

City of Gainesville

070604 B

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Minutes

Thursday, February 26, 2009

1:00 PM

City Hall, Room 16

Community Development Committee

*Commissioner Jack Donovan, Chair
Commissioner Scherwin Henry, Member
Commissioner Thomas Hawkins, Member*

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Equal Opportunity Department at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.

CALL TO ORDER

The CDC was called to order at 1:05 pm.

ROLL CALL

Present: Jack Donovan, Scherwin Henry and Thomas Hawkins

ADOPTION OF THE AGENDA

The Community Development Committee approved the agenda as modified to add item 070604 to discussion of pending referrals.

APPROVAL OF MINUTES**080864. Minutes of January 22, 2009 (B)**

RECOMMENDATION *The CDC approve the minutes of January 22, 2009.*

Approved as Recommended

080905. CDC Special Meeting Minutes of February 23, 2009 (B)

RECOMMENDATION *The Community Development Committee adopt the CDC Special Meeting Minutes - Strategic Ecosystems of February 23, 2009.*

Approved as Recommended

DISCUSSION OF PENDING REFERRALS**070980. Solar Panels vs. Removing Tree Canopy (B)**

The CDC heard a brief presentation from Erik Bredfeldt, Director of Planning and Development Services regarding installation of solar devices and the potential conflict with tree canopy removal. Mr. Bredfeldt gave a brief history of this item and provided a memo outlining six (6) potential issues for discussion so that staff may get a better understanding from the Committee of the desired modifications (if any) to the existing regulatory regimen as to avoid potential conflicts in the future as solar installations increase in our community. The Committee heard from Staff, several members of the Solar Installation Business Community, and Developers regarding the various issues that have already developed, or can potentially develop in the near future as this industry grows and technology advances.

1) *Physical Development of Solar Fields - Erik Bredfeldt, Director of Planning and Development Services and Ralph Hilliard, Planning Manager gave a brief presentation.*

Commissioner Hawkins asked if there is a big solar field installation, such as one that may cover an acre, would there be an offset impact such as a sub-station that may hum and make noise as it may create a nuisance issue. Members of the Solar Installation businesses responded that there are not. Jeremy Lambeth, Solar Installer stated that GRU would provide interconnection and it would function similarly to a residential transformer.

Commissioner Donovan asked why an industrial land use and zoning is preferred for this type of installation. Ralph Hilliard, Planning Manager responded that it allows outdoor types of activity and they are usually tucked away and well buffered, so there is less of an impact. Bill Plyman, Solar Installer commented that the cost for land zoned industrial is more than that zoned agricultural or light commercial. Commissioner Hawkins stated that he felt as though if a field could be cleared for agriculture, that it could also be used for a solar field if it were proven to be a good economic use of the property given that there was a sufficient buffer if it were near a residential area. Commissioner Donovan agreed and said it would be similar to farming the sun, and further stated that he felt inclined to take advantage of these opportunities as long as it doesn't devastate the canopy and is compatible with the aesthetic part of the residential environment.

Clay Swagger, Land Planner offered to work with the City Planning staff to come up with options to update the code to be ready to deal with the future issues.

Commissioner Hawkins asked what the potential problems could be with making this by special use permit versus by right. There was further discussion about staff doing more research on this with solar providers and GRU as to acreage needed and future impact as this technology grows. Stu Pearson spoke about the impact on stormwater. Meg Niederhofer spoke to maintaining high quality heritage trees if found to be in agricultural areas.

Fred Murry, Assistant City Manager brought up the issue of dealing with buildings wanting to lease rooftops for solar panels as a source of revenue, and how that may impact the tree canopy.

2) *Solar Installation/Tree Canopy Trade Off - City Arborist Meg Niederhofer reported that the tree advisory board has been addressing this with some policy changes. Solar sub-divisions are now required off-sight planting in order to provide some flexibility.*

Commissioner Hawkins commented that he felt there was a high value placed on the tree canopy over that of an individual home wanting solar.

Commissioner Donovan asked about what had been done to prevent more tree canopy loss. Meg Niederhofer stated that the tree canopy loss was not reversible, and that policy had been put in place to plug some of the holes in the code to prevent more tree canopy devastation.

