



*Public Works Department*

**BCC Work Session**

**Septic Tank Workgroup**

**Subgroup D**

**New Septic Tank Standards and Permitting**

**September 13, 2022**



# Presentation Outline

- **Background**
- **Subgroup D - Details**
- **Stakeholders**
- **Policy Considerations**
- **Next Steps**

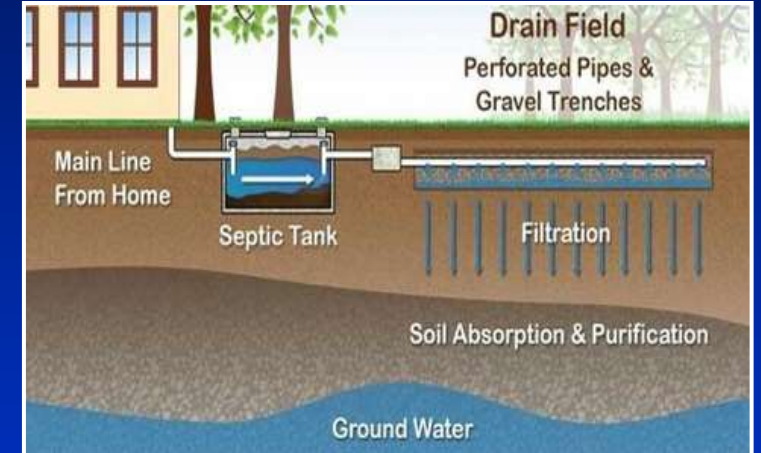


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# Background

- **FDOH:** “Onsite Sewage Treatment and Disposal System” (OSTDS), also referred to as septic tank system.
- **Orange County Code:** “Individual On-Site Sewage Disposal System” (OSDS), also referred to as septic system.





## Background

- **Septic tanks can provide safe, cost-effective wastewater treatment**
  - Used in rural areas or where centralized sewer systems are not available
  - Should be located a safe distance from water bodies and groundwater
- **The Septic Tank Workgroup was created to address appropriate use of septic tanks**
  - Subgroup A is evaluating new development connections to central sewer
  - Subgroup B is evaluating existing septic-to-sewer connections
  - Subgroup C is evaluating existing septic tank upgrades
  - **Subgroup D is evaluating new septic tank standards and permitting**



# Background

## ▪ Traditional Staff Roles and Responsibilities

### –Utilities Department

- Connections to central sewer service

### –Public Works Department

- Review location of tank and drain fields and setbacks from water bodies and potable water wells

### –PEDS/EPD

- Protection of our water bodies, reviewing setbacks (from lakes, rivers, wetlands), septic upgrade programs, groundwater vulnerability analysis, pollutant source identification

### –FDOH/FDEP

- Permitting of septic tanks (technical review of systems and treatment performance)



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## Subgroup D - Details

- **Objectives/Scope**
  - **Implement advanced septic system requirements for vulnerable areas**
  - **Identify changes to Orange County Code & Comprehensive Plan**
  - **Reach agreement with FDOH for implementation of County requirements**
  - **Prepare Countywide plan review flow chart**
  - **Develop staff review standards for advanced septic systems**





