose of its solid waste. The Department of Recycling shall monitor on an annual basis, the available capacity at the waste facility at Byrd Landfill.

~~Policy 4.8.6:~~ The County hereby adopts the following level of service standards for solid waste disposal facilities:

Per resident: _____ 3.5 lbs/day
Per Household: _____ 12.25 lbs/day
Per Retail Employee: _____ 2.0 lbs/day
Per Industrial Empl.: _____ 2.75 lbs/day

~~OBJECTIVE 4.9: The County shall strive to enhance efforts in reduction, disposal and management of hazardous wastes through the implementation of the following policies.~~

~~Policy 4.9.1:~~ The County shall apply for available federal, state, private and other funds for the establishment of hazardous waste storage/transfer facilities.

~~Policy 4.9.2:~~ The County as a part of the development review process shall require that all hazardous waste generators properly manage their own wastes and in accordance with all applicable federal and state permitting requirements in accordance with the provisions of Chapter

~~403, Florida Statutes, implementing administrative rules and other statutorily related requirements before approving any development plans.~~

~~**Policy 4.9.3:** Throughout the planning period, the County will set up periodic meetings with the municipalities, Florida Department of Environmental Protection, and other affected parties to ensure proper storage, recycling, collection and disposal of hazardous wastes.~~

~~**Policy 4.9.4:** The County shall prohibit the deposit of untreated, infectious, and municipal solid waste at any Class III or Construction and Demolition landfill.~~

~~**Policy 4.9.5:** The County shall provide periodic amnesty programs for the disposal of hazardous household wastes.~~

~~**Policy 4.9.6:** The County shall require septic and sludge disposal permits which would identify method of disposal, quantity and handling procedures, in accordance with the provisions of Chapter 403, Florida Statutes and Rule Chapter 64E-6, Florida Administrative Code.~~

~~**Policy 4.9.7:** The County shall revise its trash litter ordinance to make it a fineable misdemeanor to dump household garbage and construction debris on private property or rights of way or to burn plastics, resins or composite materials.~~

DRAINAGE SUB-ELEMENT

~~**OBJECTIVE 4.10:** The County shall use the following standard for programs and procedures and levels of service to coordinate the provision and maintenance of stormwater management facilities and natural drainage features in the County:~~

~~**FACILITY TYPE LEVEL OF SERVICE STANDARDS**~~

~~**Retention Pond Standards** Water quality standards shall be as specified in Rule Chapters 62-25, Florida Administrative Code as administered by the Florida Department of Environmental Protection and the Northwest Florida Water Management District.~~

~~**Detention Pond Standards** Stormwater Rate Control Standards shall be provided to restrict post development runoff rates to pre-development rates for the 25-year design storm as defined in the Gadsden County Stormwater Management Policy and Procedures Manual. All stormwater management facilities shall be designed to safely pass the 100-year design storm.~~

~~**Policy 4.10.1:** The County shall require the construction of roads within new subdivision plats or re-plats to be arranged so that the grades of streets shall conform as closely as possible to the original topography to prevent the interruption of natural drainage flows, including sheet flow and flow to isolated wetland systems. This shall not relieve any requirement to provide for treatment per FDEP stormwater treatment rules.~~

~~Policy 4.10.2:~~ ~~The County shall require that proposed new development receive the required State and County stormwater discharge permits, including an approved erosion and sediment control plan before site development begins.~~

~~Policy 4.10.3:~~ ~~The County shall require new development and other land use activities to properly install drainage culverts in accordance with the County's standards for access management, stormwater management and drainage flow along established and recognized easements and right of ways where needed.~~

~~Policy 4.10.4:~~ ~~New stormwater systems and facilities shall be designed to provide detention or retention with filtration pursuant to rule chapter 62-25, Florida Administrative Code.~~

~~Policy 4.10.5:~~ ~~Environmental healthcare protection with emphasis on point and non-point pollution of surface waters and protection of ecological system integrity shall be a criteria for consideration in all land use decisions concerning commercial and recreational fisheries.~~

~~Policy 4.10.6:~~ ~~The County shall monitor and minimize impacts to Lake Talquin and the Ochlocknee River and its tributaries due to stormwater runoff.~~

~~Policy 4.10.7:~~ ~~The County shall require that stormwater management facilities and natural drainage features for structural and non-structural level of service standards be implemented in accordance with the Gadsden County Stormwater Management Policy and Procedures Manual.~~

~~Policy 4.10.8:~~ ~~The County shall seek funding to study the capacity of existing culverts on County maintained roads to determine if adequate capacity is provided relative to the stated level of service for the classification of the crossing roadway. Culverts found to be insufficient capacity shall be scheduled for upgrades based on the greatest deficiency.~~

~~OBJECTIVE 4.11:~~ ~~The County shall protect the functions and natural drainage features in the floodplain in accordance with the provisions of the FEMA National Flood Insurance Protection Program pursuant to 44 Code of Federal Regulations.~~

