

APRIL 7, 2009 –WORKSHOP

The Board of County Commissioners, Walton County, Florida, held a Workshop on April 7, 2009 at 8:30 a.m. at the South Walton County Courthouse Annex to review the Future Land Use Element (FLUE) and the Evaluation and Appraisal Report (EAR) as prepared by the Planning Department Staff.

The following Board members were present: Commissioner Sara Comander, Chair; Commissioner Scott Brannon, Vice-Chair; Commissioner Cecilia Jones; and Commissioner Kenneth Pridgen. Ms. Shirl Williams, Assistant County Administrator; and Attorney Mike Burke, County Attorney; were also present.

Mr. Jason Catalano, Assistant to Commissioner C. Jones, led the invocation followed by the Pledge of Allegiance to the American Flag. Chairman Comander called the meeting to order.

Chairman Comander thanked the public and members of the Planning Commission for their attendance. She praised the Planning Commission and Planning Staff for the hard work put forth in preparing the FLUE and EAR documents. She briefly discussed the rules to be applied to the meeting and said that public comment would be taken at the end of the meeting.

Ms. Pat Blackshear, Planning and Development Director, presented the current draft of the FLUE policies. She stated that the EAR, which was approved by the Board and the Department of Community Affairs (DCA), is the basis of the updates and changes to the FLUE. She briefly listed some of the changes that would be addressed during the meeting. She requested Board direction in the following matters: 1) whether more detail should be placed in the Comprehensive Plan (Comp Plan) or in the Land

Development Code (LDC); and 2) wetland protection from a buffering standpoint. She said that an attempt was made to create a plan that would cover the entire county. However due to the specific needs in the areas north and south of the Choctawhatchee Bay, the plan had to be divided.

Policy L-1.1.1 Conservation and Public Land (CPL) – Chairman Comander asked if any major changes had been made. Ms. Blackshear said that the changes made addressed the need for conservation land for educational centers. Ms. Lois LaSeur, Planning Manager, stated that the separate conservation related categories had been combined to create one category. Commissioner Brannon questioned whether a provision was made for the regularly scheduled burnings of conservation land. Ms. LaSeur stated that it was. Ms. Blackshear stated that a biologist was consulted regarding this provision.

Chairman Comander stated that she had received an email from Ms. Marsha Winegarner voicing her concern for small parcels in agriculture neighborhoods. Ms. Blackshear stated that the policy referenced by Ms. Winegarner was an existing policy and was rolled forward. She reported that buffering requirements for adjacent active farms were put into the policy and tied to Fire Mitigation (L-1.16). Commissioner Pridgen asked what the setback would be. Ms. LaSeur stated that the buffer zone was a minimum of 75 feet and a maximum of 300 feet (L-1.9.1 C). Chairman Comander asked if it was stated that the farmer is not responsible for the buffer. Ms. Blackshear said that it was. She said that any development greater than a single family dwelling would require at least a 75 foot buffer.

Policy L-1.1.2 Large Scale Agriculture (LSA) and General Agriculture (GM)
– Ms. Blackshear stated that base acreage of 40 acres remained as well as the provision

for the division of land less than 20 acres. The lot of record provision has been changed to reflect November 7, 1996 as the approval date of the Comprehensive Plan. She discussed the Family Homestead provision developed for the rural areas designated as Estate Residential (ER), Large Scale (LS) and General Agriculture (GA). The use of the property by an extended family member would not require a deed and would meet all other standards for homestead.

Chairman Comander asked for the requirements of home occupation/business. Ms. Blackshear stated that rural agriculture provides for a home occupation with an accessory structure up to 2,000 square feet. Other requirements were: at least five acres designated for the home occupation; and the buffering and noise issues addressed.

Policy L-1.1.4 – Commercial (CM) – Ms. Blackshear stated that provisions for affordable housing were changed to 12 dwelling units per acre. Ms. LaSeur said that the main change is that this category is applied county wide. It is available on any major or minor arterial collector road. Chairman Comander received questions as to whether this applied to Chat Holley, 30A, and Mack Bayou. Ms. Blackshear said that County Road (C.R.) 30A is a minor arterial and is designated as Neighborhood Commercial/Mixed Use categories. Ms. LaSeur said that it would also be allowable in small rural villages as commercial or mixed use. Commissioner Brannon asked if the existing businesses in the village nodes would be non-conforming. Ms. LaSeur said that a land use map survey was performed to determine the locations of commercial areas so that they could remain conforming.

