

11. Application, Review and Decision-Making Procedures

Chapter 11. Application, Review and Decision-Making Procedures

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11.01.00 GENERALLY

This chapter sets forth the procedures for receiving, reviewing and rendering decisions on applications for development approval, through Development Orders, amendments to this LDC and amendments to Development Orders and for appealing such decisions. It is the County's intent that the procedures set forth in this chapter shall be followed in order to seek approval for any development.

11.01.01 Purpose and Intent

- A.** A Development Order shall be issued to indicate approval of any Site Plan, Subdivision Plat, or expansion, enlargement or modification of Non-Conforming Development or use.
- B.** Except as provided in section 11.01.03 or 11.01.05, a valid and current Development Order shall be required prior to the issuance of any building permit to authorize development or a change of use.

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C. No development or change of use shall be made or continued without a lawful building permit.

11.01.02 Applicability to Development and Exceptions

A. The applicability of the provisions of the LDC to development and exemptions from those provisions set forth in Chapter 1. In addition, the following proposed development, if otherwise qualified, may obtain a building permit without a Development Order.

- 1. The construction of a single family dwelling or a duplex within a district designated for residential use.
- 2. The construction of accessory structures within a district designated for residential use.
- 3. Any residential development for which a site plan is not required.

11.01.03 Applicability to a Change of Use and Exceptions

A. The applicability of the provisions of the LDC to a Change of Use and exemptions from those provisions, are set forth in Chapter 1. In addition, a proposed use meeting all of the following conditions and being otherwise qualified may obtain a building permit without a Development Order.

- 1. The proposed use conforms to the requirements of the Comprehensive Plan and this LDC.
- 2. The proposed use does not increase density.
- 3. Any proposed modifications to an existing building are only to the façade or interior to the building.
- 4. The proposed use does not require a greater number of parking spaces than the existing use.
- 5. The proposed use does not require a greater number of parking spaces than are currently available on site.
- 6. The proposed use does not increase the amount of impervious surface whether due to expansion of an existing building, proposed construction or additional buildings or an addition to paved areas for any purpose, and
- 7. All required building permits are obtained.

B. When a Development Order is required due to a proposed Change of Use, all standards and procedures of the Comprehensive Plan and this LDC shall apply to the proposed new use.

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11.01.04 Fees Required

A fee shall be paid with the filing of all applications in the amount specified in the current fee schedule, as amended from time to time by the Board of County Commissioners.

11.01.05 Certificate of Occupancy

- A.** A Certificate of Occupancy is the only demonstration that the use and occupancy of land or buildings conform to the requirements of this LDC. A Certificate of Occupancy shall be received by the property owner prior to the use or occupancy of land or buildings.
- B.** When a Change of Use occurs, as set forth in section 11.01.04, a new Certificate of Occupancy shall be required. This section shall not be construed to apply to the transfer of ownership or the change of occupants, except as provided in 10.01.04.

11.01.06 Computation of Time

Weekends and County holidays shall be excluded in the computation of any period of time of less than ten (10) days specified in this Chapter.

11.02.00 APPLICATION REQUIREMENTS

11.02.01 Submittal Requirements for All Applications

- A.** Submittal requirements necessarily contemplate a wide variety of circumstances and it is understood that some information may be unnecessarily burdensome to produce.
 - 1.** A completed form provided by the Planning and Zoning Department.
 - 2.** Name, address, telephone number, email address and signature of the property owners;
 - 3.** When the applicant is a representative of the property owner, a statement acknowledged by the owners authorizing the representative to act as an agent of the property owner with regard to the application and associated procedures;
 - 4.** A sketch obtained no more than two (2) years prior to the filing of the application, containing the legal description, land area and existing improvements located on the site;
 - 5.** Written documentation that the property owner, has or will comply with all applicable notice requirements of this LDC; and
 - 6.** Payment of the required application fee.

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11.02.02 Basic Submittal Requirements for Access Management, Coastal Construction, Parent Parcel, Itinerant Vendor, Major Land Clearing, Minor Land Clearing, Minor Subdivision, Off Premise Sign, PUD Master Plans, PBD Master Plans, PID Master Plans, Site Plan Applications, Tree Removal, Conditional Uses, Rezonings, Small Scale Future Land Use Amendments, Large Scale Future Land Use Amendments, Special Exceptions, and Variances

A. Each application for Access Management, Coastal Construction, Parent Parcel, Itinerant Vendor, Major Land Clearing, Minor Land Clearing, Minor Subdivision, Off Premise Sign, PUD Master Plans, PBD Master Plans, PID Master Plans, Site Plan and Tree Removal Applications shall contain the following information:

1. All information required pursuant to section 11.02.01;
2. Name, address, telephone number and email address of the plan preparer;
3. Date of preparation and date(s) of any modifications of site plan, north arrow and written and graphic scale;
4. Legal description of the property, consistent with the survey, if a survey is required;
5. A vicinity map showing the location of the property;
6. Zoning designation for the property;
7. Additional plans, documents and reports as deemed necessary by the Planning Director; and
8. Information required for the specific type of application, as specified in sections 11.02.03 through 11.02.15, as applicable.

B. All Site Plans, Plats and sketches of a Lot Split shall be drawn to a scale approved by the Planning Director.

11.02.03 Additional Submittal Requirements for Access Management

A. All information required pursuant to section 11.02.02.

B. A copy of the site plan (plot plan or site layout) showing the location of all existing and proposed driveways, curb cuts, and median openings with the minimum spacing distance specified for the roadway, to be measured from any property corner which is located along the right-of-way of the access management corridor. The following distances shall be noted: distance between driveways, corner clearance and median opening spacing. The posted speed limit for all roadway segments which abut the development parcel(s). If a direct connection is permitted to an access management roadway, single family residential or duplex development shall provide for a turnaround area.

