

Authority Booklet

Florida Statutes-163.1394
-163.3201
.3202



City of Gainesville Code-30-42 through 30-46
-30-270
-30-280



Comprehensive Plan-A-1
-F-2



been issued by the Administration Commission and a reasonable period of time has been allowed for the local government to comply with an adverse determination by the Administration Commission through adoption of plan amendments that are in compliance. The state land planning agency may initiate, and an affected person may intervene in, such a proceeding by filing a petition with the Division of Administrative Hearings, which shall appoint an administrative law judge and conduct a hearing pursuant to ss. 120.569 and 120.57(1) and shall submit a recommended order to the Administration Commission. The affected local government shall be a party to any such proceeding. The commission may implement this subsection by rule.

(12) The state land planning agency shall not adopt rules to implement this section, other than procedural rules.

(13) Within 1 year after the effective date of this act, the state land planning agency shall prepare and submit a report to the Governor, the Administration Commission, the Speaker of the House of Representatives, the President of the Senate, and the respective community affairs committees of the Senate and the House of Representatives on the coordination efforts of local, regional, and state agencies to improve technical assistance for evaluation and appraisal reports and update plan amendments. Technical assistance shall include, but not be limited to, distribution of sample evaluation and appraisal report templates, distribution of data in formats usable by local governments, onsite visits with local governments, and participation in and assistance with the voluntary scoping meetings as described in subsection (3).

(14) The state land planning agency shall regularly review the evaluation and appraisal report process and submit a report to the Governor, the Administration Commission, the Speaker of the House of Representatives, the President of the Senate, and the respective community affairs committees of the Senate and the House of Representatives. The first report shall be submitted by December 31, 2004, and subsequent reports shall be submitted every 5 years thereafter. At least 9 months before the due date of each report, the Secretary of Community Affairs shall appoint a technical committee of at least 15 members to assist in the preparation of the report. The membership of the technical committee shall consist of representatives of local governments, regional planning councils, the private sector, and environmental organizations. The report shall assess the effectiveness of the evaluation and appraisal report process.

(15) An evaluation and appraisal report due for adoption before October 1, 1998, shall be evaluated for sufficiency pursuant to the provisions of this section. A local government which has an established adoption date for its evaluation and appraisal report after September 30, 1998, and before February 2, 1999, may choose to have its report evaluated for sufficiency pursuant to the provisions of this section if the choice is made in writing to the state land planning agency on or before the date the report is submitted.

History.—s. 11, ch. 75-257; s. 10, ch. 85-55; s. 11, ch. 86-191; s. 10, ch. 92-129; s. 13, ch. 93-206; s. 6, ch. 95-322; s. 29, ch. 96-410; s. 5, ch. 96-416; s. 4, ch. 98-146; ss. 6, 14, ch. 98-176; s. 5, ch. 98-258.

Note.—As amended and substantially reworded by s. 14, ch. 99-176. Former paragraph (12)(a) was also amended by s. 5, ch. 98-258, without reference to the substantial rewording of the section by s. 14, ch. 98-176. As amended by s. 5, ch. 98-258, only, paragraph (12)(a) reads:

(12)(a) The state land planning agency may enter into a written agreement with a municipality of fewer than 5,000 residents or a county with fewer than 75,000 residents so that such a jurisdiction may focus planning resources on selected issues or elements when updating its plan, if the local government includes such a request in its report and the agency approves the request. Approval of the request does not authorize the local government to repeal or render ineffective any existing portion or element of its local plan.

Note.—As amended and substantially reworded by s. 14, ch. 98-176. Former subsection (9) was also amended by s. 4, ch. 98-146, without reference to the substantial rewording of the section by s. 14, ch. 98-176; material similar to that found in former subsection (9) is now located in subsection (6), as amended by s. 14, ch. 98-176. As amended by s. 4, ch. 98-146, only, subsection (9), redesignated as subsection (6) to conform to the placement of material by s. 14, ch. 98-176, reads:

(6) The state land planning agency shall conduct a sufficiency review of each report to determine whether it has been submitted in a timely fashion and contains the prescribed components. The agency shall complete the sufficiency determination within 60 days of receipt of the report. The agency shall not conduct a compliance review. However, a local government may request that the department provide substantive comments regarding the report or addendum during the department's sufficiency review to assist the local government in the adoption of its plan amendments based on the evaluation and appraisal report. Comments provided during the sufficiency review are not binding on the local government or the department and will not supplant or limit the department's consistency review of the amendments based on the adopted evaluation and appraisal report. A request for comments must be made in writing by the local government and must be submitted at the same time the adopted report is submitted for sufficiency review.

Note.—As amended and substantially reworded by s. 14, ch. 98-176. Former subsection (10) was also amended by s. 4, ch. 98-146, without reference to the substantial rewording of the section by s. 14, ch. 98-176; material similar to that found in former subsection (10) is now located in subsection (8), as amended by s. 14, ch. 98-176. As amended by s. 4, ch. 98-146, only, subsection (10), redesignated as subsection (8) to conform to the placement of material by s. 14, ch. 98-176, reads:

(8) The state land planning agency may delegate the review of reports to the appropriate regional planning council. When the review has been delegated to a regional planning council, any local government in the region, except for areas of critical state concern, may elect to have its report reviewed by the council rather than the agency. The agency shall adopt rules for accepting requests for delegation and for uniform and adequate review of reports. The agency shall retain oversight for any delegation of review to a regional planning council. Any plan amendment recommended by the report shall be reviewed by the agency pursuant to s. 163.3184 and be adopted by the local government pursuant to s. 163.3189.

163.3194 Legal status of comprehensive plan

(1)(a) After a comprehensive plan, or element or portion thereof, has been adopted in conformity with this act, all development undertaken by, and all actions taken in regard to development orders by, governmental agencies in regard to land covered by such plan or element shall be consistent with such plan or element as adopted.

