



Agenda Item Summary

File #: 24-00958

Agenda Date: 10/22/2024

Agenda Item Name:

Transmittal Public Hearing for County-Initiated Comprehensive Plan Text Amendment to Implement New Requirements of House Bill 1379 Relating to Sanitary Sewer Connection Feasibility

Presenter:

Ben Chumley, Principal Planner, Growth Management

Description:

Public hearing for transmittal of a proposed County-initiated text amendment to the Alachua County Comprehensive Plan, Potable Water and Sanitary Sewer Element and Capital Improvements Element, to implement new statutory requirements enacted through House Bill 1379 (2023) relating to sanitary sewer connection feasibility.

Recommended Action:

Approve the proposed Comprehensive Plan Amendment for transmittal to the State Land Planning Agency and other agencies for review and comment pursuant to Section 163.3184, Florida Statutes.

Prior Board Motions:

None

Fiscal Note:

There is no cost to the County associated with amending the Comprehensive Plan to add the proposed policies. There may be costs to the County in the future associated with conducting the feasibility analysis for connection of existing developments on septic to sanitary sewer as required by the new statute and the proposed Comprehensive Plan policies. Staff anticipates doing the required feasibility analysis in-house to the extent possible. Some consultant assistance may be required but is not expected.

Strategic Guide:

Environment

Background:

Florida House Bill 1379 (2023) enacted several new water quality protection laws, including the addition of new local government comprehensive planning requirements relating to the connection of existing and new development to municipal sanitary sewer systems. Most of the new requirements of HB 1379 are already being met through existing policies in the Alachua County Comprehensive Plan, however, some new language is necessary to demonstrate and ensure compliance with the new statute.

Specifically, section 163.3177, Florida Statutes now requires local governments, by July 1, 2024, to incorporate policies into their Comprehensive Plans to consider the feasibility of providing sanitary sewer services within a 10-year planning horizon for any development of more than 50 residential lots, whether built or unbuilt, with more than one onsite sewage treatment and disposal system per acre.

In response to this requirement, staff is proposing new Policy 2.1.8 for inclusion in the Potable Water & Sanitary Sewer Element, which calls for the County to complete the required feasibility analysis by April of 2026 and to update it every 10 years thereafter. The proposed new policy sets forth the factors to be considered in that feasibility analysis, including those required under the statute as well as additional factors such as financial costs to the County and property owners, water quality risks associated with continued septic use, and relationship to other existing policies in the County's Comprehensive Plan.

HB 1379 also included a new requirement that local governments must include in their Capital Improvements Element a list of any publicly funded projects necessary to achieve the pollutant load reductions as established in a Basin Management Action Plan (BMAP). In response to this requirement, staff is proposing a new Policy 1.9.5 for inclusion in the Capital Improvements Element, which calls for the County to propose for inclusion in the Capital Improvements Element a list of capital improvement projects necessary to achieve the pollutant load reductions attributable to Alachua County to meet the Total Maximum Daily Loads (TMDL) as established in adopted Basin Management Action Plans. The policy calls for this to be completed initially as part of the Evaluation and Appraisal of the Comprehensive Plan in 2025, and subsequently reviewed annually and updated as necessary.