# Subgroup D - Details

- Orange County Permitting Process

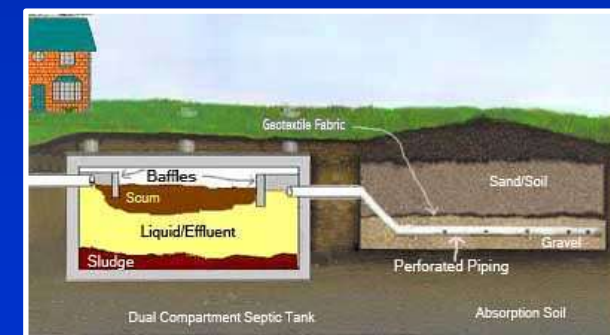




# Subgroup D - Details

## OSDS Ordinances – Chapters 34 & 37

- **Lot Size Requirements (with central water)**
  - Lots greater than or equal to  $\frac{1}{3}$  acre
  - Lots greater than or equal to  $\frac{1}{4}$  acre with swale drainage
  - Lots with closed drainage system - 4 lots per acre
  - Duplex through quadruplex with up to a max. of 4 units per acre
  - Lakefront lots with a minimum  $\frac{1}{2}$  acre landward of normal high water elevation (NHWL) and jurisdictional wetland
  - Professional Office – only domestic sewage waste with groundwater monitoring
  - C-1, C-2 commercial uses which discharge domestic sewage waste only with groundwater monitoring
  - I-1 through I-5 & C-3 uses No OSDS if approved after 7/5/89

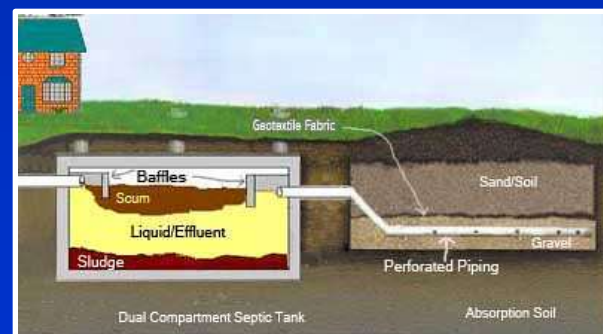




# Subgroup D - Details

## OSDS Ordinances – Chapters 34 & 37

- **Lot Size Requirements (with private well system)**
  - Single-Family and Duplex – ½ acre and each unit shall have a separate tank (not applicable for lots platted before 1/1/72)
  - Three or more units in one structure – OSDS not permitted
  - Lakefront lots – ½ acre landward of the NHWL and jurisdictional wetland
  - Commercial or Industrial structures – OSDS not permitted



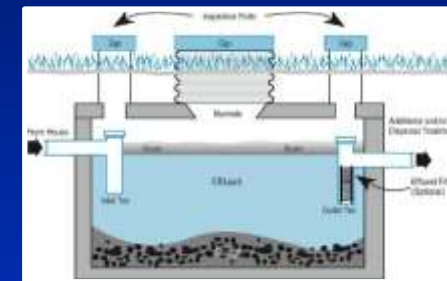


# Subgroup D - Details

## OSDS Ordinances – Chapters 34 & 37

### ▪ Variances to local requirements

- A variance from the County Code regulations which are more restrictive than the Florida Department Of Health/Florida Department of Environmental Protection (FDOH/FDEP) regulations, as determined by the County Engineer, shall be reviewed and approved by the Development Review Committee (DRC) with input from the Environmental Protection Division (EPD).

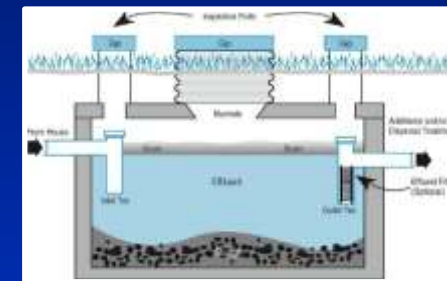




# Subgroup D - Details

## OSDS Ordinances – Chapters 34 & 37

- Variances previously requested
  - From the 150' separation from the NHWL of a water body
  - From the 75' separation from the design high water level of open drainage systems, wetlands and underdrain systems
  - From the 200' separation from public potable water wells
  - From the 75' separation from all other potable wells
  - To allow the location of the system in the rear yard vs. the front yard
  - To allow encroachments into the ROW or easements





# Subgroup D - Details

## Florida Department of Health (FDOH)

- **Authority – Chapter 381, Florida Statutes**
  - Program authority transferred from FDOH to FDEP on July 1, 2021
  - Permitting and Inspection conducted by FDOH in each county
  - Onsite sewage program rules (Chapter 62-6, Florida Administrative Code)
  - To issue permits where sewer is not available
  - A county may not issue a building permit where an onsite system is required until a permit has been issued from FDOH
  - A building or structure may not receive a CO for any building unless FDOH approves the final installation of the onsite sewage treatment and disposal system