(b) All land development regulations enacted or amended shall be consistent with the adopted comprehensive plan, or element or portion thereof, and any land development regulations existing at the time of adoption which are not consistent with the adopted comprehensive plan, or element or portion thereof, shall be amended so as to be consistent. If a local government allows an existing land development regulation which is inconsistent with the most recently adopted comprehensive plan, or element or portion thereof, to remain in effect, the local government shall adopt a schedule for bringing the land development regulation into conformity with the provisions of the most recently adopted comprehensive plan, or element or portion thereof. During the interim period when the provisions of the most recently adopted comprehensive plan, or element or portion thereof, and the land development regulations are inconsistent, the provisions of the most recently adopted comprehensive plan, or element or portion thereof, shall govern any action taken in regard to an application for a development order.

(2) After a comprehensive plan for the area, or element or portion thereof, is adopted by the governing body, no land development regulation, land development code, or amendment thereto shall be adopted by

the governing body until such regulation, code, or amendment has been referred either to the local planning agency or to a separate land development regulation commission created pursuant to local ordinance, or to both, for review and recommendation as to the relationship of such proposal to the adopted comprehensive plan, or element or portion thereof. Said recommendation shall be made within a reasonable time, but no later than within 2 months after the time of reference. If a recommendation is not made within the time provided, then the governing body may act on the adoption.

(3)(a) A development order or land development regulation shall be consistent with the comprehensive plan if the land uses, densities or intensities, and other aspects of development permitted by such order or regulation are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.

(b) A development approved or undertaken by a local government shall be consistent with the comprehensive plan if the land uses, densities or intensities, capacity or size, timing, and other aspects of the development are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.

(4)(a) A court, in reviewing local governmental action or development regulations under this act, may consider, among other things, the reasonableness of the comprehensive plan, or element or elements thereof, relating to the issue justiciably raised or the appropriateness and completeness of the comprehensive plan, or element or elements thereof, in relation to the governmental action or development regulation under consideration. The court may consider the relationship of the comprehensive plan, or element or elements thereof, to the governmental action taken or the development regulation involved in litigation, but private property shall not be taken without due process of law and the payment of just compensation.

(b) It is the intent of this act that the comprehensive plan set general guidelines and principles concerning its purposes and contents and that this act shall be construed broadly to accomplish its stated purposes and objectives.

(5) The tax-exempt status of lands classified as agricultural under s. 193.461 shall not be affected by any comprehensive plan adopted under this act as long as the land meets the criteria set forth in s. 193.461.

History.—s. 12, ch. 75-257; s. 1, ch. 77-174; s. 2, ch. 77-223; s. 12, ch. 80-358; s. 69, ch. 81-259; s. 11, ch. 85-55.

163.3197 Legal status of prior comprehensive plan.—Where, prior to the adoption of a revised plan pursuant to s. 163.3167(2), a local government had adopted a comprehensive plan, or element or portion thereof, such adopted plan, or element or portion thereof, shall have such force and effect as it had at the date of adoption until a new comprehensive plan, or element or portion thereof, is adopted by or for such local government pursuant to the provisions of this act.

The prior adopted plan, or element or portion thereof, may be the basis for meeting the requirement of comprehensive plan adoption set out in this act, provided all requirements of this act are met.

History.—s. 13, ch. 75-257; s. 12, ch. 85-55.

163.3201 Relationship of comprehensive plan to exercise of land development regulatory authority.—It is the intent of this act that adopted comprehensive plans or elements thereof shall be implemented, in part, by the adoption and enforcement of appropriate local regulations on the development of lands and waters within an area. It is the intent of this act that the adoption and enforcement by a governing body of regulations for the development of land or the adoption and enforcement by a governing body of a land development code for an area shall be based on, be related to, and be a means of implementation for an adopted comprehensive plan as required by this act.

History.—s. 14, ch. 75-257; s. 13, ch. 85-55.

163.3202 Land development regulations.

(1) Within 1 year after submission of a revised comprehensive plan for review pursuant to s. 163.3167(2), each county and each municipality shall adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan.

(2) Local land development regulations shall contain specific and detailed provisions necessary or desirable to implement the adopted comprehensive plan and shall as a minimum:

- (a) Regulate the subdivision of land;
- (b) Regulate the use of land and water for those land use categories included in the land use element and ensure the compatibility of adjacent uses and provide for open space;
- (c) Provide for protection of potable water wellfields;
- (d) Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management;
- (e) Ensure the protection of environmentally sensitive lands designated in the comprehensive plan;
- (f) Regulate signage;
- (g) Provide that public facilities and services meet or exceed the standards established in the capital improvements element required by s. 163.3177 and are available when needed for the development, or that development orders and permits are conditioned on the availability of these public facilities and services necessary to serve the proposed development. Not later than 1 year after its due date established by the state land planning agency's rule for submission of local comprehensive plans pursuant to s. 163.3167(2), a local government shall not issue a development order or permit which results in a reduction in the level of services for the affected public facilities below the level of services provided in the comprehensive plan of the local government.

(h) Ensure safe and convenient onsite traffic flow, considering needed vehicle parking.

(3) This section shall be construed to encourage the use of innovative land development regulations

which include provisions such as transfer of development rights, incentive and inclusionary zoning, planned-unit development, impact fees, and performance zoning. These and all other such regulations shall be combined and compiled into a single land development code for the jurisdiction. A general zoning code shall not be required if a local government's adopted land development regulations meet the requirements of this section.

(4) The state land planning agency may require a local government to submit one or more land development regulations if it has reasonable grounds to believe that a local government has totally failed to adopt any one or more of the land development regulations required by this section. Once the state land planning agency determines after review and consultation with local government whether the local government has adopted regulations required by this section, the state land planning agency shall notify the local government in writing within 30 calendar days after receipt of the regulations from the local government. If the state land planning agency determines that the local government has failed to adopt regulations required by this section, it may institute an action in circuit court to require adoption of these regulations. This action shall not review compliance of adopted regulations with this section or consistency with locally adopted plans.