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- C. An application fee

11.02.04 Additional Submittal Requirements for Coastal Construction

- A. All information required pursuant to section 11.02.02.
- B. Provide a site plan drawn to scale of the proposed structure with exact dimensions and placement on the property. The location, relative to the body of water, including protrusion into or over the body of water must be shown. Existing structures on the water must also be shown. Please show all property lines. For docks, piers, and covered boathouses, please show how high each extends above the mean high water line.
- C. Coastal Construction permits are required for new construction, replacement of seawalls, replacement of pilings on docks/piers and additions to docks/piers
- D. Coastal Construction permits are NOT required for decking replacement only.
- E. Erosion control, best management practices (BMP) will be maintained throughout the construction process which may include silt fencing, hay bales, turbidity curtains, or other BMPs as required to keep sediment from leaving the site. An erosion control and/or best management practices plan may be required for submittal.
- E. An application fee.

11.02.05 Additional Submittal Requirements for Parent Parcel

- A. All information required pursuant to section 11.02.02.
- B. A site plan of the property showing property lines (existing and proposed), dimensions, structures (existing and proposed), abutting streets, and any other pertinent information must be attached to this application. All site plans must be drawn to scale.
- C. An access easement is required for all proposed parcels that do not have road frontage. This easement must be recorded on each deed.
- D. An application fee.
- E. All Parent Parcel lot splits must be recorded with the Santa Rosa County Clerk of Courts within one (1) year of application filing.

11.02.06 Additional Submittal Requirements for Itinerant Vendors

- A. All information required pursuant to section 11.02.02.
- B. Provide an original letter from the property owner stating their knowledge and approval of this project.

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C. Provide a site plan drawn to scale showing the existing easements and rights-of-way, location of buildings with front, rear and side setbacks, any fence locations, location and general character of all existing curb cuts, driveways or parking areas. Label the number of proposed parking spaces and provide dimensions. All required parking spaces are to be clearly designated with wheel stops.

D. Provide the location of any proposed signs.

E. An application fee.

11.02.07 Additional Submittal Requirements for Major Land Clearing

A. All information required pursuant to section 11.02.02

B. A site plan, or sketch, must include the following information.

1. Sketch (or survey) of the property boundary, with dimensions, and location of existing improvements.

2. Size of the property, shown in square feet and/or acres.

3. Graphical indication of the area to be cleared and areas to remain undisturbed.

4. All protected trees must be identified with size in DBH and species of tree and have the site locations clearly marked.

5. Valid reasoning for the removal of protected trees from LDC Section 4.06.05.

6. Type and location of erosion control measures. An erosion control and/or best management practices plan may be required for submittal.

7. A signed, notarized affidavit from the property owner confirming the intent to obtain a single family residential building permit within a (1) one year time frame from the date of the issued Major Land Clearing permit.

11.02.08 Additional Submittal Requirements for Minor Land Clearing

A. All information required pursuant to section 11.02.02.

B. Provide a site plan drawn to scale with exact dimensions, location of existing improvements, graphical indication of the area to be cleared and areas to remain undisturbed.

C. Provide size of the property.

D. Provide type and location of erosion control measures. An erosion control and/or best management practices plan may be required for submittal.

E. An application fee.

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11.02.09 Additional Submittal Requirements for Minor Subdivision

- A. All information required pursuant to section 11.02.02.
- B. Provide a site plan drawn to scale with exact dimensions, showing property lines (existing and proposed), area/square footage of lots (existing and proposed), and any existing structures.
- C. Provide a copy of any existing and proposed easements.
- D. Provide documentation showing how the criteria are met.
- E. An application fee.

11.02.10 Additional Submittal Requirements for Off Premise Signs

- A. All information required pursuant to section 11.02.02.
- B. Provide a site plan drawn to scale with exact dimensions, indicating property lines, and the proposed sign location.
- C. Provide a drawing of the proposed sign showing all dimensions and sign height.
- D. Provide a notarized owner/trustee authorization letter.
- E. An application fee.

11.02.11 Additional Submittal Requirements for Site Plans

- A. All information required pursuant to section 11.02.02.
- B. Provide a site plan drawn to scale with exact dimensions, showing property lines, existing easements and rights-of-way.
- C. When applicable provide the location of the Coastal Construction Control Line, Coastal High Hazard Area and Shoreline Protection Zone.
 - 1. For protective shoreline structures provide a scaled plan and an anti-erosion impact statement, certified by an engineer registered in the State of Florida with experience in beach erosion problems and solutions along with the following:
 - a. Show topographic contours, identification of significant topographic discontinuities, location of existing easements, location of seaward structures on adjacent properties and specifications of the proposed structure;
 - b. Cross sections of all construction including sub grade construction and excavation with elevations;
 - c. Specific location and alignment of the proposed protective shoreline structure relative to mean high water line upland structures, water-ward structures, with measurements denoting

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distances separating the mean high water level, the proposed structures, and upland and adjacent structures;

d. Points of tie-in with adjacent properties and water-ward structures and proposed return walls;

e. Anti-erosion design features including but are not limited to: toe protection (i.e. sub-graded revetment to minimize scour); wing walls and tie in with appropriate toe protection to protect wall from interior erosion; angle and alignment of wall surfaces to effectively dissipate energy of wave impact; tie backs designed to provide effective reinforcement; drainage system including use of filter cloth and weep holes; types of material to be used in construction and assurance that wood products are appropriately treated for long term preservation and stability; and sand and vegetative covers including source and sand frequency of replenishment, anticipated quality and texture, together with location and type of vegetative cover to be used to stabilize water front area impacted by the proposed development.

f. The Anti-erosion impact statement shall include: a description of the features of the site plan and proposed measures to be undertaken by the developer in order to prevent or minimize erosion of adjacent and down drift properties. This statement shall include any anticipated adverse impacts of the proposed structure and shall be thoroughly elaborated. The ant-erosion impact statement shall be certified by an engineer registered in the State of Florida with experience in waterfront erosion.

g. In cases where the developer does not propose to cover the wall with sand and undertake a sand replenishment program, a statement is required by an engineer registered in the State of Florida certifying that a sand cover is not possible or practical and describing conditions supportive to the judgement.

h. The Planning and Zoning Department or County Engineer may request additional information as necessary for proper evaluation of a waterfront development proposal.