▪ **Permitting Process**





# Subgroup D - Details

## Florida Department of Health (FDOH)

### ▪ Plan Review Requirements and Setbacks

- Septic tank and drainfield location
- Wells (onsite and neighboring), 75' for private, 50' irrigation, 100' - 200' for commercial wells
- Surface water bodies – 75' if platted after 1972 and 50' prior to 1972
- Potable water lines – 2' to 10'
- Drainage features – 15' from swales
- Building foundations and property lines – 5'
- Lot size – no more than 4 lots per acre for public water
- Lot size – a minimum ½ acre if served by private well







# Subgroup D - Details

## Florida Department of Health (FDOH)

- **Plan Review and Requirements – cont.**
  - Allowed in Industrial zones if sewer not available, and no disposal of toxic/hazardous waste
  - Systems not allowed in ROW or easements, unless easement is set up for onsite system
  - Seasonal high water table separation is 24” to bottom of drainfield for new systems
  - Annual operating permits for Advanced Systems, commercial sewage waste and in Industrial Zones or equivalent



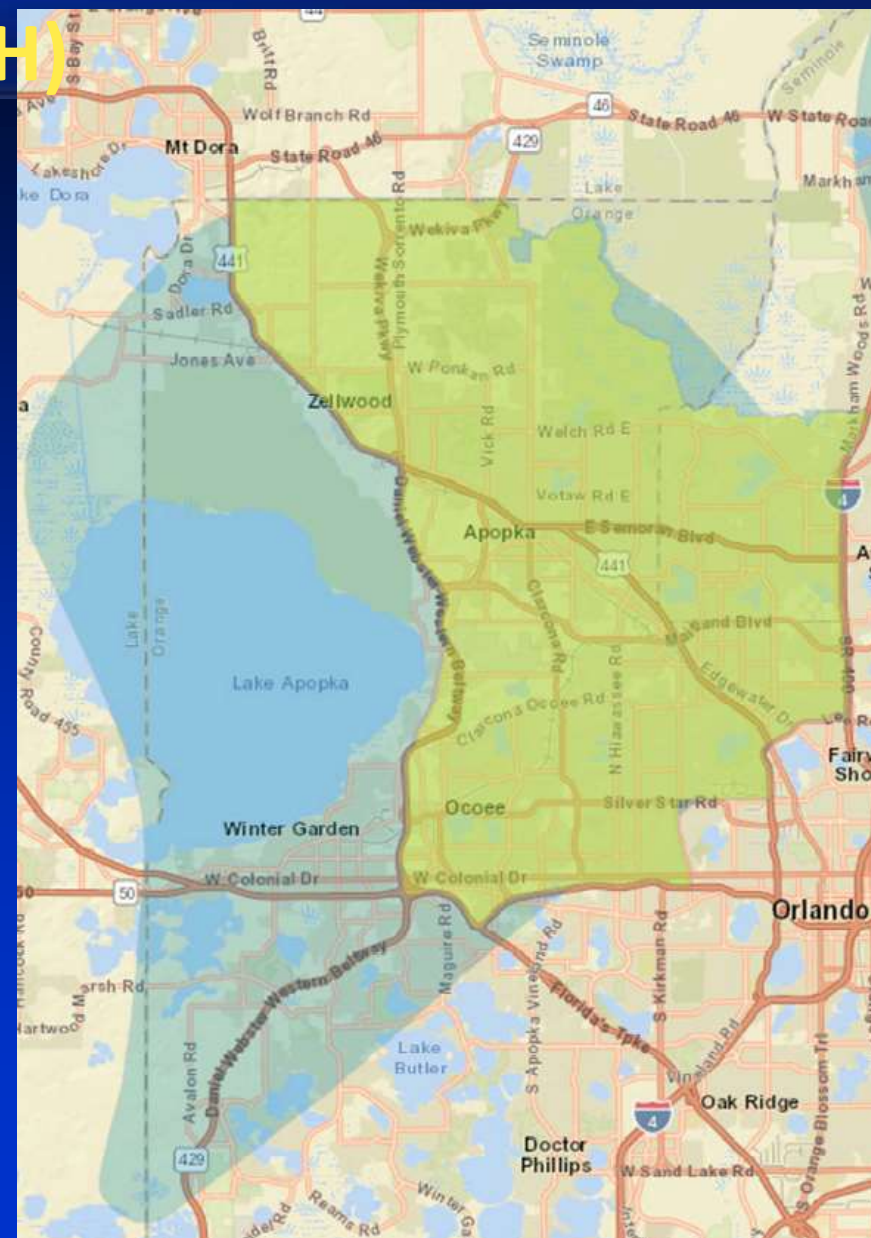


# Subgroup D - Details

Florida Department of Health (FDOH)

## Springs Protection and Basin Management Action Plans (BMAPs):

- Part of Orange County is in the Wekiva BMAP
- If in the Priority Focus Area (PFA), new septic system construction permits issued on or after 5/19/21 on lots less than one acre, require nitrogen-reduction systems.