(5) The state land planning agency shall adopt rules for review and schedules for adoption of land development regulations.

History.—s. 14, ch. 85-55; s. 12, ch. 86-191; s. 14, ch. 93-206; s. 7, ch. 95-322; s. 6, ch. 96-416; s. 5, ch. 98-146.

163.3204 Cooperation by state and regional agencies.—The Department of Community Affairs and any ad hoc working groups appointed by the department and all state and regional agencies involved in the administration and implementation of this act shall cooperate and work with units of local government in the preparation and adoption of comprehensive plans, or elements or portions thereof, and of local land development regulations.

History.—s. 15, ch. 75-257; s. 3, ch. 79-65; s. 11, ch. 83-216; s. 16, ch. 85-55.

163.3211 Conflict with other statutes.—Where this act may be in conflict with any other provision or provisions of law relating to local governments having authority to regulate the development of land, the provisions of this act shall govern unless the provisions of this act are met or exceeded by such other provision or provisions of law relating to local government, including land development regulations adopted pursuant to chapter 125 or chapter 166. Nothing in this act is intended to withdraw or diminish any legal powers or responsibilities of state agencies or change any requirement of existing law that local regulations comply with state standards or rules.

History.—s. 17, ch. 75-257; s. 17, ch. 85-55; s. 25, ch. 87-224.

163.3213 Administrative review of land development regulations.—

(1) It is the intent of the Legislature that substantially affected persons have the right to maintain administrative actions which assure that land development regulations implement and are consistent with the local comprehensive plan.

(2) As used in this section:

(a) "Substantially affected person" means a substantially affected person as provided pursuant to chapter 120.

(b) "Land development regulation" means an ordinance enacted by a local governing body for the regulation of any aspect of development, including a subdivision, building construction, landscaping, tree protection, or sign regulation or any other regulation concerning the development of land. This term shall include a general zoning code, but shall not include a zoning map, an action which results in zoning or rezoning of land, or any building construction standard adopted pursuant to and in compliance with the provisions of chapter 553.

(3) After the deadline specified in s. 163.3202 for each local government to adopt land development regulations, a substantially affected person, within 12 months after final adoption of the land development regulation, may challenge a land development regulation on the basis that it is inconsistent with the local comprehensive plan. As a condition precedent to the institution of a proceeding pursuant to subsection (4), such affected person shall file a petition with the local government whose land development regulation is the subject of the petition outlining the facts on which the petition is based and the reasons that the substantially affected person considers the land development regulation to be inconsistent with the local comprehensive plan. The local government receiving the petition shall have 30 days after the receipt of the petition to respond. Thereafter, the substantially affected person may petition the state land planning agency not later than 30 days after the local government has responded or at the expiration of the 30-day period which the local government has to respond. The local government and the petitioning, substantially affected person may by agreement extend the 30-day time period within which the local government has to respond. The petition to the state land planning agency shall contain the facts and reasons outlined in the prior petition to the local government.

(4) The state land planning agency shall notify the local government of its receipt of a petition and shall give the local government and the petitioning, substantially affected person an opportunity to present written or oral testimony on the issue and shall conduct any investigations of the matter that it deems necessary. These proceedings shall be informal and shall not include any hearings pursuant to s. 120.57(1). Not later than 60 days nor earlier than 30 days after receiving the petition, the state land planning agency shall issue its written decision on the issue of whether the land development regulation is consistent with the local comprehensive plan, giving the grounds for its decision. The state land planning agency shall send a copy of its decision to the local government and the petitioning, substantially affected person.

(5)(a) If the state land planning agency determines that the regulation is consistent with the local comprehensive plan, the substantially affected person who filed the original petition with the local government may, within 21 days, request a hearing from the Division of

district. The density figures in the titles are derived by using a factor of 0.8 of the density achievable if the total land area were used for residential parcels. Therefore, the density calculations in the titles reflect the anticipated overall density of a district, recognizing that a portion of the land is utilized for roadways.

In the RMF-6, RMF-7, RMF-8, RMU, RH-1, RH-2 and OR districts, the density figures listed in the titles reflect the number of dwelling units permitted per acre of developable land as provided in the district regulations. Developable land is that portion of land not reserved for public rights-of-way. Where the title indicates a range of densities, it reflects the fact that the maximum permissible density may vary with the use of density bonus points, as awarded using the density bonus point manual adopted by resolution of the city commission.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3955, § 10, 2-14-94; Ord. No. 980735, § 1, 9-27-99)

Sec. 30-42. Designation of district boundaries.

The boundaries of each district are designed and established as shown on the zoning map of the city. The regulations of this chapter concerning the use of land within particular districts shall apply within the boundaries of each district as shown upon the zoning map.

(Ord. No. 3777, § 1, 6-10-92)

Sec. 30-43. Rules for interpretation of district boundaries.

When uncertainty exists as to the boundaries of the various districts on the zoning map, the following rules shall apply:

(1) *Location of district boundary lines.*

- a. *Centerlines.* Boundaries indicated as approximately following streets shall be construed to follow the centerlines of such streets.
- b. *Lot and section lines.* Boundaries indicated as approximately following platted lot lines or section lines shall be construed as following such lines.

- c. *Municipal boundaries.* Boundaries indicated as approximately following municipal boundaries shall be construed as following such municipal boundaries.
- d. *Railroad lines.* Boundaries indicated as following railroad lines shall be construed as following the right-of-way centerlines for such railroad lines.
- e. *Water lines.* Boundaries indicated as approximately following the centerlines of streams, creeks, canals or other bodies of water shall be construed to follow such centerlines.
- f. *Parallel lines.* Boundaries that are approximately parallel to the centerlines of alleys or the centerlines or right-of-way lines of streets or any other line shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning maps. If no distance is given, such dimension shall be determined by the use of the scale shown on the zoning map.
- g. *Bisecting lines.* Boundaries that approximately bisect a block, lot or tract shall be construed to follow the median lines of such blocks as indicated by rear property lines or as measured between the centerlines of boundary streets in the absence of rear property lines or, in the absence of both of the above, by use of the scale appearing on the zoning map.

