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Submitted
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To: City Commissioners and Planning Staff

These pages complete the comments which you all received from us a few weeks ago regarding the Conservation Element of the Gainesville Comprehensive Plan.

The title of that submission was:

Preservation of our Natural Resources:
Wetlands, Surface Waters, Air, Trees

The material included a limited number of suggested changes to policies. These pages include those items, plus suggested changes for the rest of the Element.

Thank you for your kind consideration of these pages that reflect the comments and requests of many citizens over many months.

Francine Robinson
October 3, 2001

Goals and Policies Proposed for the Conservation Element
of the Comprehensive Plan Based on Citizen Concerns,
Comments and Requests
City of Gainesville
October 3, 2001

At the outset, we wish to state that Staff has been very responsive to our questions and requests for information. Further, we want to point out that Staff has made valiant efforts to capture all the many and complex issues raised and comments made at various meetings. Staff's proposed alternative language, however, does not yet reflect all the areas of concern and comment raised; particularly at the meetings at the Downtown Library, at Gainesville Regional Utilities and at Westside Park.

This document reflects the citizen comments made there on the various issues including hazardous materials, tree protection, surface waters, air quality, etc. Although overall there was less discussion of these subjects because of the concentration on wetlands, those issues were addressed line by line, at the July 26, 2001 workshop at Westside Park.

The following takes into account the April 9, 2001 draft, the September 13, 2001 changes and the alternative language proffered by Staff to reflect the citizen comments, requests and concerns expressed at the workshop held at Westside Park on July 26, 2001. The following also provides specifics that respond to the concerns raised during the many meetings and workshops held over this last year.

Goal 1

Establish and maintain an integrated and urban-defining open space network that protects and preserves significant environmental features.

Objective 1.1

Upon adoption of this Plan, the City shall protect all significant environmental lands and resources identified in the Environmentally Significant Land and Resources map series within the Future Land Use Map Series. The City shall continue to identify environmentally significant open space and recreation sites for acquisition.

Policies

- 1.1.1 All existing natural wetlands shall be preserved and protected from any alteration that diminishes or destroys function.

- a.) Creation of new wetlands shall not be allowed as a substitute for the preservation of existing natural wetlands.
- b.) Wetlands damaged on or subsequent to the effective date of this policy shall be restored to their original state at the owner's expense.
- c.) Undisturbed buffers shall be maintained around wetlands according to the following schedule:
 - 1. Creeks and surface waters: 100 feet plus 2 feet for every 1% of slope. Slopes above 25% do not count for buffer width.
 - 2. Outstanding Florida Waters (OFW's): 200 feet.
 - 3. Areas with listed plant or animal species within 300 feet of surface waters ~~or and wetlands~~: 300 feet from wetlands.
- d.) Developments containing or adjacent to lakes, creeks and surface waters, and wetlands, shall not adversely impact the conditions of those bodies.

(1.1.1 a., b.,c. (from 4/9/01 and 9/13/01) to be removed)

1.1.2 Change two "shoulds" to "shalls": "features that shall be preserved" and "areas that shall be maintained".

Objective 2.1

Upon adoption of this Plan, existing natural wetlands of the City shall be preserved.

Policies

2.1.1 The City shall continue to update, augment and maintain an inventory of wetlands and adopt land development regulations that shall preserve existing natural wetlands.

Objective 2.2 The City shall improve the quality of stormwater entering City lakes and creeks by requiring development and redevelopment to meet the adopted water quality standards of this Element and the Stormwater Element.

Policies

2.2.1 The City's land development regulations shall continue to require storm-water quality treatment facilities for redevelopment of non-residential sites and the Central City District.

2.2.2 (crossed out 4/9/01 and 9/13/01) The City shall adopt land development regulations that reduce the amount of impervious parking surface allowed within any environmentally significant area, as compared to impervious allowances outside these areas. In these areas, reduction of impervious surface shall include reduction of required parking spaces and/or use

of pervious surfaces to prevent damage to environmentally significant areas and transition zones.