D. Provide the location of all existing and proposed buildings, graphically indicating the minimum required and proposed building setbacks, the number of dwelling units, square footage of building footprint and gross floor area (includes all floors), and proposed uses, paved areas and open areas.

E. Provide the location of parking areas and driveway location, dimensions and specifications, including traffic striping plan and parking calculations based on the proposed use(s). Driveway connection and main access driveway traffic

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striping must be thermoplastic. Location and general character of all existing curb cuts and driveways within one hundred (100) feet of any proposed curb cuts, driveways or parking areas.

- F.** Provide the total area calculation with percentage of total site to be covered by impervious surfaces and landscaping.
- 1.** Grades, finished ground floor elevations and existing and proposed contours.
 - 2.** A surface water drainage facilities plan certified by an engineer registered in the state of Florida.
- G.** Provide the location and character of all outdoor waste disposal facilities (including dumpsters), storage areas, display areas and utilities, including screening information, location of perimeter or ornamental walls, fences or other screening devices and height information.
- H.** Provide a landscape plan indicating the location and character of open space and landscaped areas, including perimeter and interior landscaping, buffering requirements and the minimum required and proposed landscape types, quantities and sizes.
- I.** Provide a tree survey locating all protected tree species, indicating the size and type of each and identifying trees proposed for preservation and removal. For protected tree removal provide a tree mitigation plan with calculations.
- J.** If the property is located on an access management corridor, provide the location of all existing and proposed driveways, curb cuts and median openings within the minimum connection distance specified for the roadway's classification, to be measured from any property corner which is located along the right-of-way. Provide the posted speed limits for all roadway segments which abut the development and provide the distance between driveways, corner clearance and median opening spacing.
- K.** If the property is located in whole or in part within any Military Airport Zone, Public Airport Zone, Clear Zone, Runway Protection Zone, or Accident Potential Zone, the boundaries of such zone shall be delineated on the plan. If the entire property lies inside any such zone, the plan shall incorporate a statement that declares all property within its legal description lies within the applicable zone. If contiguous property is owned by a military installation or public airport, the name of the installation or airport shall be so designated. If the property, or any portion thereof, lies within any Military Airport Zone, Public Airport Zone, Clear Zone, or Accident Potential Zone, the plan shall include substantially similar language as that appearing in the following statement: "All or a portion of the property appearing within this site plan lies within a Military

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Airport Zone. Use of or construction upon lands or waters within this area may have additional restrictions set forth in ordinances of the Santa Rosa County Board of County Commissioners".

- L.** Site plans for borrow pits and disposal facilities shall include:
 - 1.** The identification, location and proximity of any community or private potable water wells permitted by the Northwest Florida Water Management District; and,
 - 2.** The location and character of the nearest residential structure, paved roadway, and proposed access to the site.
 - 3.** All information required pursuant to section 4.02.08
- M.** The following standard notes, as applicable, shall be included on the plan:
 - 1.** "A utility permit from the County Road and Bridge Department is required before commencing work in a County right-of-way."
 - 2.** "At completion of construction, all exposed dirt shall be stabilized with sod, a hay/seed mix or hydro-seed."
 - 3.** "No more than 50% of required landscaping material may be of the same species."
 - 4.** "A separate permit is required for all signage."
 - 5.** "The contractor/owner should coordinate with the Planning and Zoning Department prior to purchasing or installing landscaping to determine credit for existing vegetation to (partially) meet the landscaping requirements shown on this plan."
- N.** If multiple sheets are used, the sheet number and total number of sheets must be clearly indicated on each.
- O.** The front cover sheet of each site plan shall include:
 - 1.** A general vicinity or location map showing the position of the proposed development in the section, township and range, together with the principal roads, county limits, or any other pertinent orientation information.
 - 2.** A complete legal description of the property.
 - 3.** The name(s), address(es) and telephone number(s) of the owner(s) of the property.
 - 4.** The name, business address and telephone number of those individuals responsible for the preparation of the drawing(s).
- Q.** An application fee.

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11.02.12 Additional Submittal Requirements for Tree Removal Applications

- A. All information required pursuant to section 11.02.02
- B. Fill out the table showing the numbers and size of the trees proposing to be removed.
- C. Calculate the number of mitigation inches that will have to be replanted.

11.02.13 Additional Submittal Requirements for Conditional Uses

- A. All information required pursuant to section 11.02.02.
- B. An information analysis of the proposed request using the general and use specific criteria of section 5.07.00
- C. Provide a site plan of property drawn to scale showing the property lines, dimensions, structures (existing and proposed), abutting streets and any other pertinent information.
- D. A certified mailing label package, which consists of a certification letter from the Property Appraiser’s office, a printout with a parcel map indicating all of the surrounding property owners to be notified and two (2) complete sets of mailing labels obtained by the Property Appraiser’s office from the official tax records.
- E. If the applicant is other than the property owner, provide authorization from the property owner. If the property is under contract for sale and the applicant is the buyer of the property, a copy of the sales agreement will suffice. Our intention is to ensure that proper authorization has been granted for this request.
- F. An application fee.

11.02.14 Additional Submittal Requirements for Rezonings

- A. All information required pursuant to section 11.02.02.
- B. If rezoning to PUD, PBD or PID, a master plan meeting the checklist requirements of LDC Chapter 4 (Section 4.02.04 for PUD, Section 4.02.05 for PBD and Section 4.02.06) is required. Additionally, a pre application meeting with the Planning and Zoning Department Staff is strongly encouraged prior to submittal of a PUD, PBD, or PID rezoning request.
- C. A certified mailing label package, which consists of a certification letter from the Property Appraiser’s office, a printout with a parcel map indicating all of the surrounding property owners to be notified and two (2) complete sets of mailing labels obtained by the Property Appraiser’s office from the official tax records.

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- D. If the applicant is other than the property owner, provide authorization from the property owner. If the property is under contract for sale and the applicant is the buyer of the property, a copy of the sales agreement will suffice. Our intention is to ensure that proper authorization has been granted for this request.
- E. A copy of Availability Letters from the Water and Sewer Provider.
- F. A copy of a certified boundary survey of all property requested for rezoning if required. (NOTE: If only a portion of a parcel is requested for rezoning, include a survey of the specific portion of the property requested for change.)
- G. If the property has jurisdictional wetlands, provide a copy of a Jurisdictional Wetlands Survey
- H. An application fee.
- I. An economic impact statement that details how or if this is an economic benefit to Santa Rosa County.

