



Land Development Code, Chapter 1 – General Provisions Summary of Major Revisions

- 1) Combines the following Chapters into one: Chapter 1- General Provisions; Chapter 8- Hardship; Chapter 9- Decision Making Boards; Chapter 10 – Decision Making Procedures; and Chapter 11- Development Order Approvals.
- 2) Changes reflective of zoning implementation, including deletion of references to the Future Land Use Map etc.
- 3) Interpretation language amended to incorporate: 1) Context of whole Code; 2) Reference to definitions; 3) Deference to more specific meaning; 4) “Shall” and “May” defined.
- 4) Section 1.12.02 amended to establish the Board of Adjustment as the final decision-making body on requests for Conditional Use approval and as a recommending body on requests for Special Exception approval. These changes are related to zoning implementation.
- 5) Section 1.13.02 amended to reflect zoning implementation including defining rezonings not requiring a land use amendment and Planned Unit Developments (PUD) as quasi-judicial.
- 6) Section 1.13.02 amended to reflect that any amendment to the Comprehensive Plan including small scale map amendments are legislative decisions.
- 7) Added land clearing permits to Section 1.15.09, defining Administrative Developments, codifying current land clearing permit practice. Except that in South Walton, all land clearing permits must be in association with a plan of development (building permit application or development application).
- 8) Added new Section defining Less than Minor Development Plans – Less than Minor development orders have been a Departmental practice, however, this new section defines what a Less than Minor is and what the review procedure is within the LDC.
- 9) Policy Decision – Section 1.15.09 removes requirement that technical plans for an affordable housing project be approved by the BOCC in order to facilitate review as Minor Development Plans section.
- 10) Policy Decision – Current policy requires all Neighborhood Infill Developments to be Major Development Plans, this could penalize affordable housing projects and smaller “missing middle” housing. Staff is recommending that these developments follow the typical Major, Minor tracks based on size and that defined standards for compatibility be utilized instead of



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reliance on compatibility analysis and major process which has been ineffective at gaining design based compatibility.

11) Adds section related to Conditional Uses and Special Exceptions, establishes criteria and review processes related to zoning implementation.

12) Section 1.16.00 related to Development Agreements has been amended to be consistent with State Statute, eliminating requirement that the agreement be related to a public project.

Applicability. ~~A Development Agreement may be entered into based on the following: 1. The subject property must be one approved for civic or institutional uses, and~~

13) Section 1.17.00 Hardship Relief: Adds single family stormwater language to the hardship provisions; increases discontinuation of non-conforming use provision from six months to one year; defines non-conforming use and non-complying structure; defines termination of non-conforming uses and non-complying uses damage provision as 50 % of replacement cost instead of 50 % of market value.