- (2) *Provisions for parcels divided by district boundaries.* Where any parcel of land is divided into two or more zoning districts, the regulations of each individual district shall apply to that part of the parcel so zoned, except that, when a parcel is divided into two or more of the RMF-6, RMF-7, RMF-8, RMU, RH-1 and RH-2 residential districts, the permitted intensity of development may be averaged over the entire parcel as long as the remaining applicable dimensional requirements are followed.

(3) *Unzoned property generally.* If, because of error or omission in the zoning map, any property in the city is not shown as being in a zoning category; or if property in newly annexed territory is unzoned; or if the zoning of any property is vacated or invalidated, for any reason, either judicially or legislatively, then the classification of any of such properties shall be deemed to be CON, conservation district, unless and until a different zoning is provided for such property by ordinance amending the zoning map; and, until such amendment is provided for, no use may be made of any such property except in accordance with the regulations for the CON district.

(4) *Unzoned property owned by governmental agency.* Any unzoned land owned by a governmental agency may be exempted by the city commission from compliance with the CON district regulations, and from the requirements of applying for a specific zoning category, for any proposed development, expansion or change of use, based upon a specific proposed development plan and following recommendation by the plan board or development review board.

(Ord. No. 3777, § 1, 6-10-92)

Sec. 30-44. Corresponding zoning of annexed territory.

When additional lands are annexed into the city and such lands have previously been zoned by the county, the city commission, based on plan board recommendation, shall determine which zoning district category created by this chapter shall be imposed upon such lands. The use of such lands shall thereafter be in accordance with the district categories of this chapter, and the zoning map shall be amended to include the annexed lands and to reflect such classifications, until such classifications are changed, if at all, by rezoning ordinances.

(Ord. No. 3777, § 1, 6-10-92)

Sec. 30-45. Prohibited uses.

Any use not permitted by right, by zoning compliance permit, by special use permit, as a special exception or an accessory use in a zoning district shall be prohibited in such district. (Ord. No. 3777, § 1, 6-10-92)

Sec. 30-46. Correspondence of zoning districts with future land use categories.

The following table establishes the zoning districts allowable within the future land use categories from the comprehensive plan. Zoning district changes to a new district which fall into a different future land use category shall require a change in the future land use category also.

CORRESPONDENCE OF ZONING DISTRICTS WITH FUTURE LAND USE CATEGORIES

<i>Zoning Districts</i>	<i>Future Land Use Category</i>
RSF-1, RSF-2, RSF-3, RSF-4, CON, PD	Single-family
RSF-4, RMF-5, MH, RC, PD	Residential—Low
RMF-6, RMF-7, RMF-8, PD	Residential—Medium
RH-1, RH-2, PD	Residential—High
RMU, PD	Mixed use—Residential
MU-1, PD	Mixed use—Low
MU-2, CP, PD	Mixed use—Medium
CCD, PD	Mixed use—High
OR, OF, MD, PD	Office
BA, BT, BUS, W, PD	Commercial
I-1, I-2, W, PD	Industrial
ED, PD	Education
PS, PD	Recreation
CON, PD	Conservation
AGR	Agriculture
AF, PS, PD	Public facilities
PD or rezoning consistent with the underlying land use designation	PUD

(Ord. No. 3777, § 1, 6-10-92)

Secs. 30-47—30-50. Reserved.

*Subdivision II. Stormwater Management***Sec. 30-270. Stormwater management generally; erosion and sedimentation control; design and maintenance of facilities.***(a) Prohibitions.*

- (1) No person shall change, or allow to be changed, the contour, topography, use or vegetation cover of land unless the stormwater runoff and sedimentation generated thereby are controlled in accordance with this article, except as follows:
 - a. Property in actual agricultural use, excluding silviculture.
 - b. Accessory home gardening and customary routine landscape maintenance.
 - c. Removal of individual trees in accordance with the landscape and tree management sections of this article.
- (2) No person shall discharge or alter the discharge of stormwater runoff or sedimentation from development activity into creeks, watercourses or water bodies without the consent of the applicable governmental authority.

(b) Design and maintenance standards for stormwater facilities.

- (1) *Design manual.* Stormwater management facilities shall be designed and constructed in accordance with this article and the design manual.
- (2) *Design standards.*
 - a. *General standards.*
 1. All drainage facilities shall provide a positive outfall to existing watercourses, water bodies, wetlands or storm sewer systems unless it can be proven that it is a closed system.
 2. The property owner is fully responsible for compliance with all rules, regulations and requirements of the county, the

applicable water management district, the state department of environmental protection, the U.S. Army Corps of Engineers, and the United States Environmental Protection Agency.

3. All basins designed to be dry shall drain completely within 72 hours of the storm event. Designs providing for longer drainage periods require approval by the city manager or designee.
4. All development must provide on-site stormwater quality treatment for the first one inch of stormwater runoff, except as provided in subsection e. of this section. Infill residential development within improved residential areas or subdivisions existing prior to November 18, 1991, must ensure that its post-development runoff will not contribute pollutants which will cause the runoff from the entire improved area or subdivision to degrade receiving water bodies and their water quality.
5. All development must have on-site stormwater quantity control designed for the 25-year critical duration storm, except as provided in subsections (b)(2)d. and e. of this section. A detention system shall be provided which will permit a controlled outlet to receiving watercourses. The system shall be designed so that the peak flow of stormwater off of the site, assuming full development, shall not exceed the natural flow from the lands prior to the subdivision and/or any development, based on the 25-year critical duration storm.
6. The type, intensity and structural design of any develop-

ment proposed for a site shall be appropriate to the existing natural topographic characteristics of the site, while recognizing that minimal grade changes are essential to site development. Avoid disturbing steep slopes. Use terracing and diversions when disturbance of slopes is unavoidable. Slopes created by fill for other than landscape or buffering purposes shall be not steeper than three to one and must be stabilized by vegetation or other approved methods. Excessive erosion of any cut or fill slope shall require remediation by the property owner.