Note: Commissioner Henry Entered at 1:58 pm.

Richard Chackow, Developer of Forest Creek, brought up issues that he has had in attempting to get solar panels on homes.

3) Solar Installation/Wetlands Trade Off (as reported by Environmental Services Coordinator)

Mark Garland, Environmental Coordinator spoke to this matter and stated that most of the wetlands were forested.

Commissioner Hawkins commented that we may want to look deeper into the difference between putting this in a wetland versus floodplain. Mr. Garland stated the shading would be a concern, even if the support did not make a large effect, not to mention being able to access it for maintenance.

Commissioner Henry asked staff to bring back more information in order to assist the Commission in making these regulatory decisions. Erik Bredfeldt responded that staff is attempting to get a feel for the direction in which the Commission would like this to take, and then staff will be coming back after doing more research with representatives from the industry on these matters.

4) Solar Installation/Stormwater Retention System Trade Off (as reported by Public Works)

Erik Bredfeldt stated that staff had received a request from an individual wanting to place floatovoltaics (floating solar panels) on a large retention pond near the 34th Street Post Office. A handout on Floatovoltaics was passed around.

Stu Pearson, Engineering Manager spoke to the matter and voiced concerns regarding aesthetics and public safety issues. There has to be some level of public acceptability, and accessibility is an issue for maintenance and logistics. Other than that, he didn't think there were too many other obstacles related to placing something of this nature in a stormwater basin.

Commissioner Hawkins asked if the current land development code allowed for this type of activity, or if it required a permit. Ralph Hilliard stated that it would require a permit, and if the Commission wanted to allow it that the code would have to be changed.

5) Solar Installation/Historic Preservation Trade Off (as reported by Historic Preservation Planner)

Dee Henrichs, Historic Preservation Planner spoke to this matter as it relates to historic preservation and how it has been dealt with to date. These and other modern installations, such as skylights and air conditioning, have been allowed as long as they are not visible to the street. So far, it has been able to be resolved by placing them in inconspicuous areas, but she anticipates more of this in the future. She also stated that it has come up again with the Baird building on South Main Street, but

that since the building already had such an industrial look to it, it did not seem out of character and was approved.

6) Solar Installation/Building code Issue (as reported by the Building Official)

Ralph Hilliard stated that the rooftop installations have not posed a problem to his knowledge unless in the historic district. Mark Garland stated he knew of a problem where one person asked for a pole with a solar panel on top that was going to be located in the lake buffer area, and it was still not resolved at this time to the best of his knowledge.

Fred Murry commented that this could also bring potential issues with the City being a public body and owning land. Issues as to how the City would deal with the land it owns, as people will start asking to be able to use it. There has to be consideration as to how the City will deal with these additional installations in the event of storms. How will it be dealt with if someone wants a pole solar installation in their backyard and the neighbor thinks it's ugly. Is it a business if people are now renting rooftops of existing buildings? These are just a few of the potential issues that are going to come up as this is new territory for the City.

Commissioner Hawkins moved that it be referred back to Commission to 1) allow solar installations potentially by right in agriculture, and 2) potential clarity as to whether solar is an allowed utility in a wetland buffer that is not forested.

RECOMMENDATION *The Community Development Committee hear a presentation and status report from staff.*

Approved as Recommended

070604. Annexation of Strategic Ecosystems (B)

The CDC heard an update on the Annexation of Strategic Ecosystems from staff. Staff had made a recommendation to the Committee on Monday, February 23, 2009. The Committee reviewed the chart from staff which clarified which recommended regulations were more or less stringent than the existing County regulations.

Commissioner Hawkins moved that the Committee endorse the new framework and defer to the Commission the discussion on exact numerical thresholds. Commissioner Henry agreed.

There was further discussion with staff about the specific criteria being developed and the Committee was assured that the criteria was being worked on and would be included by the time this item goes to the full Commission.

RECOMMENDATION *The Community Development Committee hear from staff a new approach to Protection of Strategic Ecosystems and Environmentally Sensitive Land citywide.*

Approved as Recommended

NEXT MEETING DATE

Regular Meeting - Thursday, March 26, 2009

ADJOURNMENT

The meeting adjourned at 3:25 PM.