



PALM BEACH COUNTY UNIFIED LAND DEVELOPMENT CODE ARTICLE 14 CHAPTER B, WELLFIELD PROTECTION: PROHIBITIONS, RESTRICTIONS, AND BEST MANAGEMENT PRACTICES

PROHIBITIONS AND RESTRICTIONS IN ZONES OF INFLUENCE:

The intent of the Wellfield Protection Ordinance is to ensure safe drinking water for the residences of Palm Beach County. The majority of County's drinking water supply comes from groundwater. Hazardous and toxic chemicals present a risk of contamination to our potable water supply.

Article 14 Chapter B, Wellfield Protection, defines four zones of protection. Facilities that use, handle, store or produce chemicals in quantities greater than or equal to 5 gallons liquid or 25 pounds solid are subject to regulations of this section. Chemicals above this stated quantity are prohibited in Zone 1. Facilities in Zone 2, Zone 3 or Zone 4 may be required to obtain an Operating Permit. Facilities subject to this section are liable for expenses incurred. Property owners, developers, contractors and businesses within these zones must comply with Article 14 Chapter B. A property that contains tenants must be advised of the prohibitions and requirements of Article 14 Chapter B. Art. 14.B.3.B. Applicability, states:

No building permit or occupational license for any nonresidential activity shall be issued by the County or any municipality located within Palm Beach County that would allow development or construction in Zones 1, 2, 3, or 4, that is contrary to the restrictions and provisions provided in this section. Permits or occupational licenses issued in violation of this section confirm no right or privilege on the grantee and such invalid permits or licenses will not vest rights.

In addition, no new "exfiltration systems", defined as a gallery, french drain, perforated or leaky pipe, or similar structure used to dispose of untreated stormwater by subsurface discharge, may be constructed in Zone 1 or Zone 2. Installations of sanitary sewer mains in these zones must conform to force main standards, found in Appendix 4 Minimum Standards for Sewer Pipe and Fittings.

Article 14 Chapter B is implemented by the Palm Beach County Department of Environmental Resources Management, 2300 N. Jog Road West Palm Beach, Florida 33411-2743 telephone (561) 233-2400. The Department may take appropriate legal actions as deemed necessary under Art. 14.B.14. Violations, Enforcement and Penalties.

Examples of activities that may be subject to Article 14 Chapter B include, but are not restricted to the following:

1. Auto Paint and Body Shops
2. Battery Manufacturers or Repair Shops
3. Carpet Cleaners
4. Commercial Laundries
5. Dry Cleaners
6. Electroplators, Circuit Board Manufacturers or Metal Finishers
7. Equipment Rental Operations
8. Fiberglass or Acrylic Manufacturers or Formers
9. Fire Extinguisher Repair Operations
10. Food Processors
11. Funeral Homes
12. Furniture Manufacturers
13. Janitorial Suppliers and Portable Toilet Operations
14. Machine Shops
15. Manufacturers using Acids, Caustics or Solvents
16. Medical Facilities
17. Paint Manufacturers
18. Pest Control Operations
19. Photo, Chemical, Industrial and Environmental Laboratories
20. Pool Maintenance Companies
21. Printers and Blueprinters
22. Roofers
23. Service Stations and Fuel Depots
24. Soap and Detergent Manufacturers and Distributors
25. Vehicle Repair Facilities
26. Water Conditioning Companies
27. Transformer Use and Storage Areas

Prohibitions, Restrictions & Best Management Practices

Examples of the types of materials that are regulated are as follows:

Acid and basic cleaning solutions	Medical, Pharmaceutical, dental, veterinary, and hospital solutions
Antifreeze and coolants	Mercury and mercury compounds
Arsenic and arsenic compounds	Metals finishing solutions
Bleaches and peroxides	Oils
Brake and transmission fluids	Paints, primers, thinners, dyes, stains, wood preservatives, varnishing and cleaning compounds
Brine solution	Painting solvents
Casting & Foundry chemicals	PCB's
Caulking agents and sealants	Pesticides and herbicides
Cleaning solvents	Plastic resins, plasticizers and catalysts
Corrosion and rust prevention solutions	Photo development chemicals
Cutting fluids	Poisons
Degreasing and parts cleaning solvents	Polishes
Disinfectants	Pool chemicals
Electroplating solutions	Processed dust and particulates
Explosives	Radioactive sources
Fertilizers	Reagents and standards
Fire extinguishing chemicals	Refrigerants
Food processing wastes	Roofing chemicals and sealers
Formaldehyde	Sanitizer, disinfectants, bactericides, and algacides
Fuels and fuel additives, i.e. DEF	Soaps, detergents and surfactants
Glues, adhesives and resins	Solders and fluxes
Greases	Stripping compounds
Hazardous waste	Tanning industry chemicals
Hydraulic fluid	Transformer and capacitor oils/fluids
Indicators	Waste oils and antifreeze
Industrial and commercial janitorial supplies	Water and wastewater treatment chemicals
Industrial process chemicals	
Industrial sludges and stillbottoms	
Inks, printing and photocopying chemicals	
Laboratory chemicals	
Liquid storage batteries	