Policy L-1.1.5 – Neighborhood Commercial (NC) – Ms. Blackshear stated that the language in this category has changed the most. One of the restrictions for this

category is that no fueling stations would be allowed near watersheds. Chairman Comander asked that language restricting drive through restaurants on 30A be added to the policy. Ms. LaSeur said that comments were received requesting that the details of this category be moved to the LDC. This is to be decided by the Board. Ms. Blackshear reported that other issues that needed to be addressed were the size of the facility, and the possible encroachment to the south side of 30A. She said that the commercial is limited to within 300 feet of specific intersections on 30A. Commissioner Brannon questioned why the building size had a maximum limit. Ms. Blackshear said that most parcels in Neighborhood Commercial are small and the limit would keep the size compatible with the surrounding homes. Discussion continued on the requirements to be met.

Policy L-1.1.6 – Public Facilities and Institutions (PFI) – Ms. Blackshear stated that churches, government buildings and hospitals were included in this policy to allow for facility increases. Commissioner C. Jones asked if a church, unaware of the designation change, decides at a later date to sell the property could the designation be changed. Ms. Blackshear stated that if a church has long term plans to sell, they do not have to change the designation; however, corrections can be made.

Policy L-1.1.7 – Light Industrial (LI) – Ms. Blackshear stated that there were no major changes to this policy. She clarified that boarding kennels were added to this category. Support facilities, such as sandwich shops, would also be allowed.

Policy L-1.1.8 – Town Centers and Planned Communities (TC) – Ms. Blackshear said that provisions allowing flexibility with well planned projects, such as Alys Beach, Seaside, and Rosemary Beach, were included in this category. Comments were received regarding the language addressing the small parcels adjacent to Town

Centers. This provision was inserted to allow for land assembly of well planned projects. Chairman Comander suggested that the new changes to any policy be highlighted in a different color for the next review.

Ms. LaSeur presented a comment concerning the approval of smaller town centers. This condition was added to provide additional flexibility for parcels that may have a lot of wetlands. More details and criteria will be added to the LDC.

Commissioner Brannon asked why extensive details are being placed in this document as opposed to the LDC. Ms. Blackshear reported that a lot of public comment had been received pertaining to the location of the detail. She stated that the variance process would allow for either smaller or larger development. Variance applications can be made to a LDC provision but not to a Comp Plan provision. The goal is to have the detail that is placed in the Comp Plan be consistent with the LDC.

Policy L-1.1.9 – DRI-Mixed Use (DRI/MU) – Ms. Blackshear said that to cut back on the DRI confusion and Coastal Center this policy proposes to create a DRI/MU with a Special Area Plan (SAP) for each DRI. This will give opportunity for the public to review the SAP and will add clarity to the projects. Chairman Comander was concerned that the SAP could be misused. Ms. Blackshear stated that Board approval would be required for a SAP either in the original application or through a Notice of Proposed Change (NOPC), and would be utilized in DRI's only.

Policy L-1.1.10 – Muscogee Nation of Florida Reservation Specific Area Plan (MN/SAP) – Ms. LaSeur stated that the Muscogee Nation Tribe had requested that the tribal lands be designated as tribal lands in the Comp Plan with the uses, densities and intensities. The county would still have control over the land uses. More work is still to

be done on the specifics of the densities and intensities. At the present time there are no plans to adopt or map any particular uses for this area; however, the Tribe is planning on mapping their specific land uses by the end of the year. When these plans are presented, a Comp Plan amendment would be presented to put the uses on the map. Commissioner Brannon asked what the current land use was and how many acres were involved. Ms. LaSeur stated Rural Village and Coastal Center with 10 to 15 acres being involved. Chairman Comander asked if land individually owned by tribal members in other areas of the county would be considered a part of the tribal lands. Ms. LaSeur stated that it would not unless it was deeded to the Tribe. Ms. Blackshear stated that a land use change would be necessary to add any other property. Chairman Comander stated that she would like to see federal recognition for the Tribe. She also voiced concern over the gaming issue and felt that some limits should apply. Commissioner Brannon asked if the tribal land designation would aid in the federal recognition process. Ms. LaSeur said that it would. Ms. Blackshear stated that a lot of concerns were raised regarding the gaming issue. As long as it is not federally designated, the Board could control the land use. Attorney Mike Burke, County Attorney, suggested creating an overlay area that would encompass a specific geographic boundary for tribal SAP's. He stated that he understood the Tribal land must show community, meaning the land must be contiguous and compact. Discussion continued on federal designation and land use overlay.

