

LEGISLATIVE #

1100761

Exhibit 7:

Subdivision I. - In General

Sec. 30-275. - Applicability and effect of overlay districts.

(a) *Effect of classification.* The flood control, surface water, wellfield, gateway street, nature park, and greenway ~~and uplands~~ districts are overlay district classifications. They are intended to operate in conjunction with the underlying zoning district for the area. The regulations of the underlying zoning district remain in effect except to the extent that they are modified by the provisions of the applicable overlay district(s).

(b) *Administration.* The flood control, surface water, wellfield, gateway street, nature park, and greenway ~~and uplands~~ districts shall be applied and enforced like any other zoning district regulation.

(c) *Extension of district boundaries.* Property owners whose land is contiguous to a gateway street district may apply for inclusion in the district through extension of the district's boundaries. Property owners may also apply for inclusion in the surface water, and greenway ~~or uplands~~ districts, regardless of contiguity. Such an extension or inclusion shall be subject to review and consideration according to the applicable terms of this article and shall be processed as a rezoning in accordance with articles I and X of this chapter. The city commission may extend or expand districts from time to time in accordance with the same standards and procedures as for the original district as determined by the city comprehensive plan.

(d) *Exclusion from district boundaries.* It is a rebuttable presumption that a property qualifies for inclusion within the wellfield ~~or uplands~~ district. ~~For the wellfield district, q~~ Qualified properties are those that are within the zone of contribution to the wellfield, as defined by the applicable water management district. ~~For the uplands district, qualified properties are those which are a necessary component of the upland ecological community.~~ Property owners whose land is within the district may apply for exclusion from the district. ~~For the wellfield district, s~~ Such an exclusion shall be based on a determination made by a qualified engineer registered in the State of Florida that the property is not part of the zone of contribution. ~~For the uplands district, such an exclusion shall be based on a determination made by a professional botanist or ecologist that the property is not necessary for the maintenance of a viable upland ecological community.~~ This determination is subject to review and consideration by the city public works department and the county office of environmental protection and the public utility (~~wellfield district only~~) according to the applicable terms of this article and shall be processed as a rezoning in accordance with article X of this chapter.