2.2.32 The City shall continue to use land development regulations that ^{meet or exceed} require state of the art stormwater quality and hazardous materials management designs to prevent damage to environmentally significant areas and transition zones.

2.2.43

- a. Prohibits new chemical businesses, hazardous materials facilities, and underground storage tank systems from siting within the unconfined zone of the Floridan Aquifer.
- b. Prohibit new chemical and hazardous materials facilities from siting within the primary, secondary and tertiary wellfield protection zones of the Murphree wellfield.
- c. Requires new chemical businesses and hazardous materials facilities to maintain setbacks from surface waters, wells, and flood-plains that will preserve the water quality measured in 2001.
- d. Requires stringent chemical and hazardous materials storage and containment designs, periodic monitoring, inspections, a management plan, fees and large, disincentive penalties for non-compliance.

2.2.44 The City shall continue to use land development regulation to supplement the standards of the applicable Water Management District to promote the natural cleansing of water in creeks. Such standards shall include:

- f. Restoring previously channelized creeks identified for restoration by the City.

2.2.45 The City shall update, augment and maintain an inventory of altered creek segments identified for restoration.

Objective 2.3

The City shall only permit activities that preserve drinking water resources to meet the demands of population projected, at minimum, for the next 20 years.

2.3.1 The City shall cooperate...and the Environmental Protection Agency (EPA), and shall work with the appropriate agencies to accomplish the following:

- a. Identify areas of pollution to surface waters and groundwater,

b. Establish a monitoring program that provides an annual report describing present environmental conditions and cleanup status;

c. Identify parties responsible for polluted areas, and require such parties to correct pollution problems.

2.3.2 The City shall allow...with the Murphree Wellfield Protection Code. New placement of septic tanks in the secondary and tertiary zone for non-residential uses shall also be prohibited.

2.3.3 New commercial septic tanks shall be prohibited.

(a. to be removed)

(b. to be removed)

2.3.4 The City shall regularly update its water conservation plan consistent with...regarding the nature of groundwater resources and the need to preserve and protect them...

2.3.5 Change "are to map" to "shall map". Change "protect such areas" to "preserve such areas".

2.3.7 Final development orders shall require, at minimum, compliance with septic tank rules....

Objective 2.4

The City shall amend its land development regulation, based on performance standards keyed to the resources, that are necessary to preserve environmentally significant surface waters;major natural groundwater recharge areas; development constraining soils; threatened or endangered...The adopted regulations shall be designed to preserve viable populations of these existing...

2.4.2 The City shall adopt land development regulations that preserve identified...

2.4.3 The City shall update and continue to use its guidelines...suitable for stormwater treatment that preserve highly diverse plant and animal habitats and that preserve the hydrological and ecological functions of related wetland areas.

2.4.4 ...Future road improvements and alignments shall avoid environmentally significant animal habitats.

2.4.6

- c. No increase in the rate of runoff from development sites adjacent to regulated creeks, lakes and wetlands;
- e. Retention of vegetation that contributes to the ecological value of regulated creeks, lakes and wetlands;
- g. Allowance of a transfer of development intensity and density from lower to higher elevations of a site shall only occur when that greater density does not adversely affect the natural environment.

2.4.7 The City shall annually conduct an inventory of environmentally significant plants, animals, and habitats within at least two city-owned parks or open space parcels; prepare a list of plants, animals and habitats to preserve; and prepare a plan for the preservation of these plants and animals.

2.4.8 By 2002, Chemical control will be used only when non-chemical controls do not abate a pest problem. Chemical control efforts by the City to manage pest species shall only include use of chemicals that have been proven to be safe for wildlife and public health.

2.4.9 The City shall coordinate...to preserve environmentally significant vegetative communities...by submitting land development proposals...

2.4.10 (crossed out 4/9/01 and 9/13/01) By 2002, the City shall adopt land development regulations that include (1) a definition of environmentally significant open space and other categories of open space; and (2) regulations to preserve such open space.