7. Drainage facilities designed within a closed system shall be evaluated on a site-specific basis with the minimum design criteria being the 100-year critical duration storm event.

- b. *Erosion and sedimentation control.* The city may require the developer to limit clearing and grubbing outside the proposed developed area to the site, control erosion and sedimentation during and after construction, stabilize cleared areas, limit stockpiles, protect stormwater inlets during construction, control construction access routes, remove temporary control systems after construction, and limit the placement of gutters and drains. The developer shall comply with the requirements of article VIII of this chapter and the design manual. Wherever construction vehicle access routes intersect paved public roads, provisions shall be made to minimize the transport of sediment (mud), concrete and other construction materials onto the paved surface (through runoff or vehicle tracking). Materials reaching the paved surface shall be removed from

the paved surface at the end of each day. Removal shall be by shoveling or sweeping, and the materials shall be transported to a sediment-controlled disposal area.

- c. *Hogtown Creek Basin; additional standards.*
 1. Within the Hogtown Creek Basin, systems must be designed to retain any increase in volume of runoff over the predevelopment volume for a 72-hour period.
 2. The state department of transportation, Standards for Road and Bridge Construction, latest edition, and the state department of transportation, Roadway and Traffic Design Standards for Design, Construction, Maintenance and Utility Operations for Streets and Highways on State Maintained Systems, latest edition, shall be applied where standards are not specifically addressed in this chapter or in the design manual.
- d. *Requirements for master stormwater basins.* The requirements for stormwater quantity and quality as listed above may be satisfied by a master stormwater plan serving several properties. An easement must be provided between participating landowners. The easement shall be recorded in the public records of the county and submitted to the department of community development and to the public works department prior to the issuance of any development permit. Any development proposed for consideration utilizing an existing or planned master stormwater basin shall provide the calculations and documentation necessary to establish the right to use the facility and that the contribution of

with the design manual of the public works department, to accomplish the following results:

- i. *Closed conduits.* A system of closed conduits (except where open ditches are specifically permitted by the city commission) shall be provided to collect and channel stormwater in such a fashion as to permit the unimpeded use of public roads during a rain-storm of the maximum intensity predicted for the city area at ten-year intervals.
 - ii. *Flood routing.* A route for stormwater runoff shall also be provided which will function, when the system designed to handle the ten-year, 24-hour storm has reached its capacity, so as to prevent flooding (water over the curb level) and ensure access for emergency vehicles during a ten-year, 24-hour storm event.
 - iii. *Detention/retention system.* A detention/retention system shall be provided which will permit a controlled outlet to receiving watercourses. The system shall be designed so that the peak flow of stormwater from the subdivided lands, assuming full development, shall not exceed the natural flow from the lands prior to the subdivision and any associated development based on the 25-year critical duration storm.
2. *Roadside swales.* Roadside swales may be provided in lieu of curb and gutter as long as all the specific requirements of this article, article VII, and the public works design manual can be met.
 3. *Open drainageways.* Open drainageways (ditches) will not be permitted in or within 100 feet of any land designated a residential district as defined in section 30-41 and any land in actual use or zoned for use as a school, unless it can be established to the satisfaction of the city commission that the open drainageway will appear and function as a natural watercourse and will not require significant maintenance. Any permitted open drainageway shall be designed so as to present no unreasonable hazard to life, the health of the public and nearby property residents and so as to be protected against scour and erosion.
- (3) *Acceptance of facilities.* Acceptance of facilities for dedication to the public shall be in accordance with the conditions and procedures in article VII, pertaining to subdivision review.
 - (4) *Intergovernmental coordination.* Copies of all water management district, state department of transportation, state department of environmental protection, and county permits and permits of any other agency with jurisdiction shall be required prior to issuance of any development permit.
- (c) *Requirements for plan submittal.* See article VII, pertaining to development review process, of this chapter.
 - (d) *Construction design requirements.*
 - (1) The public works design manual shall contain all construction design requirements.

community. Property owners whose land is within the district may apply for exclusion from the district. For the wellfield district, 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.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3911, § 6, 10-4-93; Ord. No. 960060, § 20, 6-8-98)

Secs. 30-276—30-279. Reserved.

Subdivision II. Flood Control District

Sec. 30-280. Definitions.

As regards the provisions of the flood control sections of article VIII:

Additions (to an existing building) means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common loadbearing wall other than a firewall. Any walled and roofed addition which is connected by a firewall or is separated by independent perimeter loadbearing walls is new construction.

Appeal means a request for a review of the city's interpretation of any provisions of the flood control sections of article VIII or a request for a variance.

Area of special flood hazard means the land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year.

Base flood means the flood having a one-percent chance of being equalled or exceeded in any given year, i.e., the 100-year flood.

Base flood elevation means the crest elevation in relation to mean sea level (using National Geodetic Vertical Datum) expected to be reached during a flood which encompasses the regulatory floodplain.

Basement means that portion of a building having its floor subgrade (below ground level) on all sides.

Building means any structure built for support, shelter or enclosure for any occupancy or storage.

Critical duration means the duration of a specific storm event (i.e., 25-year storm) which creates the largest volume or highest rate of net stormwater runoff (post-development runoff less pre-development runoff) for typical durations. The critical duration is determined by comparing various durations of the specified storm and calculating the peak, rate and volume of runoff for each. The duration resulting in the highest peak rate or largest total volume is the critical duration storm.