Objective L-1.2 – Land Uses Exclusive to North Walton County

Policy L-1.2.1 – Estate Residential (ER) – Ms. Blackshear stated that the density for this policy is one dwelling unit per five acres. It also allows for an accessory structure up to 2,000 square feet for resident occupation/business use.

Policy L-1.2.2 – Rural Residential (RR) – Ms. Blackshear stated that the density is for one dwelling unit per acre.

Policy L-1.2.3 – Rural Village (RV) – Ms. Blackshear stated this policy provides for Neighborhood Commercial, and a density of two dwelling units per acre. Ms. LaSeur stated that the goal was to make RV a more useful and mixed-use category. It also allows for commercial uses up to 10,000 square feet.

Policy L-1.2.4 – Black Creek Neighborhood Planning Area (NB/NPA), – Ms. Blackshear stated that this category is a rewrite by Mr. Ken Goldberg and Ms. Jennifer Christenson. The changes include provisions that environmentally protect the Black Creek Area. Another change made was to delete the water dependent uses, such as neighborhood scale private marinas and boat storage facilities.

Policy 1.2.5 – Industrial (I), and Policy L-1.2.6 – Extractive Uses (EU) – Ms. Blackshear stated that the biggest change was the designation of EU on mining operations, and anything more than a mining operation would require a designation of Industrial. Commissioner Brannon asked if a land use change would be necessary to change a GA borrow pit to Extractive. Ms. Blackshear stated that the areas permitted under the Special Exceptions process are recognized as a compliant facility. Commissioner Brannon felt that borrow pit issues need to be separated. Discussion continued on borrow pit and mining specifications.

Objective L-1.3 – Land Uses Exclusive to South Walton County

Policy L-1.3.1 – Conservation Residential (CR) – Chairman Comander asked if this policy was exclusive to endangered species, and what the definition of open space was. Ms. Blackshear read the definition of open space as found in Appendix B, Glossary

of Terms. Ms. LaSeur stated that Ms. Anita Page suggested that the term preservation should replace the term open space in this policy. Ms. Page felt that storm water drainage, landscape buffers and boardwalks should not be considered. Ms. Blackshear stated that Ms. Wendy Gray felt the definition should be removed and replaced with “undeveloped land suitable for passive recreational conservation.” Commissioner Brannon asked if the preservation requirements would be applied to the open space. Ms. LaSeur stated that preservation counts as open space, but not all open space would count as preservation. Ms. Blackshear said that open space does not include areas designed for vehicular travel. Commissioner Brannon asked if flexibility was provided in the policy for areas that have met the preservation requirements but do not have enough area to develop. Ms. LaSeur stated that this only applies to Conservation Residential with a density of one unit per ten acres and flexibility is provided for areas of preservation.

Policy L-1.3.2 – Residential Preservation (RP) – Ms. Blackshear stated that a provision has been added that allows for four units per acre for areas that are not a part of a platted subdivision.

Policy L-1.3.3 – Neighborhood Development (ND) – Ms. Blackshear reported that areas currently designated infill will now be ND. She proposed that a zoning map be developed to solve compatibility problems. Once the Board approves this policy, then the LDC will be rewritten to include the zoning districts. She feels that zoning districts would simplify the land use process for both the landowners and the planning staff. She requested the Board’s direction on whether to include the zoning districts, or allow for further discussion. The Board concurred that zoning districts were needed.

Ms. Blackshear reported that comments were submitted against the height restriction waiver in L-1.3.3 D (g). Attorney Burke stated that the addition was inappropriate and that variances should be a Board decision.

Chairman Comander exited the meeting and Commissioner Brannon assumed the Chair position.

Policy L-1.3.4 – Coastal Mixed Use (CMU) – Ms. Blackshear stated that clarification was made within this policy that all CMU's would be located only on U.S. 98 and U.S. 331. She also said that changes were made to this category to increase the number of rooms allowed in lodging establishments. The exception would be on 30A which only allows bed and breakfast type lodging. Ms. Blackshear said that the intent of the 75 room limit was to produce a village experience. She reported that some projects have been quashed due to the limited number of rooms. Commissioner Brannon felt that a specific number of rooms should not be limited as long as the development meets all other requirements. Attorney Burke said that the idea was to control the intensity of the development. Ms. Shirl Williams, Assistant County Administrator, stated that the number of rooms would be controlled by the floor area ratio and height. Ms. Blackshear stated that the number of rooms would be removed in the next draft but the language protecting 30A would remain.

