

County staff responses to Questions from the Alachua County Natural Resources Workshop on the Envision Alachua Sector Plan application that was held on September 16, 2014 at the County Administration Building.

Staff has attempted to respond to questions from the workshop that were focused on factual matters. Some statements at the workshops appeared to be rhetorical or to raise issues beyond the scope of this application or the County's Comprehensive Plan. If you asked a question at the workshop that was not answered here or have any other questions, please contact the Growth Management Department at 352-374-5249.

**1) Considering the importance of air, why were air pollution concerns not addressed?**

The Comprehensive Plan generally defers to minimum compliance with state and federal air quality standards. Alachua County does not have a statutorily-qualified delegated local air program and is therefore preempted from establishing stricter air quality standards or emission controls other than state and federal standards and controls.

COSE policy 4.1 states that "Alachua County shall take appropriate steps to maintain or improve ambient air quality to ensure the protection of public health and the environment and to exceed compliance with state and national ambient air quality standards".

In eastern Alachua County, ambient air quality typically is considered very high quality. The applicable state and federal air pollution control frameworks would allow a certain level of air quality degradation due to new transportation and land development to degrade air quality as long as state and national ambient standards are not violated.

Because of the lack of local air quality framework (in contrast to Alachua County's more stringent frameworks for water and natural resources), Alachua County generally defers to the Florida Department of Environmental Protection on air quality matters.

**2) If the plan is approved, how does it affect the County's Comprehensive Plan?**

The Long-term Master plan, which is the first step in the Sector Plan review process, is a Comprehensive Plan amendment. Plum Creek has proposed policies that create a new section of the Alachua County Comprehensive Plan Future Use Element. This includes designated several new land use categories on the Future Land Use Map of the Comprehensive Plan, including the "Employment Oriented Mixed Use" (EO-EOMU) which would provide for 15.5 million square feet of new non-residential development with this category of the Sector Plan area, as well as 10,500 residential units. The proposed Sector Plan policy 10.2.1 says in part "The EASP functions as a large-scale alternative to the Urban Cluster and Activity Centers concepts for managing and directing urban development." The staff report details some of the

issues related to provision of the new public facilities and services that would be needed to serve the urban uses proposed in this area, rather than in the Urban Cluster where such facilities and services can be most efficiently provided. This new section would contain policies that would only apply to the property owned by Plum Creek. The rest of the Comprehensive Plan policies would still apply to all other property in the unincorporated County. This includes properties that are not owned by Plum Creek that are adjacent too and within the outer boundaries of the proposed Envision Alachua Sector Plan.

### **3) Can the Sector Plan be amended?**

An adopted Sector Plan can be amended in the same way that other policies in a Comprehensive Plan can be amended. The property owner, whether Plum Creek or a future property owner, or the County itself, can initiate a Comprehensive Plan amendment. That amendment would follow the same public hearing process that the original sector Plan is following - a public hearing with the Local planning Agency, and then two hearings with the County Commission, one to transmit the proposed amendment to the State Department of Economic Opportunity for review, and a second hearing to consider adoption of the proposed amendment. The Detailed Specific Area Plan is the second step of the Sector Plan adoption process and, as required by the Alachua County Code, is the detailed zoning stage of the adoption process. Unlike other Comprehensive Plan amendments, once the Detailed Specific Area Plan is adopted for a Sector Plan, the County Commission is prohibited from reducing the density or intensity approved for the property within the Detailed Specific Area Plan absent an application to do so by the owner, except under certain circumstances prescribed in state statute.

### **4) Do the Sector Plan rules prevail over the Comprehensive Plan?**

A sector plan is adopted as part of the Comprehensive Plan. When considering a sector plan proposal, the following statutes and regulations must be analyzed as part of the review of the proposed Sector Plan:

- Sector plan state statutes (Section 163.3245, Florida Statutes),
- Comprehensive Plan amendment state statutes (including Section 163.3177, Florida Statutes),
- State Statutes in Section 163 Florida Statutes generally, and
- Alachua County's adopted Comprehensive Plan

If adopted into the Comprehensive Plan, the policies proposed by Plum Creek would apply to the property within the boundaries of the Envision Alachua Sector Plan and, as proposed, in the event of a conflict would prevail over other comprehensive plan policies.

### **5) Do land owners that don't live here have more say than those that live here but don't own land?**

Property owners may apply for land use designation amendments or zoning changes on their property. These requests are considered at public hearings with the County Commission. At

these hearings, the public has a right to speak and provide evidence that substantiates their position on the topic under consideration.

