

CODE CHANGE EXPLANATIONS – June 16, 2009

Page	Section	Purpose	Effect
1	10-1.101	Prevents the use of contaminated soil for fill on a site.	Provides a clear definition and protects the environment.
1	10-1.101	Adds significant grades and canopy road protection zones to the definition of environmental constraints.	Provides a more comprehensive list of environmentally sensitive areas.
2	10-1.101	Provide a clear definition for fill.	Provides clarity to code interpretation
2	10-4.201(a)	There are no silviculture permits since silviculture on bona fide agricultural property is exempt from local regulations. Silviculture on non agricultural property is permitted by a vegetation management plan.	Clarifies the process for applicant to follow and will minimize confusion.
2	10-4.201(d)	Allows private utilities to utilize general permits and defines activities to be allowed through the life of the permit.	Simplifies routine and ongoing utility work and clarifies the intent that this work is for the life of the permit which is usually three years.
4	10-4.201(e)	There are no silviculture permits since silviculture on bona fide agricultural property is exempt from local regulations. Forest management on non agricultural property is permitted by a vegetation management plan.	Clarifies the process for applicant to follow and will minimize confusion.

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5	10-4.202(a)(1)	Provide consistency with the preservation and conservation areas in the Comp Plan.	Provides reference to the applicant for the placement of features in designated areas or categories.
5,6	10-4.202(a)(1)a.,d.,e.	Provide better guidelines for information required in the Natural Features Inventory (NFI).	Better NFI applications should speed up the permitting process.
8,9	10-4.202(a)(2)a.6.	Provides standards for protection of habitat for endangered, threatened, and species of special concern. Codifies current practices.	Better NFI applications should speed up the permitting process.
11,12	10-4.202(a)(2)b.8.	Provides canopy road protection standards. These are not new standards, just a duplication for ease of reference.	Provides an easy reference to ensure code compliance. This location is more appropriate due the canopy roads being a conservation area.
12	10-4.202(a)(2)c.	Provides a cross reference to special development zone requirements.	Makes the code more user friendly.
12	10-4.202(a)(2)d.	Provides authority to control invasive plants in preservation/conservation areas that are placed in conservation easement.	Control invasive and exotic species from taking over native species in our most protected environmental features.
13,14	10-4.202(a)(2)e.	Updates Table 1 with correct standards.	Provides an easy reference to ensure code compliance.
15	10-4.202(a)(3)b.	Clarifications and additional reference.	Could assist in providing better EIA applications which could speed up the review process.
16	10-4.202(a)(3)h. and	“altered” is no longer used in the code for	Reduces confusion in the code.

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	i.	defining wetlands and has been removed. Also clarifies staff's past implementation of sufficient buildable area for a lot if it has a septic system.	
17	10-4.204(a)(1)d.	Explains staff's current process of requiring a short form application if additional stormwater protection is needed as a part of tree removal.	Provides clarification to the applicant on proper process to follow.
20	10-4.204(b)(2)c.2.	To require standard hydrological data to ensure the stormwater pond will function as designed.	Provides data that staff needs and normally requests in comments to the design engineer. Should assist in providing a better application and quicker permitting.
24	10-4.206(b)(4)d.2.	Provides the statutory exemption for silviculture that is referenced in other areas of the code.	Minimizes confusion and clarifies the exemption which also applies to canopy roads.
28-29	10-4.207	To clarify the statutory exemption for silviculture on bona fide agricultural property and codifies the current process for non agriculture exempt properties.	Simplifies the code and explains the process for non agriculture exempt properties.
33	10-4.209(f)(1)g.	To require a maintenance plan for oil/grease and water separators.	Should make the stormwater operating permit application more complete which could speed up the approval process.
35	10-4.303(2)	Additional reference for a maintenance plan for oil/grease and water separators.	Will ensure that the separators are maintained properly to prevent oil, grease and gas from being discharged into the stormwater ponds and groundwater.

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36	10-4.303(8)	To clarify staff's interpretation.	Minimize confusion on applicability of runoff buffers.
37	10-4.303(10)(a)	To implement Board direction to minimize pond fencing and provide fence design standards to make fences more aesthetically pleasing.	Should make the fences less noticeable and provide a better viewshed.
35	10-4.303(11)	Provides consistency with recent building code changes for certification by engineers for retaining walls.	Provides consistency with the Building code and minimizes confusion.
39	10-4.303(14)	To clarify staff's current requirements for demonstrating that the stormwater ponds will function as designed. Adds facility testing for retention ponds as needed to verify design recovery rates.	Provides clearer direction to the engineering consultants on how to design the stormwater facilities which should reduce the comments and speed up environmental permitting.
41	10-4.304	Scrivener's error.	Provides proper code numbering.
43,44	10-4.321(a)(5)	To provide permit exemptions for the construction of sidewalks and minor roadway improvements associated with health and safety projects. Also to provide consistency with State stormwater exemptions.	Expedites permitting for health and safety projects and provides consistency with State ERP stormwater exemptions.
45	10-4.321(c)	To add protection for the aquifer from pollutants.	Provides enforcement capability in the event of pollutant discharges to the aquifer.

