



City of Gainesville

Department of Sustainable
Development

TO: City Plan Board
FROM: Department of Sustainable Development

DATE: June 25, 2020

SUBJECT: Petition PB-20-00057 City Plan Board. Amend the Wellfield Protection Special Use Permit (WPSUP) issuance criteria in the Land Development Code (LDC) Sec. 30-3.30 to include approval mechanism for underground storage in the tertiary wellfield protection zone.

Applicant: CHW, Inc.

Recommendation: Approval of PB-18-179

Discussion

This petition is privately initiated by CHW, Inc. and proposes to amend the WPSUP issuance criteria in the City of Gainesville LDC Sec. 30-3.30 to include language for an approval mechanism that would allow for underground storage of petroleum in the tertiary Murphree Wellfield Protection Zone. Language permitting underground storage in the tertiary and secondary wellfield protection zones were present in the City's LDC up to 2017 Sec. 30-203.b. However, after the 2017 LDC update, the language permitting underground storage in the tertiary and secondary wellfield protection zones was inexplicably omitted. Staff was not able to find any record that this omission was intentional nor any record that it was presented to the City Plan Board or the City Commission. Therefore, staff believes this was a clerical error.

The Murphree Wellfield Protection Zones were implemented for the purpose of protecting the immediate and long-term supply of potable water for the City of Gainesville and Alachua County. As such, regulations restricting development within the wellfield zones exist within the City's LDC in order to mitigate any potential impact to the existing potable water supply. Wellfield protection permits exist therefore to regulate developments that require special care in the control of their location, design, and methods of operation. Developments such as gasoline stations that incorporated the use of underground petroleum storage were regulated under the Division 3 – Wellfield Protection Special Use Permit language in the City's LDC present until 2017 and



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provided an exemption for underground storage of petroleum as defined in the Alachua County Hazardous Materials Management Code.

Staff has been in communication with the Alachua County Environmental Protection Department (EPD) and Gainesville's Regional Utility Service (GRU) and both entities have expressed support for the LDC text amendment to allow for underground storage of petroleum in the tertiary wellfield protection zone. GRU agreed to amend the code to allow for underground storage of petroleum products in the Tertiary Zone with a Special Use Permit, but only with the approval of GRU. GRU will analyze each request on a case by case basis and will consider any potential environmental benefits and impacts to the wellfield.

GRU worked in collaboration with the City of Gainesville and the Alachua County Environmental Protection Department on this revision. GRU is supportive of this amendment as it will provide opportunities to have a net protective and environmental benefit. There are numerous installations of underground storage tanks for petroleum in the Tertiary Zone that were installed before the creation of the Code. This new language will allow GRU, on a case by case basis, to determine if the removal of old underground storage tanks and the installation of new, more protective underground storage tanks, will provide a net protective benefit to the environment and GRU's wellfield.

GRU will only approve cases that are protective of the water supply and the environment. This change only addresses petroleum products and does not allow for the installation of underground storage tanks for hazardous materials.

Currently, there are nine gas stations within the tertiary wellfield zones inside City limits with underground storage of petroleum installed as early as 2014 (see Appendix Map X). The tertiary wellfield zones impact 6073.5 acres of City land which equates to 14.7 % of the City. The tertiary wellfield encompasses several zone districts that allow for gas stations, which is the primary use associated with underground storage of petroleum products. The zones include Business (BUS), Automotive Business (BA), Business Industrial (BI, via special use), Warehousing (W), Limited Industrial (I-1, via special use), and General Industrial (I-2, via special use). Any gasoline and alternative fuel station development within the tertiary wellfield would continue to be regulated by City of Gainesville LDC Sec. 30-5.13.



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The text amendment to the WPSUP is consistent to the established use of underground storage of petroleum within the tertiary wellfield zone. Therefore, staff is recommending approval of PB-18-179, amendment to the City of Gainesville LDC Sec. 30-3.30 to include language permitting underground storage in the tertiary wellfield protection zone.

Respectfully submitted,

Juan Castillo
Planner

Exhibit A: Proposed amendment to the WPSUP Sec. 30-3.30 and old LDC language
Sec. 30-203.b

Exhibit B: Gasoline and alternative fuel stations regulations in the City of Gainesville
LDC Sec. 30-5.13

Exhibit C: Wellfield Zones location map

Exhibit D: Existing gasoline stations within the Murphree Wellfield Zones

Exhibit E: Letter of support from GRU

Exhibit F: Letter of support from Alachua County EPD

Exhibit G: Application

Exhibit H: Letter of intent from CHW

Exhibit I: Analysis provided by GRU