Detention facility means those areas which regulate the flow of stormwater runoff by impeding the flow, usually to natural or predevelopment level.

Drainage basin district means that geographic area that drains only to a designated creek, lake, pond, sink or swamp or other designated drainage sink, excluding floodplain district areas. All of the territory within the city limits of the city is within a drainage basin, excluding floodplain district areas. (Example: the Hogtown drainage basin comprises all the geographic area that ultimately drains into Hogtown Creek.)

Elevated building means a nonbasement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls or breakaway walls.

Existing mobile home park or mobile home subdivision means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile homes are to be affixed (including the installation

of utilities, either final site grading or pouring of concrete or the construction of streets) is completed before September 17, 1990.

Expansion to an existing mobile home park or mobile home subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the mobile homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; and/or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood channel district means that geographic area inundated as a result of the rainfall which occurs once in ten years on the average, based upon conditions existent as of September 17, 1990.

Flood hazard boundary map (FHBM) means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as zone A.

Flood insurance rate map (FIRM) means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

Flood insurance study means the official report provided by the Federal Emergency Management Agency. The report contains flood profiles and water surface elevation of the base flood. It may include the flood boundary-floodway map.

Floodplain district means that geographic area which is inundated as a result of the accumulation or runoff of surface waters from rainfall which occurs once in 100 years on the average, based upon conditions existent as of September 17, 1990. Such areas are designated as zones A,

A1, A2, A3, A4, A5, A6, A8 and A9 on the community's flood insurance rate map. Such floods are referred to as base floods.

Floodproofing means structural changes or adjustments incorporated in the design or construction of a building, so as to make the building watertight with walls substantially impermeable to the passage of water and with structural components having the capacity of resisting hydrostatic and hydrodynamic loads and effects of buoyancy for the reduction or elimination of flood damages.

Floodwater detention and retention areas means areas found in any flood control planning district that, because of their natural formation, are, or can readily be made to be, areas of significant potential for use as places of detention or retention of floodwaters as part of a comprehensive flood control plan. Flood detention and retention areas are not limited to sites abutting or near flood channels.

Floor means the top surface of an enclosed area in a building (including basements), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Mobile home means a structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

MSL (mean sea level) means the average height of the sea for all stages of the tide. It is used as a reference for establishing varying elevations within the floodplain. For purposes of this article the term is synonymous with National Geodetic Vertical Datum (NGVD).

National Geodetic Vertical Datum (NGVD) means a vertical control used as a reference for establishing varying elevations within the floodplain.

purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This article does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. These flood control sections shall not create liability on the part of the city or by any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

(Ord. No. 3777, § 1, 6-10-92)

Sec. 30-282. Master flood control planning maps.

(a) *Lands to which the flood control sections apply.* These sections shall apply to all lands within the jurisdiction of the city shown on the master flood control planning maps as being located within the boundaries of the flood channel district, floodplain district, drainage basin district, and floodwater detention and retention area.

(b) *Establishment of maps.* Delineations of the boundaries of flood control planning districts and areas shall be made for each drainage basin, each floodplain, each flood channel, and each retention and detention area on a master flood control planning map approved by the city commission. The master flood control planning map shall be prepared and maintained by the city manager with the advice and consultation of the public works department, the North Central Florida Regional Planning Council, representatives of the county commission and other planning and engineering specialists as determined by the city commission. The maps are on file in the clerk's office and the city public works department and are adopted by reference and declared to be part of this article.

(c) *Use.* All land use decisions made with respect to the flood control sections of this article shall be made with reference to the master flood control planning maps. The boundaries of the zoning districts shall be determined by scaling distances on the maps.

(d) *Review and modification.* The city manager or designee shall review the master flood control planning map and recommend changes to the city commission as are indicated by the current engineering and planning information. Reevaluations may be directed by the city commission.

(e) *Review of amendments.* Prior to any amendment of a master flood control planning map, such proposed amendment shall first be submitted to the city plan board for review and recommendation.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3911, § 7, 10-4-93)

Sec. 30-283. Adoption of flood insurance rate maps.

The federal insurance rate maps (FIRM) pertaining to the city, comprising 15 sheets bearing No. 125107 0001B through No. 125107 0015B, together with the regulations contained in 44 CFR 60.3(d), issued pursuant to authority of the National Flood Insurance Act of 1968, as amended, which are on file in the clerk's office and the public works department and by this reference hereby expressly made a part hereof, are hereby adopted and shall be the rule and guide in the interpretation and enforcement, where applicable, of the city flood control ordinances as contained in this article. In any instance where the maps and regulations here adopted are in conflict with the provisions of this article, the more restrictive of the maps, regulations or ordinances shall apply. Where the FIRM or city map does not include a base flood elevation, a base flood elevation shall be determined by an engineer registered in the state based on professional evaluation of the site and relevant data.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 960060, § 21, 6-8-98)

Sec. 30-284. Duties and responsibilities of city manager.

Duties of the city manager or designee in flood control shall include, but not be limited to:

- (1) Reviewing all development permits to ensure that the permit requirements of these sections have been satisfied.

- g. A description of the proposed activity in sufficient detail to determine the propriety of the activity under sections 30-286 and 30-287. This description may include, but not be limited to, the above plans drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing and proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing.
- (2) *Construction stage.* A floor elevation or floodproofing certificate after the lowest floor is completed. Within 21 calendar days of establishment of the lowest floor elevation, or floodproofing by whatever construction means, it shall be the duty of the permit holder to submit to the city manager or designee a certificate of the elevation of the lowest floor or floodproofed elevation as built, in relation to mean sea level. Such certification shall be prepared by or under the direct supervision of a registered land surveyor or engineer and certified by same. When floodproofing is utilized for a particular building, such certification shall be prepared by or under the direct supervision of a registered engineer or architect and certified by same. Any work done within the 21-calendar-day period and prior to submission of the certification shall be at the permit holder's risk.
- (3) *City manager or designee action.*
- a. *Application stage.* The city manager or designee shall examine all engineering and planning information supplied by the applicant and by city staff to determine conformity with the above requirements. Permits shall be issued for conforming applications. Where in the opinion of the city manager or designee additional engineering or other studies or information are needed to determine the effects of a proposed use on flooding or any criterion contained in these

sections, the city manager shall require the applicant to have the additional studies and information prepared by qualified engineers or other appropriate qualified professionals and submitted prior to making a final decision on the application.