Chairman Comander returned to the meeting and resumed the position as Chair.

Policy L-1.3.6 – Topsail Hill/Deer Lake Specific Area Plan (TH/SAP) – Ms. Blackshear said that this policy is controlled by the final judgment in case number 94-923-CA.

Objective L-1.4 – Summary of Land Uses, Densities, Intensities and Other Requirements – Ms. Blackshear stated that this objective would be the final item approved so that it would reflect all of the changes that have been made to the policies and categories.

Policies L-1.5.1 through L-1.5.12 – Chairman Comander asked for clarification of Policy 1.5.2 and whether the Special Area Plan would override the Neighborhood Plan. Ms. Blackshear stated that it would be for tribal areas, court orders and DRI's. Chairman Comander felt that it needed to be better defined. Ms. Blackshear stated that a provision for Neighborhood Plans can be included and defined in the glossary.

Commissioner Brannon asked how historical overlay districts, such as Point Washington, fit into the policy and would it be a SAP. Ms. Blackshear stated that there was a historical preservation section policy. Ms. LaSeur said that a historical overlay would be more similar to a neighborhood plan than a SAP. A SAP must be adopted through the Comp Plan process. Ms. Blackshear said that staff would return to the historical overlay language in the LDC, add in the four units per acre for Point Washington, and map it.

Policy L-1.5.4 – Ms. Blackshear said that changes were kept to a minimum since the policy now complies with DCA regulations. She stated that north Walton single family residential would have a 40 feet height limitation, commercial would be limited to 75 feet, and industrial to 100 feet where appropriate. Comments were submitted questioning the limitation of 40 feet on single family residential. Provisions have been made for structures such as church steeples, spires, and cell towers. Commissioner Brannon felt that the height limit for the northern area of the county should be based on

compatibility. Commissioner Pridgen stated that compatibility would be a problem. Ms. Blackshear stated that the reason for leaving the height limit at 40 feet was due to fire fighting capabilities and no access to a high pressure water system. She said that a set height limit would apply to both single-family and multi-family dwellings. Discussion ensued regarding the criteria related to height limitation. Ms. Blackshear said that staff would continue to evaluate this section.

Objective L-1.6 – Availability of Public Facilities – Ms. Blackshear said that work is being done on the infrastructure elements and sub-elements; and the water supply is nearly finished. Staff has had one meeting with the sanitary and sewer providers, and have also contacted the utility companies.

Objective L-1.8 – Reduction of Non-Conforming Uses – Ms. Blackshear addressed the issue of non-conforming business closures. She said that if a non-conforming business kept the power on and the license current, it is not considered closed. She said that some codes are stricter and suggested leaving the six month time allotment as is. Chairman Comander stated that the businesses that close seasonally need to be considered. Ms. LaSeur stated that there were other reasons for closures such as estate probate, and structural damage that may take more than six months to repair. Commissioner Brannon asked why six months is considered the determining time frame. Ms. Blackshear stated that that time frame is what is used in most codes. The new 21st Century Code uses a one year time frame. Commissioner Brannon asked how to determine if the business is closed. Ms. Blackshear stated that this was the problem; there is no sound way to know the official closing date. Discussion continued on the criteria that could be used to determine if the non-conforming business is closed and whether

hardship could be proven. Attorney Burke stated that if the property owner provided proof of hardship, a provision could be inserted that would allow them to go before the Board of Adjustments to present the case for hardship. This would give the owner an additional amount of time to settle the problems. Commissioner Pridgen suggested that the first step should be to present the evidence of hardship to the Planning Staff, and then appeal to the Board of Adjustments. Commissioner Brannon felt that a consistent method is needed to determine when the business is closed and that the non-conforming uses need to be identified. Attorney Burke stated that some codes would not allow non-conforming property to be sold. After further discussion on the process for identifying non-conforming issues, Ms. Blackshear requested the Board allow staff to work with County Legal, and conduct further research. The Board concurred.

Ms. Blackshear stated that the issue of Adult Entertainment needs to be dealt with. Attorney Burke stated that locations for the businesses must be established, and they can either be placed all together or spread throughout the county. Chairman Comander asked if the businesses could be banned. Attorney Burke stated that banning the establishments would violate the owners' First Amendment rights. He suggested that the issue be addressed now before any establishments are opened. He said that allowable areas can be set. Ms. Blackshear said that some of these businesses may try to push the limit of the codes. Ms. LaSeur stated that alcohol sales can be banned at the establishments. Chairman Comander suggested that staff work with Legal on this issue.