11.02.15 Additional Submittal Requirements for Rezoning with Small Scale Future Land Use Amendment

- A. All information required pursuant to section 11.02.02.
- B. If rezoning to PUD, PBD or PID, a master plan meeting the checklist requirements of LDC Chapter 4 (Section 4.02.04 for PUD, Section 4.02.05 for PBD and Section 4.02.06) is required. Additionally, a pre application meeting with the Planning and Zoning Department Staff is strongly encouraged prior to submittal of a PUD, PBD, or PID rezoning request.
- C. A certified mailing label package, which consists of a certification letter from the Property Appraiser's office, a printout with a parcel map indicating all of the surrounding property owners to be notified and two (2) complete sets of mailing labels obtained by the Property Appraiser's office from the official tax records.
- D. If the applicant is other than the property owner, provide authorization from the property owner. If the property is under contract for sale and the applicant is the buyer of the property, a copy of the sales agreement will suffice. Our intention is to ensure that proper authorization has been granted for this request.
- E. A copy of Availability Letters from the Water and Sewer Provider.
- F. A copy of a certified boundary survey of all property requested for rezoning if required. (NOTE: If only a portion of a parcel is requested for rezoning, include a survey of the specific portion of the property requested for change.)

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- G. If the property has jurisdictional wetlands, provide a copy of a Jurisdictional Wetlands Survey
- H. An application fee.
- I. An economic impact statement that details how or if this is an economic benefit to Santa Rosa County.

11.02.16 Additional Submittal Requirements for Rezoning with Large Scale Future Land Use Amendment

- A. All information required pursuant to section 11.02.02.
- B. If rezoning to PUD, PBD or PID, a master plan meeting the checklist requirements of LDC Chapter 4 (Section 4.02.04 for PUD, Section 4.02.05 for PBD and Section 4.02.06) is required. Additionally, a pre application meeting with the Planning and Zoning Department Staff is strongly encouraged prior to submittal of a PUD, PBD, or PID rezoning request.
- C. A certified mailing label package, which consists of a certification letter from the Property Appraiser's office, a printout with a parcel map indicating all of the surrounding property owners to be notified and two (2) complete sets of mailing labels obtained by the Property Appraiser's office from the official tax records.
- D. If the applicant is other than the property owner, provide authorization from the property owner. If the property is under contract for sale and the applicant is the buyer of the property, a copy of the sales agreement will suffice. Our intention is to ensure that proper authorization has been granted for this request.
- E. A copy of Availability Letters from the Water and Sewer Provider.
- F. A copy of a certified boundary survey of all property requested for rezoning if required. (NOTE: If only a portion of a parcel is requested for rezoning, include a survey of the specific portion of the property requested for change.)
- G. If the property has jurisdictional wetlands, provide a copy of a Jurisdictional Wetlands Survey
- H. Provide the following amendment support documentation. At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Economic Opportunities, and policies contained in the Santa Rosa County Comprehensive Plan. Support documentation provided by the applicant will be used as a basis for evaluating this request. All applicants are encouraged to utilize the services of a consultant to meet the data and analysis requirements of large scale plan amendments.

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Applicable regulatory references, requirements and other useful information can be accessed at the Development Services link of the County's website at www.santarosa.fl.gov.

1. General Information and Maps (NOTE: If you are unable to generate the required maps, a fee will be assessed for maps obtained from the Planning and Zoning Department; such maps may not be altered by the end-user.)
 - a. Future Land Use Map showing the boundaries of the subject property, surrounding street network, and surrounding designated future land uses.
 - b. Existing Land Use Map of the subject property and surrounding properties.
 - c. Current Zoning Map of the subject property and surrounding properties.
 - d. Aerial Map showing the subject property and surrounding properties.
 - e. Maps of natural and historic resources located on the subject property and surrounding properties.
2. Compatibility Analysis - Discuss the compatibility of the proposed land use amendment with adjacent land uses.
3. Public Facilities Impacts – (NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario of the current and proposed land uses.)
 - a. Traffic Circulation Analysis – A traffic study with trip distribution is required. The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan (Comprehensive Plan Map 4-2, Future Transportation Map Series, 20 year horizon) and on the Capital Improvements Element (5-year horizon). To this end, an applicant must submit the following information.
 - i. Determine the maximum impact of proposed development for the subject property under the current Future Land Use designation and the Proposed Future Land Use designation.
 - ii. If the analysis indicates the Proposed Future Land Use designation will not increase the projected number of vehicle trips, no further analysis for the long range horizon is necessary.

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iii. If the analysis indicates the Proposed Future Land Use designation will increase the projected number of vehicle trips, provide a projected capacity analysis for the impacted road segments for 2020 and 2040 year horizon.

iv. If the capacity analysis indicates available capacity to accommodate the projected impact, no further analysis is necessary. If the capacity analysis indicates that capacity is not available to accommodate the projected impact, the applicant should determine the scope and cost of improvements necessary to accommodate the development and the effect on the financial feasibility of the comprehensive plan.

b. Provide an existing 2020 & 2040 year future conditions analysis for each of the following:

- i.** Sanitary Sewer
- ii.** Potable Water
- iii.** Surface Water/Drainage Basins
- iv.** Solid Waste
- v.** Parks, Recreation, and Open Space
- vi.** Schools (for requests involving more than 10 acres of property or proposed for residential development of more than 10 dwelling units per acre)

(NOTE: Staff will submit a school impact analysis to the Santa Rosa County School Board requesting a determination of student capacity. In the event that there is not adequate capacity available as calculated, the School Board shall entertain proportionate share mitigation; and, if proposed mitigation is accepted, enter into an enforceable and binding agreement with the affected local government and the developer.)

c. Analysis must include (but is not limited to) the following:

- i.** Franchise Area, Basin, or District in which the property is located;
- ii.** Letter of availability from sanitary sewer and potable water providers;
- iii.** Current Level of Service (LOS), and LOS standard of facilities serving the site;