2.4.10 The City shall protect floodplains through land development regulations that at a minimum:

- c. Prohibit permanent structures in the flood channel, except for those necessary for flood control, and streets, bridges and utility lines that existed prior to 2001. Sanitary sewer lift stations shall be prohibited in the floodplain.
- f. Prohibit development that would cause or create soil erosion, stagnant water, and adverse impacts on existing flora and fauna.

- g. Limit flood channel uses to agriculture, recreation, lawns and gardens; and
- h. Limit floodplain uses to launching areas for boats and structures at least one foot above the 100-year flood elevation, in addition to those allowed in the flood channel.

2.4.1211 The City's land development regulations shall preserve environmentally significant lands and resources, at minimum, by:

- c. Establishing and providing setback and parking standards;
- d. Preserving wetlands by prohibiting drainage, ditching or dredging;

2.4.1312 At a minimum, preservation strategies for significant natural communities shall include:

- a. Requiring preservation of native upland natural communities;
- b. Installation of native vegetation landscaping and removal of invasive trees and shrubs only where it will not jeopardize natural communities;
- c. Setbacks in 1.1.1.

Objective 2.5

The City shall continue existing programs and institute new programs necessary to improve and maintain air quality levels which comply, at minimum, with county, state, and national ambient air quality standards.

2.5.1 Adopt citywide regulations restricting or prohibiting the burning of plastics, particularly with regard to local government, institutional, or commercial incineration. (Refer to Solid Waste for additional incineration policies.)

2.5.2 (crossed out 4/9/01 and 9/13/01) By 2005, the City shall make available a general information brochure describing known radon hazards in the City.

2.5.32 The City shall encourage non-auto transportation choice by adopting new programs and strategies to encourage public mass transit use, bicycling, walking and higher urban development densities near activity centers, satellite parking lots and mixed land uses.

Objective 2.6

The City shall continue to promote and practice energy and natural resource conservation in order to reduce negative impacts on the environment. This shall include pollution prevention. The City shall also promote and practice conservation by reducing energy consumption and demand. To accomplish this, the City shall incorporate energy saving, natural resource preservation, and pollution prevention policies in this Element and other elements of the Comprehensive Plan (such as Solid Waste, Future Land Use, and Traffic Circulation and Transportation Mobility.)

2.6.1 By 2003, the City shall amend the Comprehensive Plan to include an Energy Element.

2.6.1 (crossed out 4/9/01 and 9/13/01) The City shall continue to provide customers with education and incentive to encourage reduced energy consumption, natural resource conservation and pollution prevention.

Goal 3

Improve urban spaces through preservation and enhancement of the urban forest. Maintain the City's commitment to preservation of the urban forest and street trees as a defining feature of our community.

Objective 3.1

After January 2002, the total percentage of tree canopy and coverage within the City shall not fall below the 1992 percentage of tree canopy, as estimated by an independent consultant to be retained by the City. At minimum, the methods developed by the Florida Division of Forestry shall be used, except in the event of significant natural catastrophe (disease, or insect epidemic, or storm).

Policies

3.1.1 By 2002, establish a tree-planting program whereby the City shall plant at least 400 trees of 3 inch diameter or more at chest height (or 650 trees of 2 inch diameter or more at chest height) within City limits annually, and encourage developers and citizens to plant at least 600 trees annually. At least 75% of the trees should be native to North Florida.

3.1.2 The City shall adopt land development regulations for new development that require the following:

a. Use of native and drought tolerant plants ("xeriscape") and a reduction in the amount of turf area;

b. Energy conservation through a 5% increase in tree and shrub canopy over the 1992 Landscape Ordinance canopy requirement to shade buildings and pavements;

(crossed out in 9/13/01)
c. Use of pervious paving materials adjacent to landscape strips and islands to provide greater rooting volume for trees and shrubs; and

~~d.c.~~ Species diversity in new plantings (no more than 50 percent of any one genus citywide, or on any site plan except those within airport flight paths) to reduce the effect of loss of a tree species due to insect or disease outbreaks.