Policy L-1.9 – Compatibility of Adjacent Land Uses – Ms. Blackshear stated that different types of buffers were discussed. Chairman Comander stated that the person

moving in should provide the buffers. Ms. Blackshear said that educational facilities were also covered in this section.

Policy L.1.12 – Scenic Corridors and Signs – Ms. Blackshear stated that the Scenic Corridors need to be separated. The different areas have different standards and needs, and stated that the connecting roads should have clearly set standards in the policies. She felt that the standards for the connector roads need to be added in a separate section within this policy. She said that there has been a lot of confusion regarding walls on 30A and the language in L-1.12.4 needs to be clarified. She stated that the next draft would include the changes.

Objective L-1.13 – Planned Unit Development Overlay – There were minimal changes made to the policy.

Objective L-1.4 – Neighborhood Plans – Ms. Blackshear said that one change made was to clarify that Neighborhood Plans are required for the entire subdivision. She felt that property owners should be given a reduced front set back when rebuilding after a storm. This would encourage them to build landward and be kept out of harms way. Ms. LaSeur stated that Neighborhood Plans can change provisions in the LDC but not in the Comp Plan. Ms. Blackshear stated that the only exception is Inlet Beach which is in the Comp Plan. Commissioner Brannon asked if so much detail was necessary. Ms. LaSeur stated that any level of detail placed in the Comp Plan cannot be altered by the Neighborhood Plan.

Objective L-1.15 – Compatibility with Eglin Air Force Base – Ms. Blackshear stated that significant recommendations were made regarding this policy. Commissioner Brannon asked the origins of L-1.15.7 and voiced opposition. Ms. LaSeur said that it was

determined by a Joint Land Use Study. She said that this area was used for controlled fire and bombing areas. Chairman Comander asked if this would discourage a dock at Bay Pointe. Ms. Blackshear stated that it would. Commissioner Brannon asked that the policy be clarified to show the area affected. Ms. Blackshear felt that the detail of a map series should be included in the LDC.

Objective L-1.16 – Wildfire Mitigation – Ms. Blackshear felt that it was important to the county to aid in the preservation requirements. There was a lot of discussion at the Planning Commission level.

Objective L-2.1 – Natural Resources Protection – Ms. LaSeur stated that a lot of the various policies were placed in the Coastal Zone Protection element to cut down on confusion and repetition. Ms. Blackshear stated that buffer requirements would be better understood.

Objective L-2.2 – FLUM Amendments

Policy L-2.2.2 – Flood Zone Density – Ms. Blackshear reported that the new maps from the Water Management District have not been received.

Policy L-2.2.3 – Hurricane Evacuation – Ms. Blackshear stated this section is still being updated.

Policy L-2.2.5 – Compatibility – There was no change to this policy.

Ms. LaSeur stated that the goal was to set better criteria to determine when a land use map amendment is appropriate. Ms. Blackshear said that the criterion for urban sprawl is in the statute for plan amendments.

Ms. Blackshear requested Board direction on whether more detail should be added to the Comp Plan or the LDC. She said that direction will also be needed regarding

staff working with legal on policies regarding adult entertainment, and the jurisdictional wetland definition relating to buffers and setbacks with CORE and DEP. She stated that the mining ordinance would be presented to the Board on April 14, 2009.

Chairman Comander asked that visual aids be used to show the difference between CORE standards and DEP standards. Ms. Blackshear said that she would consult with Mr. Lyle Seigler, Public Works Director, and Mr. Billy McKee, Environmental Manager, to compile the information. Ms. Blackshear felt that a workshop would be needed to review the conservation element.

Commissioner Brannon asked if the CORE wetlands and DEP related to the mining ordinance. Ms. Blackshear stated that the jurisdictional wetland definition in the mining ordinance requires that the buffers and setbacks equal that of CORE and DEP. Commissioner Brannon asked if this was part of the Best Practices Policy. Ms. LaSeur said that it was based on public comment. Regardless of the type of wetland, a buffer is needed around a borrow pit or mine. Commissioner Brannon asked what the Water Management District standards were. Ms. Blackshear stated that wetlands are not currently regulated, however, when the District decides to regulate, it will be included. Ms. LaSeur said that some people have recommended that the definition be expanded to include CORE wetlands and isolated wetlands. Other comments recommended strictly using DEP standards. Commissioner Brannon asked which would be a stricter standard, DEP or CORE. Ms. Blackshear stated that the combination of the two would be strictest policy.