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- iv. Projected 2020 – 2040 LOS under existing designation;
 - v. Projected 2020 – 2040 LOS under proposed designation; and
 - vi. Improvements/expansions currently programmed.
- 4. Environmental Impacts – Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site’s suitability for the proposed use upon the following;
 - a. A map of the biodiversity hotspots
 - b. A map and description of the soils found on the property (identify the source of the information).
 - c. A topographic map with property boundaries and 100 year flood prone areas indicated (as identified by FEMA).
 - d. A map delineating wetlands and rare & unique uplands.
 - e. A map of the habitat and vegetative landcover.
 - f. A map of the Strategic Habitat Conservation (as identified by Florida Fish & Wildlife Conservation Commission).
- 5. Impacts on Historic and/or Archeological Resources - List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change’s impact on these resources. The following should be included with the analysis.
- 6. Internal Consistency with the Santa Rosa Plan
 - a. Discuss how the proposal affects established Santa Rosa County population projections, and the total population capacity of the Santa Rosa Comprehensive Plan Future Land Use Map.
 - b. List all goals and objectives of the Santa Rosa County Comprehensive Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
 - c. Describe how the proposal affects adjacent local governments and their comprehensive plans.
 - d. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include but are not limited to: low-intensity, or single-use development; ‘leap-frog’ type development; radial strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of

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functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.

- I. An application fee.
- J. An economic impact statement that details how or if this is an economic benefit to Santa Rosa County.

11.02.17 Additional Submittal Requirements for Special Exceptions

- A. All information required pursuant to section 11.02.02.
- B. Parent Parcel Requests: If a parcel is located within a stormwater problem area, an engineered stormwater management plan will need to be submitted and approved prior to the request being granted.
- C. Provide a site plan of property drawn to scale showing the property lines, dimensions, structures (existing and proposed), abutting streets and any other pertinent information.
- D. A certified mailing label package, which consists of a certification letter from the Property Appraiser's office, a printout with a parcel map indicating all of the surrounding property owners to be notified and two (2) complete sets of mailing labels obtained by the Property Appraiser's office from the official tax records.
- E. If the applicant is other than the property owner, provide authorization from the property owner. If the property is under contract for sale and the applicant is the buyer of the property, a copy of the sales agreement will suffice. Our intention is to ensure that proper authorization has been granted for this request.
- F. An application fee.

11.02.18 Additional Submittal Requirements for Variances

- A. All information required pursuant to section 11.02.02.
- B. Provide a site plan of property drawn to scale showing the property lines, dimensions, structures (existing and proposed), abutting streets and any other pertinent information.
- C. A certified mailing label package, which consists of a certification letter from the Property Appraiser's office, a printout with a parcel map indicating all of the surrounding property owners to be notified and two (2) complete sets of mailing labels obtained by the Property Appraiser's office from the official tax records.
- D. If the applicant is other than the property owner, provide authorization from the property owner. If the property is under contract for sale and the applicant is the buyer of the property, a copy of the sales agreement will suffice.

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Our intention is to ensure that proper authorization has been granted for this request.

E. An application fee.

11.02.19 Additional Submittal Requirements for Bagdad Certificate of Appropriateness

A. All information required pursuant to section 11.02.02

B. Submit photos of existing conditions.

C Provide a copy of plans (drawings or sketches) showing front and side elevations to show the architectural design of the building including proposed materials. If the building is to be altered, renovated, demolished or razed, provide elevations of the building before and after the proposed work is done.

D. Provide a copy of the site plan (plot plan or site layout) drawn to scale showing all site improvements or features such as building setbacks, location of existing trees, existing and proposed building layout, parking, fences, accessory buildings, signs, and lights.

E. Provide material samples and/or specifications.

F. If you are a contractor or other representative submitting for review, please provide written approval from the owner.

G. The applicant, or their representative, is required to attend the Bagdad Architectural Advisory Board meeting at which their request will be heard.

H. An application fee.

11.03.00 NOTICE REQUIREMENTS

11.03.01 Generally

A. All notices required by this chapter shall contain the following information:

1. The name of the applicant;
2. The location of the property for which Development approval is sought;
3. The nature of the approval sought by the applicant;
4. The type of review, re-hearing or appeal applicable to the application for Development approval; and
5. The date, time and place of any applicable public hearings on the application.

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B. Any notice required by this LDC to be mailed, posted or published (except a notice required by Florida Statutes to be given on a different schedule) shall be mailed, posted or published as appropriate at least fourteen (14) days before the applicable public hearing.

C. Any notice required by the Florida Statutes to be published in a newspaper shall comply with the applicable requirements of the Florida Statutes as to form, content, time and manner of Publication.

11.03.02 Neighborhood Notice

A. For appeals, variances, conditional uses and special exceptions letters shall be sent via first class mail explaining the nature of the appeal, variance, conditional use or special exception and the time, date, and location of the meeting to be held to consider such variance, conditional use or special exception. For appeals and variances, letters shall be sent to all property owners within one hundred and fifty (150) feet of the property where said appeal or variance, is proposed. However, if the variance is for a structure greater than 35' in height, the notice shall be sent to property owners within five hundred (500') feet, or for any type of borrow pit, C&D, or LCD disposal facility, the notice shall be sent to property owners within fifteen hundred (1,500) feet of the property where said request is made. If the variance is located in the Rural Protection Zone, as identified by the Rural Development Plan, notice shall be sent to property owners within five hundred (500') feet of the boundary of the subject property, or 1,500 feet for structures 35 feet in height. For conditional uses or special exceptions, letters shall be sent to all property owners within five hundred (500') feet; however if the property is located within the Rural Protection Zone, the notification range shall be 1,500 feet.

B. For rezonings and land use amendments a letter to be sent via first class mail to all property owners within 500 feet of the boundary of the subject property (as determined by the Office of the Property Appraiser); however, if the rezoning or land use amendment is located in the Rural Protection Zone, as identified by the Rural Development Plan, notice shall be sent to property owners within fifteen hundred feet (1,500) feet of the boundary of the subject property. For any type of borrow pit or disposal facility (LCD or C&D), the notice shall be sent to property owners within fifteen hundred (1,500) feet of the property where said rezoning is proposed.

