

## **EXHIBIT E: LETTER OF INTENT FROM CHW**



May 1, 2020

Andrew Persons, Interim Director  
City of Gainesville Department of Doing  
Thomas Center City Offices (B)  
306 NE 6<sup>th</sup> Avenue,  
Gainesville, FL, 32601

RE: Land Development Code Text Amendment – Division 6, “Wellfield Protection Special Use Permit”

Dear Andrew:

CHW seeks to amend the City of Gainesville’s Land Development Code (LDC) §30-3.30, Wellfield Protection Special Use Permit (WPSUP) Review Criteria, to address an unintended omission and modification that occurred during the City’s 2017 LDC update. Prior to the 2017 LDC update, underground storage of petroleum products or other hazardous materials was permitted within the secondary and tertiary Murphree Wellfield Protection Zone by a WPSUP.

Specifically, between 2003 and 2017, the Code outlined the criteria for obtaining a Wellfield Protection Permit in the secondary and tertiary zones per §30-203(b). For unknown reasons, during the 2017 LDC update, the language in §30-203(b) retained the WPSUP approval process but the use was excluded from eligibility.

From our work with the City of Gainesville’s Department of Sustainable Development and the City Attorney’s office, Gainesville Regional Utilities (GRU), and the Alachua County Environmental Protection Department (ACEPD) everyone agrees the LDC was intended to retain its original language. However, only a portion of the prior LDC language pertaining to WPSUP was transferred, inadvertently omitting the use from its own approval mechanism. In brief, the Code currently has an internal inconsistency in that it describes the approval process, but the Code sections do not permit use. This a text-based error that must be corrected.

CHW staff have worked with the City of Gainesville’s Department of Sustainable Development and the City Attorney’s office, GRU, ACEPD to review the error and create language correcting the Code. All parties have collaborated on the text amendment and letters of support from GRU and GRU and ACEPD are included. Therefore, the request is to restore §30-203(b) to allow underground storage of petroleum products or hazardous materials within the secondary or tertiary MWPZ by WPSUP.

Respectfully,

Gerry Dedenbach, AICP  
CHW Vice President