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45	10-4.322(c)	To allow restoration of degraded wetlands back to a historical vegetated natural condition.	Should allow wetlands to be restored to a more natural condition which will improve water quality and flood control.
46	10-4.322(e)(1)	To remove outdated language. Stormwater facilities are not allowed in wetlands.	Clarifies code and provides consistency with the Comp Plan.
49	10-4.323(b)(3)	To implement Comp Plan Policy 2.1.9 [C] for Lake Jackson stormwater retrofit facilities.	Expedites permit applications for retrofit stormwater facilities in preservation areas in the Lake Jackson basin. Prevents having to take variances before the Board which slows down the permitting process.
58	10-4.325(1)	To clarify staff's interpretation of what "discharged directly" means as it relates to active karst features. Provides consistency with State ERP regulations.	Provides protection of the aquifer by limiting discharge of pollutants directly into karst features and clarifies staff's current interpretation.
64	10-4.327(3)	Provide consistency within the code and compliance with the Comp Plan.	Clarifies the code and minimizes confusion.
65	10-4.327(3)a.2.	Provide clarification of staff's current practice and to minimize future flooding occurrences.	Prevents increases to floodplain elevations due to fill.
66	10-4.342(a)(7)	Provide reference to Bradfordville landscape requirements.	The reference should make the code more user friendly by citing other landscape requirements outside the EMA.
67	10-4.345(b)(3)	Provides minimum buffer width for natural areas.	Provides a more realistic buffer for landscape

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			credit purposes.
68-71	10-4.346(2)	The proposed ordinance would implement the Greenspace Reservation Area Credit Exchange concept. This concept provides the ability for developers within the urbanized portions of unincorporated Leon County to reduce the amount of area on their project site that must be committed to landscaping or natural area. In exchange, it requires the developer to convey to the County, other environmentally sensitive lands, specifically floodprone lands, that are vested or allowed to be developed.	Provides a mechanism for the county to acquire flooded properties without expenditures. Provides options to the developer to make marginal sites more developable.
72	10-4.349(b)(2)	Provides partial preservation credit to the developer for preserving impacted trees with mitigation by an arborist.	Provides incentive to the developer to protect trees that would otherwise not count toward the tree debit/credit calculation.
73	10-4.350(b)(1) and (2)	For purposes of landscape credit only, adds the requirement of curvilinear ponds for aesthetic purposes.	Provides incentive for more non-traditional ponds. Attempts to minimize the square box type ponds.
76	10-4.351(d)(6)	To provide regulations for projects which require creation of a forest community.	Provides direction to consultants developing forest creation plans to enhance the environment and speed up environmental permitting.
78	10-4.351(e)(3)	To allow low growing tree species under power lines in perimeter landscape areas.	Prevents excessive tree pruning under power lines and the disfiguring of tree species that normally

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Attachment # 2
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			grow into the lines.
82	10-4.362(c)5.	To provide consistency within the code for bona fide silviculture exemptions.	Adds consistency and clarification.
83	10-4.364(a)	To provide reference to the definition of protected trees.	Makes the code more user friendly.
84	10-4.364(b)(1)a.	Provides additional reference to other provisions in the code related to tree replacement for public roadway projects.	Provides consistency within the code and makes the code more user friendly.
86-88	10-4.503(d)	To change the current 25% maximum disturbance to preservation features to allow up to 100% to facilitate government sponsored public sector linear infrastructure projects, provided that adequate mitigation provides a net positive environmental benefit. This prevents necessary government sponsored road widening and utility projects from hitting a dead end when the right-of-way or utility easement encompasses more than 25% of a preservation feature and there is no alternative but to disturb more than 25% to facilitate the project. This provides consistency with the City of Tallahassee's public sector linear infrastructure variance.	Prevents necessary public sector projects such as road widening, electric and gas line extensions, water and sewer line extensions, from hitting a dead end. The code still requires that mitigation be provided to demonstrate a net positive environmental benefit which could include acquisition of flooded properties, wetlands with development rights, habitat for listed species, etc.