

LEGISLATIVE #

110076A

Exhibit 8**Major Changes to the Proposed Environmental Regulations after the March 24, 2011 Plan Board Hearing**

As part of the Plan Board's motion to approve Petition PB-10-143 TCH, the Plan Board recommended that staff continue to work on the regulations as they moved forward to the City Commission. In the interim period since the Plan Board hearing, staff has made several changes to the proposed regulations as a result of the following:

- Staff held a follow-up Stakeholders meeting on May 9, 2011 to see if there were further comments on the proposed regulations. As a result of that meeting, several clarifications and changes were made.
- Alachua County Environmental Protection Department (EPD) staff provided some suggestions concerning the location of conservation management areas that were incorporated into the regulations.
- Staff met with Gainesville Regional Utilities (GRU) staff on June 9, 2011 about concerns related to the ordinance's applicability to utility uses. After clarifying some issues with GRU, Planning staff made some minor changes to the Exemptions section concerning utility and ROW uses, maintenance, and firebreaks.
- Staff found several inconsistencies with existing Land Development Code language and made changes to correct those problems. In addition, clarifying language was added and some reorganization was done. And, staff included some mitigation ratio relief provisions for parcels less than or equal to 5 acres when located outside the Strategic Ecosystem.

The major changes since the March 24 Plan Board hearing are:

1. Addition of Exhibit 6, which concerns Environmental Review for Surface Water and Wetlands. Staff realized that PB-10-143 TCH inadvertently removed Section 30-250 concerning environmental review. This section has been moved to Section 30-300 and is Exhibit 6.
2. Addition of Exhibit 7, which includes changes to Section 30-275 to remove references to the uplands district. Those areas would be subject to the new regulations proposed in PB-10-143 TCH and should have been removed as part of the original petition language.
3. The Nature Park District has been expanded to include "Public Conservation/Preservation Areas" and the section was reorganized for clarity.
4. Several new definitions were added for clarity.

5. Some exemptions to the regulations related to utilities and ROW were clarified.
6. Exemption language for certain firebreaks was added.
7. The 2-acre parcel exemption was clarified to state that those parcels are exempt only if there are no identified archaeological sites on the Florida Master Site file for the property.
8. Clarifying language that the management plan for agriculture or silviculture is not the same as a Conservation Management Plan.
9. New language about the location of conservation management areas being in common open space or entirely within the boundaries of a single individual lot based on input from Alachua County EPD staff.
10. Added new language for mitigation area ratio requirements for parcels less than or equal to 5 acres that are outside the Strategic Ecosystem. This allows the City Manager or designee to allow a 1:1 ratio of mitigation area when there is a hardship created by small parcel size or configuration (instead of the usual 2:1 ratio).
11. Within the Floridan Aquifer High Recharge Area section, the requirements concerning stormwater pond design were removed because the Public Works Department is proposing to handle those requirements in a revision of the Public Works Design Manual.
12. Changed the Floridan Aquifer High Recharge Areas definition to those exceeding 12 (previously 8) inches of rainfall when located in the St. Johns River Water Management District area.
13. Deleted the list of specifically prohibited uses in the Floridan Aquifer High Recharge Areas but retained the ability to prohibit new development that handles or stores hazardous materials unless it can be demonstrated not to pose a hazard to humans or the environment.