- Existing systems future upgrades





# Subgroup D - Details

## ▪ FDOH vs Orange County Requirements Comparison

SEPTIC TANK REQUIREMENTS		
Requirements	FDOH	Orange County
Separation from water bodies	75' (After 1972) 50' (Before 1972)	150'
Separation from drainage features (swales)	15'	0'
Separation from public potable water wells	100' – 200'	200'
Industrial/Commercial zoning with central water	Yes Domestic use only	Yes Domestic use only with monitoring
Industrial/Commercial zoning with private well	Yes Domestic use only	Not allowed Urban Service Area



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# Stakeholders

- **Policy Makers (Orange County BCC)**
- **State Agencies (FDEP, FDOH, SJRWMD, SFWMD)**
- **Municipalities**
- **Septic Tank Industry (equipment vendors, installers, maintenance entities, Florida Onsite Wastewater Association)**
- **Development Industry (residential, commercial, contractors, builders, engineers, attorneys)**
- **Environmental Groups**
- **Orange County Residents, Homeowners, and Visitors**



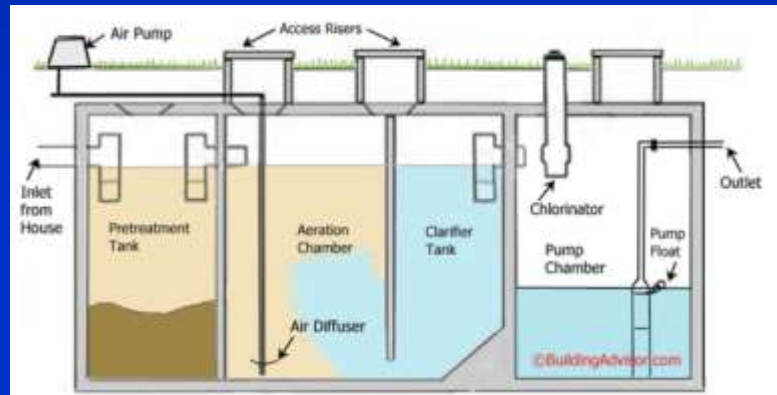
# Presentation Outline

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# Policy Considerations

- Specify requirements of advanced septic systems in highly vulnerable areas
- Define certification, inspection, monitoring, and maintenance requirements
- Define criteria for variances, exceptions, and exemptions