C. The notice letters shall be mailed at least fourteen (14) days prior to the hearing.

11.03.03 Posted Notice

A. When required by this LDC, the Planning and Zoning Department shall post a sign on the said property clearly readable from the nearest road and stating the same information as the letters.

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- B.** The sign shall be no smaller than twenty (20) inches by thirty (30) inches.
- C.** The sign shall be posted at least fourteen (14) days prior to the hearing.
- D.** Posted Notice may be removed after the conclusion of the hearing of which notice is given.
- E.** Removal of the posted notice by the applicant prior to the public hearing may delay any potential board action.

11.03.04 Published Notice

- A.** When required by this LDC, the Planning and Zoning Department shall publish or cause to be published, a notice in a standard size or tabloid size newspaper qualified for legal advertisements in the County.
- B.** The published notice shall appear at least fourteen (14) days prior to the hearing.

11.04.00 GENERAL PROCEDURES

11.04.01 Determination of Completeness and Consistence with Regulations

- A.** The Planning and Zoning Department shall provide notice via mail or electronic mail to the applicant within thirty (30) days (except as provided below) of receipt of an application stating that the application is complete and that the proposed action complies with the applicable provisions of the Comprehensive Plan and LDC or stating with specificity any deficiencies which if cured, would make the application properly completed and in compliance with applicable regulations. Failure to timely provide such notices shall not be deemed an acknowledgement of completeness and consistency with applicable regulations.
- B.** The applicant shall have forty-five (45) days from the date of each notice to correct the deficiencies. Until the applicant corrects the deficiencies, the Departments will take not further action for processing the application. If the applicant fails to correct the deficiencies within the forty-five (45) day period, the application shall be deemed withdrawn.
- C.** Plans submitted in response to a notice specifying deficiencies shall be processed according to 10.05.01(A). The applicant shall then respond to any further notice by the Departments according to 10.05.01(B).
- D.** The Planning and Zoning Department shall process the application for review and action in accordance with the procedures applicable to that type of application as established.

11.04.02 Application Reviews

- A.** Residential Application Reviews

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1. Access Management Application
 - a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.
 - b. If the application is approved, a copy of the approval will be given to the applicant for submission to the Public Works Department prior to issuance of any driveway permits.
2. Coastal Construction Application
 - a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.
 - b. If the application is approved, a copy of the approval will be given to the Building Inspections Department for inclusion with the Building permit application.
3. Parent Parcel Application
 - a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.
 - b. If the application is approved, a copy of the approval will be given to the applicant.
4. Minor Subdivision Application
 - a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.
 - b. If the application is approved, a copy of the approval will be given to the applicant. To obtain building permits created through this process, a copy of this approved form must be submitted with the building permit to the Building Inspections Department.
 - c. All Minor Subdivision lot splits must be recorded with the Santa Rosa County Clerk of Courts within one (1) year of application filing.
5. Subdivision Application
 - a. See Section 4.03.00

B. Commercial Reviews

1. Itinerant Vendor Application

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a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.

b. If the application is approved, a copy of the approval will be given to the applicant. To obtain building permits created through this process, a copy of this approved form must be submitted with the building permit to the Building Inspections Department.

2. Major Land Clearing Application

a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.

b. If the application is approved, a copy of the approval will be given to the applicant.

3. Minor Land Clearing Application

a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.

b. If the application is approved, a copy of the approval will be given to the applicant.

4. Off Premise Sign Application

a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.

b. If the application is approved, a copy of the approval will be given to the applicant. To obtain building permits created through this process, a copy of this approved form must be submitted with the building permit to the Building Inspections Department.

5. Site Plan Application

a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.

b. If the application is approved, a copy of the approval will be given to the applicant. To obtain building permits created through this process, a copy of this approved form must be submitted with the building permit to the Building Inspections Department.

6. Tree Removal Application

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- a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.
- b. If the application is approved, a copy of the approval will be given to the applicant.

11.04.03 Enforcement, Violations and Penalties

- A. The Santa Rosa County Administration is hereby directed to enforce this ordinance. Enforcement may be compelled by the County Administrator, and their designee.
- B. Penalties – The Santa Rosa County Administration is hereby directed to enforce this ordinance. Enforcement may be compelled by the County Administrator or any other official of Santa Rosa County designated by the County Administrator or the Board of County Commissioners

11.04.04 Interpretation, Purpose and Conflict

In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, morals and general welfare of the community. It is not intended by this ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties, provided, however, that where this ordinance imposes a greater restriction upon the use of buildings or premises, or upon the height of buildings, or required larger open spaces than are imposed or required by other ordinances, rules, regulation or by easements, covenants or agreements, the provisions of this ordinance shall control. If, because of error or omission in the zoning map, any property in the Santa Rosa County, Florida, Planning area is not shown as being in a zoning district, the classification of such property shall be "R 1" Single Family, unless changed by amendment to the zoning ordinance.

11.05.00 ZONING BOARD PROCEDURES

11.05.01 Generally

These procedures are set forth in this section are applicable to the Zoning Board.

11.05.02 Procedure for Filing Applications

All applications to the Board for granting of variances, special exceptions, conditional uses, rezonings, small scale comprehensive plan amendments, to this ordinance shall be filed with the Planning and Zoning Department, no later than thirty (30) business days prior to the next regularly scheduled meeting, large scale comprehensive plan

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amendments shall be filed with the Planning and Zoning Department, no later than sixty (60) business days prior to the next regularly scheduled meeting and thereupon the Board shall consider such application.

The certified mailing label package, which consists of a certification letter from the Property Appraiser’s office, a printout with a parcel map indicating all of the surrounding property owners to be notified and two (2) complete sets of mailing labels obtained by the Property Appraiser’s office from the official tax records.

Mailing labels required as part of the applications will only be held in the Planning and Zoning Department for six (6) months without the accompanying application.