~~e.d.~~ A plan for the removal of invasive trees and shrubs shall be submitted no later than the time of final development review.

3.1.43 The City shall continue to require that removal of regulated trees (as identified by the Gainesville Landscape Ordinance) and those that are not subject to development plan approval shall be mitigated by on-site planting or an exaction of rigorously enforced disincentive fees. Heritage and Champion trees shall not be removed.

3.1.54 By 2003, the City shall prepare and adopt tree-lined streetscape guidelines which require the preservation and establishment...right-of-way for trees shall be implemented. *(All trimming...that must be pruned.*

3.1.6 *(crossed out 4/9/01 and 10/13/01)* *of existing street trees* In support of Policy 3.1.5, the City, shall, by June 2002 identify important street segments (to be known as "Gateway Streets") where a reduction in visual obtrusiveness of infrastructure would be desirable.

3.1.7 *(crossed out 4/9/01 and 9/13/01)* By 2002, the City shall prepare a plan for the establishment and preservation of tree lined streets. This plan shall give priority to high visibility Gateway Streets and important activity center road segments, as well as segments included on the Metropolitan Transportation Planning Organization (MTPO) Transportation Improvement Plan.

3.1.85 The City shall remove invasive trees and shrubs from its rights-of-way and property only when those trees and/or shrubs directly threaten species native to North Florida. Private property owners should be informed of the benefits of removing invasive vegetation.

3.1.7 The City shall adopt land development regulations that preserve Heritage and Champion trees as an important community resource. (9/13/01)

- a. In order to preserve Heritage and Champion trees, variances from land development regulations shall be used;
- b. The unlawful destruction of a Heritage or Champion tree shall be subjected to large and severe penalties including withdrawal of permits for that site.
- c. Setbacks shall be measured outward from the dripline; construction barriers shall be substantial enough to withstand the accidental impact of mobile equipment.

Goal 4

Provide ongoing monitoring of environmental resources and eliminate current pollution problems and potential point sources of pollution.

Objective 4.1

By June 2002, The City shall actively participate in an environmental quality monitoring program designed to identify problems and trends in local air, surface water, groundwater, and plant and animal habitat quality. This program shall also be used to evaluate the effectiveness of protective regulations.

4.1.1. The City shall work with the Alachua County Environmental Protection Department and other appropriate agencies and/or organizations to design and implement a comprehensive and ongoing monitoring program for Gainesville's environmental resources. This program should have at least an urban area scope and shall produce a "state of the environment" report, at minimum, annually.

Objective 4.2

By 2003, the City shall identify pollution problems by responsible parties and shall establish strategies to correct, eliminate or assist in the correction or elimination of these problems. In consideration of the importance of water quality of the creeks in our community, priority shall be given to the quality of water entering Sweet-water Branch, Tumblin' Creek and Hogtown Creek which transmits water directly into the Floridan Aquifer through Alachua Sink. *improving*

4.2.1 By December 2003, the City shall work with FDNR, St Johns Water Management

District and Alachua County to prepare a plan which at minimum will be consistent with NPDES permitting to ensure that water discharged by Sweetwater Branch, into Paynes Prairie will be discharged in a manner that will support the management objectives of FDNR and City objectives regarding protection of the Floridan Aquifer System. These plans shall also ensure the safe discharges of Tumblin' Creek and Hogtown Creek.

4.2.2 (original was crossed out in 4/9/01 and 9/13/01)) The City shall comply with State Pollution control requirements at the former Gainesville Airport Landfill and Burn Site described in the Solid Waste Element.

4.2.3 (original was crossed out in 4/9/01 and 9/13/01) By 2004, the City shall develop and implement a correction plan for identified point sources of air pollution from city owned facilities.

4.2.2 The City shall coordinate with the Alachua County...and other governmental entities in identifying pollution problems and providing documentation and other relevant assistance in the correction and elimination of pollution problems, including assistance in cases where sanctions may be imposed for violations of applicable environmental regulations.