- b. *Construction stage.* The city manager or designee shall review the flood elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey, or failure to make the corrections required hereby, shall be cause to issue a stop work order for the project.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3911, § 8, 10-4-93)

Sec. 30-286. Prohibited uses.

(a) *Flood channel districts.* Hereafter it shall be unlawful for any person, natural, corporate, governmental or otherwise, to erect, remodel or alter any permanent structure or other development or to dredge or fill in any flood channel without a permit issued by the city manager. Filling with junk, trash, garbage or offal shall not be permitted. No permanent structures or fills shall be allowed except structures and fills designed for flood prevention and control, streets, bridges and sanitary sewer lift stations and utility lines. No dredging shall be allowed except to enhance the flood control capacity of the entire channel. Storage of materials that are buoyant, flammable, explosive, toxic or otherwise potentially harmful to human, animal, or plant life and health, such as chemicals and poisons, is prohibited. Where flood channel is stagnant water, i.e., an area of the flood channel where water leaves only through percolation and/or evapotranspiration, the restriction of the floodplain district shall apply. In those areas of flood channel districts that are shown on the flood control maps as being within areas inundated by backwater created by reverse flows of waters (flowing upgrade), development and construction shall be permitted un-

- (3) An irreversible adverse impact on the existing flora and fauna in a flood channel.
- (4) Otherwise uncontrolled danger to life and property as a result of increased flood heights or velocities caused by proposed uses.
- (5) Otherwise uncontrolled danger to life or property caused by lack of access to the property in times of flood by ordinary or emergency vehicles.
- (6) Any condition incompatible with the flood control and protection purposes of these sections.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3911, § 8, 10-4-93)

Sec. 30-287. Permitted uses.

(a) *Flood channel districts.* Within the limitations of subsections 30-286(a) and (e) and other applicable zoning regulations, and the surface water district provisions of article VIII, the following uses are permitted:

- (1) Agricultural uses such as pasture, grazing and wild crop harvesting.
- (2) Private and public recreational uses such as golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, launching areas for boats, swimming areas, parks, wildlife and nature preserves, fishing areas, hiking, bicycling and horseback riding trails.
- (3) Uses such as lawns, gardens, parking areas and play areas.
- (4) Temporary structures and fills for the purpose of constructing legal developments in a non-flood-channel district. No temporary structure or fill may be permitted for more time than is reasonably required for completion of the legal development and none may be permitted if a serious temporary flooding hazard would be created. Temporary structures or fills may not be permitted unless firmly anchored against flotation or erosion in the event of unexpected flooding. All expenses

of removing the temporary structure and fills and restoring the flood channel to its original condition shall be borne by the permittee.

- (5) Governmental and public utility projects such as flood control filling and dredging, streets, bridges and utility transmission lines and pipes under the following restrictions:
 - a. Any fill or dredge must be shown to have a beneficial flood control purpose or otherwise protect the public welfare and any fill shall be protected against erosion by riprap, vegetation or bulkheading, or other acceptable means.
 - b. Structures shall be constructed so as to minimize obstruction to the flow of the channel, unless flow control is intended. Structures shall be firmly anchored to prevent flotation which may result in damage to other property, or restriction of bridge openings and other narrow sections of the creek.

(b) *Floodplain districts.* Within the limitations of sections 30-286(b), (c) and (e), 30-290, 30-291 and 30-292 and other applicable regulations, the following uses are permitted:

- (1) Uses permitted in subsection (a) of this section and general farming, outdoor plant nurseries, horticulture, silviculture and viticulture.
- (2) Launching areas for power boats, marinas, boat rentals, docks, piers and wharves.
- (3) Structures for uses permitted by the existing zoning ordinances and meeting the standards set forth in sections 30-290, 30-291 and 30-292 may be constructed on stilts, piles or interrupted masonry foundations or conventional foundations, if retention is provided for the volume displaced at the same elevation of centroid of volume, so that the first floor or basement floor is not less than one foot above the level of the 100-year flood at each point.

- b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters;
 - c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
 - d. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (4) *Subdivision proposals.*
- a. All subdivision proposals shall be consistent with the need to minimize flood damage;
 - b. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
 - c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
 - d. Base flood elevation data shall be provided for subdivision proposals and other proposed development.
- (5) *Access.*
- a. *Residential access.* All residential structures constructed in the floodplain after September 17, 1990, shall be provided with vehicular access (from the road to the house) raised at least to the 100-year flood elevation for access by emergency vehicles during the 100-year flood. However, where access constructed to this elevation would require the removal of mature trees as determined by the city arborist, or would cause other serious damage as deter-

mined by the city manager or designee upon inspection and evidence provided by the property owner, the access shall be raised as high as reasonably possible without doing damage as above described; in addition, permanent markers projecting above the 100-year flood elevation and marking both sides of the access shall be installed. Neither the elevated vehicular access nor the permanent access markers shall be required to be more than 42 inches higher than the adjacent access road.

- b. *Subdivision access.* Each subdivision developed after September 17, 1990, shall include at least one route of access to each residential lot by means of a road raised to or above the 100-year flood level.

(Ord. No. 3777, § 1, 6-10-92)

Sec. 30-291. Specific standards for floodplain areas.