BEST MANAGEMENT PRACTICES FOR THE CONSTRUCTION INDUSTRY:

- A. The General Contractor, or if none, the property owner, shall be responsible for assuring that each contractor or subcontractor evaluates each site before construction is initiated to determine if any site conditions may pose particular problems for the use, handling, production or storage of any Regulated Substances. For instance, handling Regulated Substances in the proximity of water bodies or wetlands may be improper.
- B. If any Regulated Substance is stored on the construction site during the construction process, it shall be stored in a location and manner that will minimize any possible risk of release to the environment. Any storage container of 55 gallons, or 440 pounds, or more containing a Regulated Substance shall have constructed below it an impervious containment system constructed of materials of sufficient thickness, density and composition that will prevent the discharge to the land, groundwater or surface water of any pollutant, which may emanate from said storage container or containers. Each containment system shall be able to contain 150% of the contents of all storage containers above or within the containment system.
- C. Each contractor shall familiarize him/herself with the manufacturer's safety data sheet supplied with each material containing a Regulated Substance and shall be familiar with procedures required to contain and clean up any releases of the Regulated Substance. Any tools or equipment necessary to accomplish this task shall be available in case of release.
- D. Upon completion of construction, all unused and waste Regulated Substances and containment systems shall be removed from the construction site by the responsible contractor and shall be disposed of in a proper manner as prescribed by law.

AFFIDAVIT OF NOTIFICATION

Pursuant to the Palm Beach County Unified Land Development Code, Article 14 Chapter B, Wellfield Protection, you shall provide notification to the Palm Beach County Department of Environmental Resources Management for the following activities should you store, handle, use, or produce Regulated Substances that exceed the threshold of 5 gallons, if liquid, or 25 pounds, if solid, within a wellfield zone:

- a. Application for nonresidential building permits.
- b. Application for residential building permits of 25 units or more.
- c. Applications for development subject to review by advisory planning bodies and approval by local governing authority or zoning board of appeals.

A. Project Information:

1. Name of Project 120 SW 3rd Avenue

2. Property Control # 12-43-46-16-01-038-0111 and 0112

3. Address of Project 120 SW 3rd Avenue Delray Beach FL
(Street) (City) (State) (ZIP)

B. Owner of Property, Developer or Agent Signing Affidavit (If agent, a letter of authorization to sign for the owner must be attached.)

1. If individual, provide full legal name _____

Address _____
(Street) (City) (State) (ZIP)

Telephone _____

Owner of Property (if signed by agent) _____

2. If corporation or partnership, provide full name of corporation or partnership and relationship to corporation or partnership.

Name of Corporation or Partnership VF Realty OZ Business, LLC

Address 555 East Lockerman Street, Suite 320 Dover Delaware 19901

Telephone 352-267-2072

Relationship to corporation or partnership owner

3. List any Regulated Substances (chemicals, fuels, oils, paints, etc.) that you intend to store, handle, use or produce at this site:

Type of Substance	Approximate Quantity
<u>Townhouse - no substances proposed</u>	_____ gallons _____ pounds
_____	_____ gallons _____ pounds
_____	_____ gallons _____ pounds

I have received a copy of "Palm Beach County Unified Land Development Code, Article 14 Chapter B, Wellfield Protection Prohibitions, Restrictions, and Best Management Practices." I understand that there are restrictions and prohibitions concerning the use, handling and storage of regulated substances pursuant to the Wellfield Protection Ordinance. I also understand that certain facilities are prohibited or subject to restrictions in the various wellfield zones.

X _____
Affiant

Sworn to and subscribed before me this 22 day of October, 20 25

Notary Public, State of Florida



Return Completed Original to Department of Environmental Resources Management

2300 N. Jog Road West Palm Beach, Florida 33411-2743 telephone (561) 233-2400

Copy to Applicant/ Copy to Local Government