

**Staff Analysis of the Proposed Prohibition
on the Extension of Regional Water and Wastewater Facilities
into the Secondary Urban Services District**

August 13, 2014

A. Introduction

This analysis discusses the policy change proposed by this Comprehensive Plan Amendment to return the Plan to a prohibition on the extension of regional water and wastewater facilities outside of the Primary Urban Services District (PUSD). The determination as to which areas of Martin County can receive regional water and wastewater services, and which areas cannot, has a fundamental effect on the County's ability to "protect natural and manmade resources and maintain, through orderly growth and development, the character, stability and quality of life for present and future Martin County residents."

B. Summary

The combination of the environmental resources and constraints located within the SUSD, the need to have land area accommodate a replacement system in the future, the lack of certainty as to the exact configuration necessary to protect ground water and surface water from contamination, and the Future Land Use Designations including Rural Density Residential (1 du/2 acres), Estate Density Residential (1 du/2 acres) and Ag-Ranchette (1 du/5 acres) for the residential lands supports the prohibition on the extension of regional utilities outside of the PUSD.

C. Analysis

The purpose of the Urban Service Districts is to limit urban sprawl. This reduces public expenditures on infrastructure and services and protects agricultural and natural lands. Nonetheless, the SUSD has a dual, divergent nature—a reserve area for future development when the PUSD fills-up, and/or the permanent separation between urban and rural lands.

In 2007, the County Commission, in response to growing demands from property owners directed staff to prepare a plan amendment to allow the extension of centralized water and wastewater services into the SUSD. Prior to this amendment (CPA07-22), centralized water and sewer service was only permitted in the PUSD, an area of approximately 64,852 acres.¹

¹ Source: Staff Report CPA 07-22. The acreage calculation was done in 2002 along with another calculation that showed the SUSD contained approximately 10,471 acres within a total County of approximately 354,967 acres. These calculations were done with the Geographic Information System (GIS) and are not survey grade calculations. Since 2002, the PUSD has been expanded and the SUSD has contracted by approximately 850 acres and numerous

Most remaining vacant land in the SUSD has a Rural Density Future Land Use (63% after conservation and recreation lands are excluded). Subdivisions developed under the “by right” standard zoning district requirements must maintain two acre minimum lots (Rural Density) as well as establish all preserve areas outside of the residential lots. This results in a gross density below one dwelling unit per two acres and maintains a more rural character. However, if a Planned Unit Development is utilized, lot size must only exceed one-half acre (the minimum lot size required for a residential lot served by well and septic, pursuant to LDR §4.307). This site design has the advantage of isolating residential units, roads, storm water treatment areas, and other development from the wetlands, creeks and preserve areas, but also clusters septic tanks and private wells in a more suburban, rather than rural, development form close to environmentally sensitive wetlands and creeks that flow into the St. Lucie River and the Loxahatchee River. Many of the site plans submitted to the County in the first half of the 2000s utilized the PUD option.

Therefore, in 2007, the County Commission amended the CGMP to allow the extension of centralized water and wastewater services into the SUSD. CGMP policy was to allow regional water and sanitary sewer services within the Secondary Urban Service District, in order to protect natural resources, including but not limited to wetlands and waterways, from the negative impacts of septic systems, to provide fire protection, and to provide safe drinking water. Standards to govern the extension of utilities into the SUSD included that the cost to extend the services was to be borne by the property owner requesting them, plant capacity had to be available, and availability of regional utilities was not to be understood as support for higher densities within the SUSD. Extension of regional utility services outside of the SUSD was prohibited.

The best policy approach regarding the SUSD was a subject in Evaluation and Appraisal Report (EAR) adopted by the Board of County Commissioners in July 2008. The 2008 EAR report identified five amendments to the Urban Services District policies since 1998, including the fundamental policy change described above. Each time the amendments were intended to better serve the public interest and protect natural resources. Between 2002 and 2007, the PUSD expanded, and the SUSD contracted, by approximately 850 acres. In the EAR one chapter in that report was titled “Determine if urban service districts and policies need refinement.” The Urban Services Districts had been identified by county residents and the State Department of Community Affairs as needing review.

The CGMP amendments adopted in December of 2009 continued to allow extension of regional utilities into the SUSD, if requested by the property owner, but clarified that the minimum lot size must exceed one-half acre. Currently the County has permitted four

site plans have been proposed in the SUSD. (The CGMP now reports that the County’s total land area comprises 344,316 acres.)

developments in the SUSD to be connected to centralized services. While these connections have been done to protect natural resources in the areas in question, the presence of the planned unit development has changed the rural transitional nature of the SUSD. The removal of the extension policies into the SUSD may be warranted to provide the County the time necessary to review the CGMP policies regarding the nature of the SUSD. The 2004 Workshop discussion on the nature of the SUSD may be instructive in this matter.

The prohibition of extension of regional water and wastewater facilities and services outside of the PUSD will not impact a large amount of land. There are some 9,769 acres of land within the SUSD.² Martin County contains 538 square miles of land (344,316 acres). Therefore, the SUSD represents less than three percent (3%) of the County land mass. When the SUSD is adjusted to deduct the acreage that is already developed and the land contained within the Atlantic Ridge Preserve that is intended to remain natural in perpetuity, the SUSD is reduced to just one percent (1%) of the County's land. Furthermore, this rough tally of land within the SUSD acknowledges no environmental factors, such as wetlands, upland vegetative communities, or the habitat of threatened or endangered species. In fact, large sections of the SUSD appear to contain wetlands and other natural resources

The County's first priority for public investment to provide regional water and wastewater facilities is to the PUSD. Policy 4.7A.9 makes that clear. Some 16,000 households within the Martin County Utilities Department service area are currently served by an OSTDS. (This figure does not include households located with the South Martin, Indiantown or Loxahatchee service areas.) Given that the bulk of the population lives within the County's Primary and Secondary-Urban Services District, it can be assumed that is where the majority of existing septic tanks are located.³

Given the need for significant investment in regional water and wastewater services within Martin County's PUSD, it is logical to prohibit the extension of such regional services outside of the PUSD until the needs within the PUSD are fully met. For example, the Martin County Community Development and Utilities and Solid Waste Management Departments have prepared preliminary plans and cost estimates to meet identified water and wastewater needs within four of the County's seven community redevelopment areas. The estimated cost for the water distribution lines and meters and wastewater gravity collection lines, pressurized transmission lines, manholes, lift stations, etc. is \$25 million (excluding any cost for plant

² The acreage figures included in this paragraph are estimates believed to be accurate within the plus or minus 10% range.

³ Further research is needed to document the extent to which existing residential development on under-sized lots, the extent to which older, poorly designed or sited OSTDS are located within the SUSD, and the need and the cost to remedy any threat to public health or the environment that might exist in these isolated, older developments

capacity). This estimate covers service to Port Salerno, Rio, Jensen Beach and Old Palm City. Cost estimates for Hobe Sound, Golden Gate and Indiantown are not yet available. The ballpark cost to connect all current users of OSTDS within Martin County's service area has been estimated to be \$260 million. This estimate includes the cost to install public infrastructure as well as the private service lines on individual lots.