11.05.03 Consideration by the Zoning Board

A. Special Exceptions and Variances – In considering all proposed variations to this ordinance, the Board shall, before making any finding in a specific case, first determine that the proposed variance or special exception will not constitute any change in the districts shown on the zoning map and will not impair an adequate supply of light and air to adjacent property, or materially increase the congestion in public streets, or increase public danger of fire safety, or materially diminish or impair established property values within the surrounding area, or in any respect impair the public health, safety, morals and general welfare of Santa Rosa County. All approved variances and special exceptions shall be developed and maintained as approved by the Zoning Board or Board of County Commissioners as applicable. Failure to do so shall constitute a violation of this ordinance.

B. Conditional Uses – To hear and make a recommendation to the Board of County Commissioners regarding land uses which are conditional within each zoning district. The Board shall be charged with considering the criteria, general and, with respect to the proposed use and assessing the impact said use may have on the surrounding area.

C. Rezoning, Small Scale Comprehensive Plan Amendments and Large Scale Comprehensive Plan Amendments – Planning and Zoning Department shall transmit the completed submittal application to the Zoning Board for consideration at its next available meeting. The Zoning Board may make a final recommendation at its next regularly scheduled meeting or take action during the following meeting. In any case, it shall hear and evaluate comments from the Planning and Zoning Department and such other departments as may be pertinent.

D. Additional Considerations and Requirements in Review of Coastal Setback Variance Request (Protective Shoreline Structures)

1. Explanation of Need - Protective shoreline structures water-ward of the setback line shall not receive a variance unless the applicant

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demonstrates to the Board's satisfaction that the subject property is critically imperiled due to the imminent probability of the projected wave up-rush predicted in the study by the University of Florida Coastal and Oceanographic Engineering Department, endorsed by the Florida Department of Environmental Protection (DEP) pursuant to Florida Statutes 161.053, or as amended.

The applicant shall present a description of the exceptional physical conditions of the property and other special conditions which render compliance with the construction setback line a demonstratable hardship. The applicant shall submit scaled drawings showing the location of upland and adjacent structures, mean high water line, and the construction setback line referenced to DEP monuments if applicable.

2. Impact on Shoreline Preservation and Stability of Adjacent Property - Before applications for a Department of Environmental Protection (DEP) permit, the applicant shall prove to the Board's satisfaction that the location, alignment and general design of the structure shall not reasonably impair shoreline stability and shall minimize the erosive tendency of hardened shoreline structures.

The applicant shall provide a design concept prepared by an engineer registered in the State of Florida with experience in shoreline erosion problems and solutions. The said engineer shall certify that the location, alignment and design of the structure shall minimize adverse impacts to the shoreline system and adjacent properties; and that the location and alignment of the structure shall be as far landward as possible to provide maximum opportunity for natural dissipation of energy arising from wave uprush. An approved DEP permit or detailed engineering including design or revetment to dissipate energy; methods of anchoring and tie-in, and other structural features shall be examined by the County Zoning Board as part of site plan review if variance requests are being considered.

3. Sub-grade Revetments; Sand and Vegetative Cover; and Sand Replenishment - The Board shall require where reasonable and practical the use of sub-graded revetments, sand cover and vegetative cover over all shoreline structures together with a sand replenishment program to maximize natural dissipation of energy from wave up-rush, decrease scour and generally minimize erosive tendencies of hardened structures. All sub-graded structures shall be required.

4. Removal of Structures - Any shoreline protective structure approved by the Board for a variance and subsequently constructed shall be displaced and removed if either the subject structure or the primary protected upland structure is destroyed or damaged to an extent greater than fifty percent (50%) and variance for reconstruction of the same is not

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subsequently granted water-ward of the setback line by both the Board and the State of Florida Department of Environmental Protection.

E. Special Exceptions - Navarre Beach: The Zoning Board shall hear and decide such Special Exceptions, as specifically authorized by this ordinance. The Zoning Board may decide:

- 1.** Such questions as are involved in determining whether Special Exceptions should be granted;
- 2.** To grant Special Exceptions with such conditions and safeguards as are appropriate under this LDC;
- 3.** To deny Special Exceptions when not in harmony with the purpose and intent of this ordinance. A Special Exception shall not be granted by the Zoning Board unless and until:

a. A written application for a Special Exception is submitted indicating the section of this ordinance under which the Special Exception is sought and stating the grounds on which it is requested.

b. A public hearing shall be held by the Zoning Board. The owner of the property for which Special Exception is sought or their agent and the owners of property within 250 feet of the affected property shall be notified by mail, at least fourteen (14) days prior to the public hearing.

Notice of such hearing shall be posted in a conspicuous spot on the property for which Special Exception is sought.

c. The public hearing shall be held by the Zoning Board. Any party may appear in person or by agent or attorney.

d. Before a Special Exception shall be issued, the Board shall make written finding certifying compliance with the specific rules governing individual Special Exceptions and that satisfactory provision and arrangement have been made concerning the following where applicable:

i. Ingress and egress to property and proposed structures thereon with particular references to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

ii. Off street parking and loading areas where required with particular attention to the items in (a) above, and the economic, noise, glare, or odor effects of the Special

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Exception from adjoining properties and properties generally in the District.

iii. Refuse and service areas with particular reference to items (i) and (ii) above.

iv. Utilities with reference to location, availability and compatibility including maintenance of level of service standards where appropriate.

v. Screening and buffering with reference to type, dimension and character.

vi. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the District.

vii. Required yards and other open space.

viii. General compatibility with adjacent properties and other property in the District.

e. The Zoning Board may impose such conditions on the granting of the Special Exceptions as may be necessary to prevent injurious effect on other property in the district.

f. Notification: Within fifteen (15) days of the date of public hearing, the Zoning Board shall send to the person or entity requesting the Special Exception a notification of the action taken.

11.05.04 Consideration by the Board of County Commissioners

Upon receipt of the report from Zoning Board, the County Commission shall set a date for a public hearing for consideration of the conditional use and/or rezoning requests.