Chairman Comander devoted the remaining 15 minutes of the meeting to public comment and opened the floor for such. She asked that the groups speak with one voice to eliminate redundant comments and to better use the time allotted.

Ms. Linda Hildreth asked that the following sentence be either stricken from L-1.14.1 or the prior language be used: "Neighborhood Plans for existing neighborhoods must encompass, at a minimum, the extent of the subdivision as originally platted." She felt that this is future planning and does not represent the present situation.

Commissioner Brannon asked if a property owner could not acknowledge a plat in which the property is contained. Ms. Blackshear stated that the plat has to be acknowledged. She said that storms could harm the structures and provision needs to be made for all subdivisions to allow for decreased front setbacks. Attorney Burke said that the purpose of the provision was to define the minimum extent of a neighborhood.

Commissioner C. Jones exited the meeting.

Mr. Bill Bard stated that some of the language had been changed since the Planning Commission meetings and felt that more than 15 minutes should be given for public comment.

Chairman Comander exited the meeting and Commissioner Brannon assumed the position of Chair.

Mr. Bard voiced concern over the deletion of the word major in L-1.1.4. Ms. Blackshear agreed that the word major should be left in. Mr. Bard felt that changing roadway designations could lead to changes in the land use categories. He addressed the lack of restriction of neighborhood commercial (L-1.1.5) in south Walton County. The wording of the policy allows for restrictions on 30A only. Ms. Blackshear stated that the

intent is for Neighborhood Commercial to locate near the specified intersections and minimize impact on residential areas. She agreed that the language should be changed to clarify the category of roads.

Commissioner Pridgen suggested that the Commissioners break for lunch and that Planning Staff meet with the public afterward to discuss recommendations and changes. He suggested that another draft be presented to the Commissioners at a later date. Ms. Blackshear stated that all opinions, recommendations and changes would be welcomed and that the Planning Staff will present to the Commissioners a plan that will be best for Walton County. She requested direction as to how much detail is to be placed within the Comp Plan and what should be in the LDC. Chairman Comander stated that more consideration is needed before she could give a definite directive. Attorney Burke stated that there will be two public hearings held before the Commissioners will adopt the plan. He suggested that a solid document be drafted to present at the public hearings. Mr. Bard felt that another issue to address is the Muscogee Area Nation Plan and further discussed some of the problems that could arise.

The County Commissioners EAR Workshop adjourned at 12:15 p.m.

A meeting between the Planning Staff and public convened at 1:30 p.m.

Attorney Burke convened the meeting between the public and Planning Staff. He stated that although this was not an official Commissioners meeting, some of the Board would remain to hear the public comment. At Attorney Burke's direction, Ms. Blackshear conducted the meeting. Chairman Comander, Commissioner Brannon and Commissioner C. Jones were in attendance.

Ms. Blackshear discussed the Neighborhood Commercial (NC). She stated that the specific roads and intersections would be added to the language to show the areas where NC is allowed.

Ms. Wendy Gray commented on L-1.1.5, and recommended that categorical references be made when addressing commercial land use applications. She stated that the language in L-1.1.5 A (2) be changed to reflect that these restrictions apply to each intersection. Ms. Blackshear stated that the intent was that NC could be within 300 feet of any of the specified intersections and agreed to the recommended change.

Mr. Gary Vorbeck asked if the word arterial in L-1.1.4 referred to major and minor arterials. He also asked if commercial would be allowed on 30A. Ms. Blackshear stated that commercial would be a part of a mixed use or neighborhood commercial project on 30A.

Ms. Anita Page, South Walton Community Council, stated that the arterial road map distributed during the workshop was inconsistent with the map she acquired from the Road Department. Ms. Blackshear stated that the differences needed to be worked out with the Engineering Department. Ms. Page stated that some areas of major arterials are not suitable for commercial.

Ms. Page asked why the current Comp Plan has a commercial Floor Area Ratio (FAR) of .6, but in the draft the FAR has increased to 2.0. Ms. LaSeur stated that the previous commercial category was limited to the rural commercial nodes in North Walton County. Staff found that the 2.0 FAR is standard in most Comp Plans. She said that the zoning categories would restrict the areas that could use the 2.0 FAR. Ms. Blackshear

stated that once zoning categories are enacted, the commercial categories could be broken down to C1, C2, etc., to indicate which land uses are suitable.