# Policy Considerations

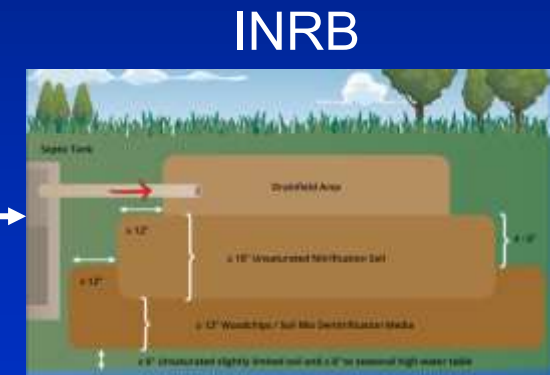
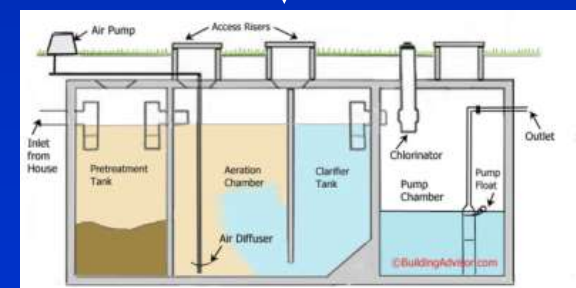
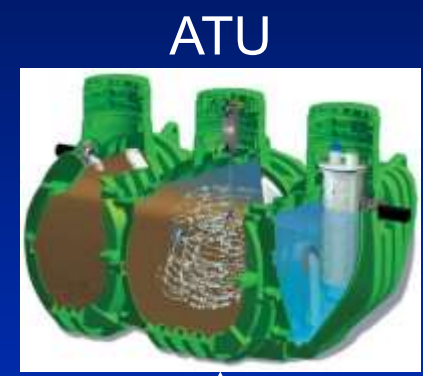
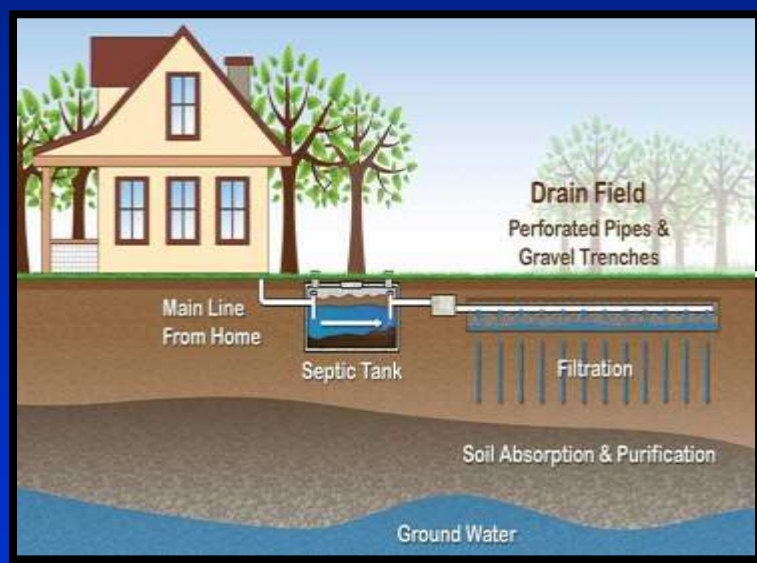
- **Potential Policy Requirements in Highly Vulnerable Areas**
  - **Option 1: Install advanced treatment system**
    - No new conventional septic tanks allowed
  - **Option 2: Connect to central sewer**
    - Increase distance requirements for definition of “available” wastewater pipes
    - Add more sewer pipes (redevelopment areas)
- **Non-Vulnerable Areas – no proposed changes at this time**
  - Conventional septic tanks can provide safe, cost-effective wastewater treatment
  - Used in rural areas or where centralized sewer systems are not available
  - Should be located a safe distance from water bodies and groundwater





# Policy Considerations

## Advanced Treatment Options in Highly Vulnerable Areas



PBTS



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## Next Steps

- **Completion of the Vulnerability Assessment**
- **Stakeholder Engagement**
- **Future BCC Work Session for Subgroup D**
  - Updated Septic Tank Review Flow Chart
  - Define advanced septic tank requirements for highly vulnerable areas
  - Draft Updates to Chapters 34 & 37 and the Comprehensive Plan
- **Public Hearings (LPA and BCC)**

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