

LEGISLATIVE #

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PLANNING & DEVELOPMENT SERVICES DEPARTMENT

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TO: City Plan Board **Item Number: 4**

FROM: Planning & Development Services Department **DATE: June 28, 2012**
Staff

SUBJECT: Petition PB-12-58 CPA, City Plan Board. Amend the City of Gainesville Comprehensive Plan Future Land Use and Stormwater Management Elements to update and clarify certain policies.

Recommendation

Staff recommends approval of Petition PB-12-58 CPA.

Discussion

This petition proposes to amend the City of Gainesville Comprehensive Plan Future Land Use and Stormwater Management Elements to update and clarify certain policies. The updated policies are based on and reflect recent information provided by the Public Works Department.

In reviewing the Future Land Use and Stormwater Management Elements, Staff noted several policies that needed to be updated. These include:

1. Replacing references to the obsolete Master Flood Control Planning Maps (Future Land Use Element Policy 3.1.5), (Stormwater Management Element Policies 1.3.1, 1.3.5, 1.3.8, 1.11.1, and 1.11.2) with the current Federal Emergency Management Agency (FEMA) Flood Rate Insurance Maps (FIRM) and/or locally determined Base Flood Elevations (BFE) approved through the City of Gainesville Public Works Department. The Master Flood Control Planning Maps no longer represent the most up-to-date data available regarding designation of floodplains and flood channels. The FEMA FIRMs and/or locally determined BFE's approved by the Public Works Department now represent the best available data regarding floodplains and flood channels;
2. Amend Stormwater Management Element Policy 1.3.10 to add a reference to the National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit issued by the Florida Department of Environmental Protection regarding the Cabot-Koppers Superfund site;
3. Amend Stormwater Management Element Policy 1.5.2 by removing references to Enterprise Zone Area 3 to expand opportunities for the use of off-site stormwater facilities citywide to meet both stormwater quality and quantity requirements. Currently, Policy 1.5.2 only allows the use of off-site stormwater management facilities to meet stormwater quality treatment standards for redevelopment projects within Enterprise Zone Area 3. Under the proposed policy amendment, the City may allow use of off-site

stormwater facilities for qualified developments, citywide, and allow such facilities the ability to satisfy the required stormwater quality and/or quantity standards referenced in the Public Works Design Manual.

In addition, the policy is also being amended for conformance with House Bill 503. Under the current Policy 1.5.2, the City's stormwater quality requirements would be considered met if a project elected to use an off-site stormwater facility and was issued a Water Management District Permit approving the use of the facility. However, HB 503 (Chapter 2012-205, Laws of Florida) passed in 2012, prohibits local governments from conditioning local development approvals on issuance of a state or federal permit. In response to these changes, the reference to the Water Management District Permit was removed and the use of off-site stormwater facilities would now require approval from the City Public Works Department.

Recommended Changes: Future Land Use Element

The recommended changes are shown below in underline and ~~strike-through~~.

Policy 3.1.5 The most recent Master Flood Control Maps adopted by the City Commission and ~~on file in the City's Public Works Department~~ Federal Emergency Management Agency (FEMA) Flood Rate Insurance Maps (FIRM) or locally determined Base Flood Elevations approved through the City of Gainesville Public Works Department shall be used to designate floodplains and flood channels. ~~Areas not shown on the Master Flood Control Maps are subject to the floodplain and flood channel delineations shown on the national flood insurance maps of the Federal Emergency Management Agency.~~

Recommended Changes: Stormwater Management Element

The recommended changes are shown below in underline and ~~strike-through~~.

Policy 1.3.1 The City shall continue to conduct assessments on an as needed basis, to determine the performance of design standards and stormwater management projects with regard to maintaining and/or reducing the elevation of the 10-year flood channel ~~established in the Master Flood Control Planning Maps~~ and 100-year floodplain as established in the most recent FEMA Flood Insurance Rate Maps (FIRM) or locally determined Base Flood Elevations, especially where such elevations would indicate inundation of existing developed areas. If the assessment indicates that the flood potential has increased, new development shall be restricted until such time as additional standards are implemented and/or stormwater management improvements are provided to meet the impact of such development.

Policy 1.3.5 The City shall continue to coordinate with Alachua County and other governmental entities to maintain the existing capacity and function of shared

watersheds and to design floodplain elevation standards at or below the 10-year flood channel as established in the ~~Master Flood Control Planning Maps~~ and 100-year floodplain as established in the most recent FEMA Flood Insurance Rate Maps (FIRM) or through locally determined Base Flood Elevations approved through the City of Gainesville Public Works Department.

Policy 1.3.8 The City shall continue to comply with the procedure for amending the ~~Master Flood Control Planning Maps in order to establish 10-year flood-channel and 100-year floodplain elevations and the FEMA Flood Insurance Rate Maps (FIRM) for the 100-year floodplain elevations~~ as may be determined by site specific engineering studies approved through the City of Gainesville Public Works Department.

Policy 1.11.1 The City shall ~~update the Master Flood Control Planning Maps and~~ continue to utilize the existing, currently adopted, FEMA Flood Insurance Rate Maps and locally available Base Flood Elevations as approved by the City of Gainesville Public Works Department in all areas annexed on or before December 31, 2010 within the current City of Gainesville jurisdictional limits.

~~**Policy 1.11.2** The City shall update the Master Flood Control Planning Maps and shall inventory all channels and culverts in all areas annexed after December 31, 2010, within two years of annexation.~~

Policy 1.3.10 In conjunction with the Record of Decision as finalized by the Environmental Protection Agency (EPA) and the National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit issued by the Florida Department of Environmental Protection, stormwater runoff from the Cabot-Koppers Superfund site shall be treated on-site so that it does not pose a danger to the community.

Policy 1.5.2 ~~Within the Enterprise Zone Area 3 (Downtown/Central City Business District) the City will~~ may allow the an alternative means of stormwater treatment. If a project is to use of an off-site stormwater management facilityies, applicable provisions of the Code of Ordinances will be considered satisfied upon issuance of a Water Management District permit for the project. to meet the required stormwater quality and/or quantity standards as referenced in the most current Public Works Design Manual.

Impact on Affordable Housing


There are no specific impacts to affordable housing from this petition.

Petition PB-12-58 CPA
June 28, 2012

Respectfully submitted,


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List of Appendices

Appendix A Application

Exhibit A-1 Application