Ms. Gray felt that specific details for the standards of land use should be in the LDC. Ms. Blackshear stated that the language in the draft Comp Plan was a compromise with comments from residents who did not want neighborhood commercial in South Walton.

Mr. David Kramer felt that detail should be added to the LDC rather than the Comp Plan. He voiced support for the increase in FAR and suggested that it be applied to both private and public uses. Ms. Blackshear asked if he supported the range of density with zoning categories. Mr. Kramer stated that he supported it.

Mr. Kramer questioned why mobile home parks existed only in the commercial category. Attorney Burke stated that mobile home parks can be restricted to certain areas due to the intensity. He said that manufactured homes could not be prohibited in residential classifications. Ms. Blackshear stated that this issue was addressed by a land owner who wanted to develop a means of affordable housing. She said that placing it in the commercial category would allow for flexibility.

Mr. Kramer spoke against the specifics of square footage in L-1.1.5. He felt that a compatibility analysis would determine the size. Ms. Blackshear stated that many people would oppose the removal of the restrictions. She voiced concern that high FAR would cause higher build-out projections. She felt that it would provide inaccurate, traffic, intensity and density; and may prevent someone from getting a plan amendment in the future.

Mr. Ken Goldberg stated that with the increase in the FAR in more than one policy, DCA will require an accounting for that level of commercial development. He also spoke in favor of having more detail in the Comp Plan, and zoning districts.

Mr. Vorbeck spoke in favor of placing the most detail in the LDC.

Mr. Bard felt that the detail should be in the Comp Plan to protect the property owner.

Mr. Matt Taylor spoke against L-1.1.5. He felt that it limited the ability to conform the existing non-conforming businesses. Ms. Blackshear recused herself from the discussion stating that she and Mr. Taylor are neighbors. Ms. LaSeur addressed his comments. She said that this is a policy decision to be made by the Board. Discussion ensued regarding the classification of Village Mixed Use that is designated for both sides of 30A. Ms. Blackshear asked Attorney Burke if isolated issues could be considered through a vesting approach. Attorney Burke stated that a similar issue was addressed. He suggested a category be created to include the term vested, and limited to a few specific uses with a limited less intensive use, i.e. offices.

Mr. Willie O'Neal voiced opposition to the proposed changes in the rural residential category and the exclusion of low density residential. Ms. Blackshear questioned Ms. LaSeur why the low density residential was removed for north of the bay. Ms. LaSeur replied that low density residential was combined with residential preservation for south of the bay. She suggested making residential preservation a county wide category. Ms. Blackshear will direct staff to extend the residential preservation to county wide. She asked Mr. O'Neal to meet with staff to specifically discuss his issue. Commissioner Brannon asked if Mr. O'Neal's lots were lots of record. Ms. LaSeur stated

that his property is adjacent to Alaqua Acres, but is not a part of the subdivision. His property is also in A Zone with the vast majority of the property in wetlands. This will need to be dealt with on an individual amendment basis.

Ms. Gray felt that L-1.1.8 still had a lot of issues to be addressed. She felt that clarification is needed for the addition of small parcels adjacent to existing Town Centers (TC), and newer TC developments. She recommended that the impervious ratio of .85 be included in paragraph (B). She also stated that the policy reference found in section C should be L-1.15.4. She suggested that the term “new” be clarified to give an affective date of the plan amendment. In relation to the detail in the Comp Plan and the LDC, she stated that the more detail included in both documents, the more inconsistencies will be found. Ms. Gray discussed the walkability of TC's and suggested that the details would be best suited for the LDC. Ms. Blackshear stated the word “typically” would be added to the description of “New TC's”.

Mr. Kramer felt that this is one of the best written Comp Plans. He also felt that smaller pieces should be allowed to be incorporated into newer TC's.

Ms. Page spoke against the inclusion of smaller surrounding parcels into an existing TC. Ms. Blackshear stated that language could be added to allow for mutual understanding for use as a transition area. Ms. LaSeur stated that the new parcel would have to serve as a lower density area and fall within the pattern of the TC. Mr. Vorbeck asked if a mutual agreement would be required. Ms. Blackshear stated that it would. Discussion continued on the transition area.