**6) If Plum Creek claims that they will not cause flooding, why are they doing a drainage survey on private lands?**

Section 472.029 of the Florida Statutes allows the Professional Surveyor and Mapper and his/her employees the right to trespass when necessary to make surveys and maps or locate or set monuments. Plum Creek would have to be asked the exact reason for the surveying taking place.

**7) When are we going to see their [Plum Creek's] water plan?**

The applicant has supplied some initial data on water use for the project with the application for a Long-term Master Plan Comprehensive Plan amendment. At the Detailed Specific Area Plan stage, which would be the next step if the Long-term master plan is adopted into the Comprehensive Plan, Section 163.3245(3) (b) 3, Florida Statutes, requires "Detailed identification of water resource development and water supply development projects and related infrastructure and water conservation measures to address water needs of development in the detailed specific area plan."

**8) Will we see more lots with septic tanks if Plum Creek is not approved?**

We cannot speculate what Plum Creek may do with their property if the Sector Plan is not approved. Currently the property is used for timber operations. The property has a Rural/Agriculture land use designation and is zoned A (Agriculture). This would allow development of individual lots with well and septic at a density of not more than one unit per five acres. However, there are a number of regulations for developing within the rural area and within strategic ecosystems, which part of this property is designated, including requirements for clustering and setting aside 50% of the land for conservation. There are also a number of natural resources in the area that would limit the amount of development that could take place potentially well below the one dwelling unit per five acres. Absent a specific development proposal, it is difficult to predict what may be developed on the property.

**9) What has been done about the arthropods?**

Recognizing the vital importance of arthropods in all ecosystems, in both the food chain and as pollination for agriculture and other vegetation, arthropod habitats are protected through a number of Comprehensive Plan policies. If the arthropods are considered a listed species by either the US Fish & Wildlife Service, the Florida Fish and Wildlife Conservation Commission or the Florida Natural Areas Inventory (S1-S3), they are protected not only by the Federal and State government but also as a conservation resource in the Alachua County Comprehensive Plan (Conservation and Open Space Element Policy 2.1.1). Arthropods are also protected through habitat protection under specific objectives and policies in the Conservation and Open Space Element including Objective 4.7 Wetland Ecosystems and related policies, Objective 4.9

Biodiversity and related policies and Objective 4.10 Strategic Ecosystems and related policies. However, the proposed Envision Alachua Sector Plan contains policies that would regulate some resources differently, specifically as relates to Objective 4.7 Wetlands Ecosystems and Objection 4.10 Strategic Ecosystems.

**10) If approved, what is industrial up-zoning? What does it mean? Would it allow them to extract minerals from the property or frack?**

The term “up-zoning” would imply that the zoning of a property is being changed to a zoning district that would allow more intense or dense development than the current zoning district for the property. The policies proposed in the Sector Plan application include allowed uses within the proposed land use designations. The EA-RUR (Envision Alachua Rural) and the EA-EOMU (Envision Alachua Employment Oriented Mixed Use) land use designations both have mining as an allowed use. In addition, proposed Policy 10.6.1 appears to allow mining in any land use prior to the Detailed Specific Area plan being approved, though there are no permits allowing mining on the property currently and it is unclear whether this policy would allow a new use on the property prior to DSAP.

Proposed Policy 10.6.1 Permitted Uses Without a Detailed Specific Area Plan (DSAP)

The following uses do not require the processing of a DSAP, and shall be allowed within the Planning Area prior to the adoption of a DSAP that changes the Permitted Uses within the DSAP area.

- a. New, continued, and expanded Agriculture and Silviculture Uses.
- b. New, continued, and expanded Farm Manager and Farm Worker housing.
- c. Natural resource---based operations, including continued and expanded mining operations and water quality improvement projects.

**11) Small business needs to be explored in detail including in-home businesses.**

The Alachua County Unified Land Development allows certain types of home-based businesses within residential units in the urban and rural area (Unified Land Development Code Chapter 404, Section 404.62 and 404.63).

**12) Would the Board ask Plum Creek to only plant native species [in their timber planting]?**

Plum Creek operates under the Sustainable Forestry Initiative® (SFI®) program. This program has certain requirements that must be met if Plum Creek wishes to plant exotic species but it does not prohibit all exotic species from use in their timber operations. Florida State Statutes contain regulations governing invasive non-native species. Restricting Plum Creek to planting only native species in their timber could be considered as part of the Sector Plan policies discussion, which would include discussions with the County Commission, Plum Creek and an analysis of a local government’s ability to regulate the forestry practices in this manner.