

**MEMORANDUM
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES**

Date: January 6, 2011
To: Brandon Dunn, Senior Planner

From: Doug Griffith, Environmental Planner
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Project: Pine Tarr LLC
Case: CPA2010-00006

PROPOSED POLICY LANGUAGE CHANGE (Underlined)

Policy 14.1.5: New development, including "planned development" zoning approvals, new subdivisions, and agriculture, that adjoin state-designated aquatic preserves and associated wetlands and natural tributaries must preserve or create a 50-foot-wide native vegetated buffer area between the development and the waterbody or associated wetlands. This requirement will not apply to existing subdivided lots. For commercial planned developments in excess of 25 acres on property with Pine Island Road frontage in the Pine Island Center Urban Community area, the buffer (including any fill necessary to facilitate the survival of the required upland species within it), must be located between the development areas on the site and all wetlands required to be preserved by an approved state environmental resource permit. For agriculture, this requirement:

- will be implemented through the notice-of-clearing process in chapter 14 of the Land Development Code;
- will include a requirement to use this area as a riparian forest buffer with an adjoining filter strip wherever farmland abuts wetlands; and
- if native vegetation does not currently exist, native tree cover will be established within three years of issuance of the notice of clearing.

ENVIRONMENTAL CONCERNS:

ES Staff has reviewed the application submittal and has the following comments and questions:

- 1) In Exhibit IV.4.2. (3) The applicant states that no further degradation of estuarine and wetland resources will occur as a result of any development on the site.

Has the applicant reviewed to see if other parcels could benefit from the proposed language change? According to the proposed language any commercial project of +25 acres with access to Pine Island could impact wetlands. Please provide clarification how additional projects would be excluded in the language change.

2) **Objective 14.1: Natural Resources.** County regulations, policies, and discretionary actions affecting Greater Pine Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat. The language changes proposed for 14.1.5 would be in conflict with Objective 14.1 and would allow wetland impacts on Pine Island.