~~Policy 4.11.1:~~ ~~The County will control development in floodprone areas, and maintain natural drainage corridors in open and unobstructed condition in the development permitting process administered by the Department of Growth Management.~~

~~Policy 4.11.2:~~ ~~For all new structures or substantial improvements to existing structures, including mobile homes located in flood prone areas, the bottom chord supporting the lowest habitable floor shall be elevated to one foot above the official 100-year flood elevation.~~

~~Policy 4.11.3:~~ ~~No new construction shall be located within a designated floodway.~~

NATURAL GROUNDWATER AQUIFER RECHARGE SUB-ELEMENT

OBJECTIVE 4.12: ~~The County shall coordinate with the other municipalities, to protect the Floridan Aquifer, natural groundwater recharge areas, and natural drainage features.~~

Policy 4.12.1: ~~The County shall require that all development and redevelopment meet the following standards to protect the Floridan Aquifer, natural groundwater recharge areas, and natural drainage features:~~

- ~~1) Silviculture —“Silviculture Best Management Practices”—A 98 page manual prepared by the Florida Department of Agriculture and Consumer Services, 1993.~~
- ~~2) Agriculture —“Best Management Practices for Agrichemical Handling and Farm Equipment Maintenance” June, 1998~~
- ~~3) Development —“Florida Development Manual: A Guide to Sound Land and Water Management” (1988)~~

Policy 4.12.2: ~~The County shall require all proposed development within the drainage basin of any designated priority water body shall be coordinated with the Northwest Florida Management District and ensure that proposed developments are consistent with any proposed management plans within that basin.~~

Policy 4.12.3: ~~The County shall coordinate with the Northwest Florida Water Management District to protect the functions of natural groundwater recharge areas and natural drainage features by requiring that all development proposals, which have the potential for impacting the water resources of the County, be reviewed by the Northwest Florida Water Management District.~~

Policy 4.12.4: ~~The County shall work with the municipalities to evaluate any proposed development which would impact upon drainage functions.~~

Policy 4.12.5: ~~The County shall establish agricultural densities (1:5, 1:10, 1:20) restrict commercial/industrial activities, provide minimum setbacks and buffering of water bodies, prohibit the proliferation of deep wells and high concentrations of septic tanks in subdivisions, along with establishing streamside protection areas as conservation zones to protect the Quincy Creek Drainage Area.~~

Policy 4.12.6: ~~The County shall coordinate with the City of Quincy in closely monitoring any proposed development in the Quincy Creek Drainage Basin.~~

Attachment 2 -

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

October 19, 2018

The Honorable Brenda Holt
Chairperson, Gadsden County
Board of County Commissioners
9-B East Jefferson Street
Quincy, Florida 32353

Dear Chairperson Holt:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for Gadsden County (Amendment No. 18-06ESR) received on September 21, 2018. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the County is reminded that:

- Section 163.3184(3)(b), Florida Statutes (F.S.), authorizes other reviewing agencies to provide comments directly to the County. **If the County receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the County that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

If you have any questions concerning this review, please contact Dan Evans, Planning Analyst, by telephone at (850) 717-8484 or by email at dan.evans@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with a large, stylized "J" and "S".

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/de

Enclosure(s): Procedures for Adoption

cc: Jill Jeglie, Senior Planner, Gadsden county
Chris Rietow, Executive Director, Apalachee Regional Planning Council

Attachment 3 - Newspaper Advertisement

NOTICE OF INTENT

NOTICE IS HEREBY GIVEN to all concerned that the **Gadsden County Board of County Commissioners** intends to hear the following agenda item at their regularly scheduled meeting to be held on Tuesday, November 20, 2018 at 6:00 p.m. in the Board of County Commission Chambers located at 7 East Jefferson Street, Quincy, FL., as follows:

INFRASTRUCTURE ELEMENT (Legislative) (LSPA 2018-09) - Consideration of adoption of Ordinance #2018-020 adopting the Infrastructure Element of the Comprehensive Plan.

ORDINANCE 2018 -020

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA AMENDING THE INFRASTRUCTURE ELEMENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL, SEVERABILITY, AND CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE.

RECREATION AND OPEN SPACE ELEMENT (Legislative) (LSPA 2018-04) – Consideration of adoption of Ordinance #2018-019 adopting the Recreation and Open Space Element of the Comprehensive Plan.

ORDINANCE 2018 -019

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA AMENDING THE RECREATION AND OPEN SPACE ELEMENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL, SEVERABILITY, AND CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE.

Persons wishing to review the files on the above projects may do so on the County website at www.gadsdencountyfl.gov or at the Gadsden County Building & Planning Department located at 1-B East Jefferson Street, Quincy, FL. In accordance with the Americans with Disabilities Act, persons needing assistance in obtaining any information from the County or attending the public hearing should contact the County by calling 850-875-8665 or 850-510-7842, at least 48 hours prior to the hearing. If any person decides to appeal any decision made with respect to any matter considered at such public hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be used.