In all floodplain areas (identified as zones A, A1, A2, A3, A4, A5, A6, A8 and A9 on the FIRM) where base flood elevation data have been provided as set forth in section 30-283 or in section 30-284, the following standards are required:

- (1) *Residential construction.* New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to one foot above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of subsection 30-291(4).
- (2) *Nonresidential construction.* New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to one foot above the base flood elevation, or, together with attendant utility and sanitary facilities, shall:
 - a. Be floodproofed to a minimum of one foot above the base flood elevation

ment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).

- d. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3911, § 9, 10-4-93)

Sec. 30-292. Regulatory floodways in floodplain areas.

When floodways are designated within floodplain areas, additional criteria will be met. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

- (1) Prohibition of encroachments, including fill, new construction, substantial improvements and other developments, unless certification (with supporting technical data) by a registered engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge.
- (2) If subsection (1) of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of sections 30-290 and 30-291.
- (3) Prohibit the placement of any mobile homes, except in an existing mobile home park or existing mobile home subdivision. A replacement mobile home may be placed on a lot in an existing mobile home park or subdivision providing the anchoring standards of subsection 30-290(1) and elevation standards of subsection 30-291(1) are met.

(Ord. No. 3777, § 1, 6-10-92)

Sec. 30-293. Standards for creeks without established base flood elevations and/or floodways.

Located within the areas of special flood hazard established in section 30-283 where small

creeks exist but where no base flood data have been provided in accordance with subsection 30-284(9), the following provisions apply:

- (1) No encroachments, including fill material or structures, shall be located within a distance of the creek bank equal to two times the width of the creek at the top of bank or 20 feet each side from top of bank, whichever is greater, unless certification by a registered engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (2) New construction or substantial improvements of structures shall be elevated or floodproofed accordingly.

(Ord. No. 3777, § 1, 6-10-92)

Secs. 30-294—30-299. Reserved.

Subdivision III. Surface Waters and Wetlands District

Sec. 30-300. Definitions.

As regards the provisions of the surface water sections of this article the following words are defined:

Centerline of a regulated creek means the center of the flood channels of such creek as shown on the city master flood control planning maps adopted pursuant to the flood control district provisions of article VIII.

Development of land means any alteration of land and/or vegetation except permanent reestablishment of native vegetation pursuant to the requirements of the surface waters and wetlands sections of this article.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3911, § 10, 10-4-93; Ord. No. 4046, § 4, 12-12-94)

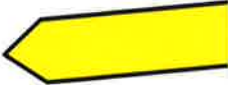
Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 30-301. Regulated surface waters and wetlands.

(a) The regulated creeks, lakes, and wetlands are as follows:

- (1) Creeks and lakes delineated on the map entitled "Surface Waters and Wetlands

**Goals,
Objectives &
Policies**



ACHIEVE THE HIGHEST LONG TERM QUALITY OF LIFE FOR ALL GAINESVILLE RESIDENTS CONSISTENT WITH SOUND SOCIAL, ECONOMIC AND ENVIRONMENTAL PRINCIPLES THROUGH LAND DEVELOPMENT PRACTICES THAT MINIMIZE DETRIMENTAL IMPACTS TO THE LAND, NATURAL RESOURCES AND URBAN INFRASTRUCTURE.

GOAL 1

The City shall protect environmentally sensitive land, conserve natural resources and maintain open spaces identified on Map 2 (Environmentally Significant Lands and Resources) of the Future Land Use Map Series, through the Development Review Process and land acquisition programs.

Objective 1.1

1.1.1 At a minimum the following standards and guidelines shall be used to protect environmentally sensitive resources identified on Map 2 (Environmentally Significant Land and Resources) of the Future Land Use Map Series:

Policies

- a. **Creeks:** Developments must be consistent with the "Regulations of Development Near Creeks" Ordinance which prohibits development within 35 feet of the centerline of any regulated creek. Between 35 and 150 feet, there is a presumption that development is detrimental to the regulated creek unless demonstrated otherwise.
- b. **Wetlands:** Developments containing wetlands must maintain the existing level of wetland acreage and function on the property.
- c. **Lakes:** Developments containing a natural lake (or lakes) must not adversely impact the condition of the lake. Dredge and fill shall be prohibited. Development shall be prohibited within 35 feet of the landward extent of a lake.



- d. Wellfields: Developments must be consistent with Policy 2.3.3 of this Element.
- e. Major Natural Groundwater Recharge Areas: Developments within this area must be consistent with Policy 2.3.4 of this Element.
- f. Upland Areas: Developments within an area identified as Upland must submit an ecological inventory of the parcel. Based on the inventory, development may be allowed on up to the maximum of 75 percent of the parcel.

1.1.2 The City shall adopt criteria for ranking environmentally significant properties within the urban area, and use these criteria to develop an inventory of open space and natural reservations to be considered for acquisition. These criteria shall be designed to preserve viable populations of native plant and animal species, environmentally significant areas, connectivity with other public lands and environmentally significant areas, and unique geological or historic features.

1.1.3 By June 1992, the City shall adopt Land Development Regulations that require new developments to dedicate land and easements, particularly for the creation of buffers along and around surface waters and natural reservations and to facilitate the development of greenways.

1.1.4 The City shall allocate a minimum of \$150,000 per year toward the acquisition and preservation of environmentally significant open space and recreation sites.

GOAL 2

MITIGATE THE EFFECTS OF GROWTH AND DEVELOPMENT ON ENVIRONMENTAL RESOURCES.

Objective 2.1

Upon adoption of this Plan, existing levels of wetland acreage and functions within City limits shall be maintained through the year 2001.

Policy

2.1.1 By 1992, the City shall develop and maintain an inventory of wetlands, and adopt Land Development Regulations designed to preserve existing wetland acreages and natural functions. When wetlands are unavoidably lost to development, mandatory mitigation shall be required to ensure no net loss of acreage and functions occurs.