Mr. Goldberg asked that the section of TC add-ons be deleted. Commissioner Brannon stated that the surroundings and needs are different for each town center, and the

location of the development should be considered when determining the addition of surrounding parcels. Mr. Kramer, Mr. Goldberg, and Mr. Vorbeck all agreed that further study needed to be made to the policy.

Mr. Bard spoke against L-1.1.10. More research is needed before approving this policy. Ms. LaSeur said that she would meet with the Tribe to determine if they would be willing to take gambling out. Federal recognition of the Tribe would govern the land use. Discussion continued on what would be allowed upon Federal recognition of the Muscogee Tribe. Ms. Blackshear said that staff would remove L-1.1.10.

Mr. Kramer felt that a 50' height limit should be standard throughout the northern portion of the county.

Ms. Page wanted clarification that a potential ordinance would replace the Best Management Practices in L-1.2.6. Ms. Blackshear stated that upon adoption the wording for this policy would be changed to reflect Chapter 16 of the LDC. Ms. Page also recommended that mining in the aquifer be prohibited.

Ms. Page stated that the term "open space" was inappropriately used in L-1.3.1, and would allow areas to be cleared of natural vegetation and habitat. She asked that the language be changed to state that 90% be retained in preservation and a maximum of 10% can be cleared. Ms. Blackshear stated that the definition of "open space" would be rewritten and clarified.

Mr. Bard asked how limited silviculture would be allowed if the definition is changed. Ms. Blackshear stated the plan would allow for replanting after a fire, or timbering and replanting. Mr. Bard asked if fruit trees were allowed in silviculture. Ms. Blackshear stated that it was only timbering trees, fruit trees are considered agriculture.

Mr. Goldberg asked that the word “extremely” be removed from L-1.3.1 (D) 3.

Mr. Kramer stated that Neighborhood Master Plan should be defined in the glossary, and not used as a generic term. Ms. Blackshear agreed that it needed to be well defined. Ms. Page asked what additional types of commercial would be allowed as stated in L-1.3.3 (A). Ms. LaSeur stated that there have been restrictive uses, but in large plan developments (i.e. Alys Beach, and Rosemary Beach) the restrictions could be broaden. Ms. Blackshear suggested that the last sentence be removed.

Mr. Kramer suggested the word “proposed” be deleted from L-1.3.4 (A) 3. Ms. Blackshear stated that it would be changed to “approved.”

Ms. Page voiced concern with the language of L-1.3.4 (E) and the use of the phrase “existing CMU’s.” Ms. Blackshear stated that the ordinance adoption date would be included to clarify that VMU centers are existing CMU centers. The new CMU category will be designated for U.S. 331 and U.S. 98. Ms. Page voiced concern with the allowable expansion provision in this paragraph. Ms. LaSeur stated that non-conforming uses could not expand, but expansion was allowed, upon Board approval, for conforming uses if it did not violate the master plan. Ms. Blackshear stated that redevelop would be a better term to use rather than expand. Discussion continued on the criteria for expansion and/or redevelopment. Suggestions were made to establish CMU-1 (30A vested) and CMU-2 (new developments on U.S. 98 and U.S. 331) categories. Ms. Blackshear suggested taking the present criteria for the VMU vested and roll it into the CMU-1. Mr. Goldberg suggested leaving the category VMU specifically for 30A.

Mr. Bard voiced concern over Coastal Centers being included in the CMU category, specifically the Kuykendall Property, and the two Coastal Centers located at the

corner of C.R. 393 and Chat Holley Road. Ms. Blackshear stated that remapping would be required for these specific properties and that the property owners would need to be contacted. Discussion continued on the land use change.

Ms. Gray suggested a language change to L-1.5.3 to show that TC's are exempt from this policy.

Ms. Page stated that L-1.6.2 in the present policy is not in the draft. Ms. LaSeur stated that it was moved to Conservation.

Mr. Kramer commented on the L-1.15.5 and felt that disclosures should be approached carefully.

Ms. Gray asked why new language was added to L-1.5.9. Ms. Blackshear said that it was for dune lake set backs.

Ms. Blackshear stated that the draft would be changed and another presented for Board review.

Mr. Bard spoke in favor of the zoning districts and encouraged the Board to achieve this goal without delay.

Ms. Blackshear stated that she would meet with the Eglin Air Force Base Planners to discuss disclosures, and would bring back a recommendation to the Board on how it should be handled.

There being no further discussion, the meeting adjourned at 3:54 p.m.

APPROVED _____
Sara Comander, Chair

ATTEST _____
Martha Ingle, Clerk of Courts