

**COUNTY DEPARTMENT
SUBMISSION FORM
BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA**

Requested Meeting Date:
November 12, 2014

Meeting Time/Location:
4:00 PM @ SWA Boardroom

Submission Deadline:
November 4, 2014

County Department: Planning & Development Services

Name of Presenter: Wayne Dyess

TOPIC: Coastal Dune Lake Protection Zone LDC and Comprehensive Plan Ordinances

REQUESTED ACTION: Request that the BCC consider recommendation to amend §4.02 of the Land Development Code and Policy C-1.4.1 of the Comprehensive Plan, regarding the Coastal Dune Lake Protection Zone.

PURPOSE/SUMMARY EXPLANATION OR HISTORY:

The purpose of the proposed changes to the Coastal Dune Lake Protection Zone (CDLPZ) is to provide limited flexibility for lots created before the imposition of the original Coastal Dune Lake protection mechanisms (January 5, 1993). This “flexibility” only extends to the vegetative clearing limitations. No changes are proposed to the 100’ shoreline buffer. All development created after the adoption of the CDLPZ should have been designed in accordance with provisions of the CDLPZ and therefore are not eligible to utilize the exceptions portion of the proposed language. However, lots created prior to the adoption of the CDLPZ are eligible to utilize the exceptions contained in the draft language. Many lots created prior to the CDLPZ, due to their size and configuration, make development of a single family home very difficult and in many cases greatly reduces the practical developable area of the lot.

The proposed changes are targeted only to those lots created before the initial CDLPZ regulations. The primary flexibility given to eligible properties is through a limited relaxation of the vegetative clearing area. The current language in the Comprehensive Plan and Land Development Code (LDC) allows no more than 25% clearing of vegetation on a lot within the CDLPZ. This requires that vegetation cleared for building footprints, decks, driveways, sidewalks, storm water etc. cannot exceed 25%. The proposal increases the vegetative clearing area from 25% to 50%. Storm water/runoff treatment areas and septic systems are excluded from these calculations. Additionally, subdivision plats which contain setbacks, building envelopes and other graphical representations which clearly define development standards, supersede current standards. The proposal also addresses legal nonconformities (structures/cleared areas which exceed current standards) within the CDLPZ. The LDC requires that all non-conformities come into compliance if a structure is destroyed or sustains damage exceeding 50% of the structures value. The proposal provides relief from the legal nonconformity issue by allowing a structure to be rebuilt on the same footprint as the original structure. This language would be an exception to the LDC, Chapter 8, Hardship Relief.

In addition, the current Comprehensive Plan contains language which is replicated in the LDC regarding the 25% vegetative clearing and other numerical regulations. Due to the Comp Plan language containing the specific standards, variance requests cannot be processed as there is no variance from the Comp Plan. This proposal includes an amendment to the Comp Plan which moves the specific numerical criteria for the CDLPZ to the LDC while keeping the CDLPZ definition of area and protection measures.

The staff is requesting the following actions:

1. Authorize staff to move forward with the advertising of the following:
 - a. Text amendment to the Comprehensive Plan (see attached)
 - b. Text amendment to the LDC (see attached)

MATERIAL/EXHIBITS ATTACHED:

- a. Text amendment to the Comprehensive Plan (see attached)
- b. Text amendment to the LDC (see attached)

If required, has the material been reviewed by Legal as to form? ☒ Yes ☐ No

(please attach Legal's approval notification)

Please return completed form and all back-up documentation to ADMINISTRATION:

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