With the consent of the applicant, a conditional use or rezoning may be approved subject to specific conditions, including but not limited to use restrictions, density restrictions, buffering provisions or access limitations. Any such condition shall be specified in the ordinance approving the rezoning. This provision is not intended to replace the variance process and may not be used to vary Land Development Code performance standards. If complex conditions are proposed during a public hearing, the request may be continued to the next available rezoning meeting to allow time for detailed review.

11.05.05 Time for Reapplying after Denial

No new application for amendment, change or modification of the boundaries or districts, regulations or restrictions contained in this ordinance shall be permitted to be filed until after the expiration of twelve (12) months from the filing of a previous

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application with the Planning Director as provided in this Section (above), covering substantially the same provisions.

11.05.06 Approvals for Conditional Uses, Special Exceptions and Variances

Decisions made by the Zoning Board and/or Board of County Commissioners to approve a conditional use, special exception or variance is good for forty eight (48) months from the date of approval.

11.05.07 Comprehensive Plan Amendments

The Board of County Commissioners will, from time to time, establish dates for consideration of proposed plan amendments and such dates shall be determined based upon the needs of Santa Rosa County, applicants for development approval and requirements of law. As part of the proposed plan amendments there shall be an impact statement included in the analysis. The impact statement shall include the following: staff impacts, community impacts, economic value, and environmental impacts and shall be provided by the person or agency requesting the change.

A. Local Planning Agency Consideration - The Santa Rosa County Zoning Board serves as the local planning agency. Prior to any plan amendment being proposed or adopted by the Board of County Commissioners, the Local Planning Agency (LPA) shall conduct a public hearing and promulgate recommendations on each plan amendment so considered.

B. Upon receipt of the LPA recommendation, the Board of County Commissioners may propose Comprehensive Plan amendments and develop such amendments with the requisite data and analysis pursuant to Section 163.3184, F.S. and pursuant to relevant Florida Administrative Code provisions (i.e., Rule 9J-11, F.A.C).

C. Department of Economic Opportunity Review - Pursuant to Florida Statutes, the Board of County Commissioners will transmit proposed large scale plan amendments and adopted small-scale amendments to the Florida Department of Economic Opportunity (DEO). Upon receipt of DEO comments on proposed large scale amendments, the Board of County Commissioners may proceed with the adoption process as defined in Section 163.3184, F.S.

11.05.08 Land Development Code Amendments

The Board of County Commissioners will, from time to time, establish dates for consideration of proposed Land Development Code amendments and such dates shall be determined based upon the needs of Santa Rosa County, applicants for development approval and requirements of law. As part of the proposed Land Development Code Development amendments there shall be an impact statement included in the analysis. The impact statement shall include the following: staff impacts, community impacts, economic value, and environmental impacts and shall be provided by the person or agency requesting the change.

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- A. Local Planning Agency Consideration - The Santa Rosa County Zoning Board serves as the local planning agency. Prior to any Land Development Code amendment being proposed or adopted by the Board of County Commissioners, the Local Planning Agency (LPA) shall conduct a public hearing and promulgate recommendations on each Land Development Code amendment so considered.
- B. Upon receipt of the LPA recommendation, the Board of County Commissioners may propose Land Development Code amendments and develop such amendments with the requisite data and analysis.

11.05.09 Public Participation

The public participation procedures defined and described in Chapter Four of the adopted Santa Rosa County Comprehensive Plan (Ordinance No. 90-52) shall be followed.

11.06.00 BAGDAD ARCHITECTURAL ADVISORY BOARD PROCEDURES

11.06.01 Generally

The procedures set forth in this section are applicable to the Bagdad Architectural Advisory Board.

11.06.02 Procedures for Filing an Application

All applications to the Board for granting a Certificate of Appropriateness for the Bagdad Historic District shall be filed with the Planning and Zoning Department, no later than fourteen (14) calendar days prior to the next regularly scheduled meeting and thereupon the Board shall consider such application.

Any new restoration or new construction projects will be presented to this board for its approval upon review by the Planning and Zoning Department and prior to the issuance of any county building permits. The Architectural Advisory Board will insure that proposed development activity is consistent with the Land Development Code and associated Design Manual.

11.06.03 Considerations by the Bagdad Architectural Advisory Board

- A. The BAAB shall be responsible for performing design review and rendering decisions as part of the approval process for all new development, demolitions, building relocations, building alterations, and similar activities for properties within Bagdad's designated Historic and Conservation Overlay Districts.
- B. The reasoning behind each BAAB decision shall be stated in the official minutes of the meeting, which shall be formally approved by the BAAB in a

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subsequent meeting. The issuance of a Certificate of Appropriateness (COA) shall not relieve the applicant from obtaining other permits and approvals required by the County. A building permit or other permits shall be invalid if it is obtained without a COA, if required.

11.07.00 MODIFICATIONS, CONTINUANCES AND WITHDRAWAL OF PENDING APPLICATIONS

11.07.01 Modification to Pending Applications

An applicant shall submit any proposed modification to an application to the Building and Planning and Zoning Department.

11.07.02 Request for Continuance of Public Hearing

- A. An applicant may request, in writing, a continuance of the public hearing.
- B. If the Planning and Zoning Department receives the written request for a continuance at least fifteen (15) days prior to the public hearing at which the application is scheduled to be heard, the applicant's request for a continuance will be automatically granted. An applicant is not entitled to more than two (2) automatic continuances.
- C. If the Planning and Zoning Department receives the written request for a continuance less than fifteen (15) days prior to the public hearing at which the application is scheduled to be heard, the applicant is not entitled to an automatic continuance. The decision-making entity will consider the request for a continuance and shall only grant such request upon a demonstration by the applicant of good cause for a continuance.

11.07.03 Withdrawal of Pending Applications

- A. An applicant may withdraw an application at any time prior to issuance of a Development Order. The applicant shall provide written notice of the withdrawal to the Planning and Zoning Department.
- B. If the Planning and Zoning Department receives an applicant's written notice of withdrawal less than seven (7) days prior to the public hearing at which the application is scheduled to be heard, the applicant shall be precluded from refiling the same or substantially same application for the subject property for a period of six (6) months.
- C. If an application is withdrawn, fees and costs may not be refunded nor credited to any subsequent application dependent on timing of notification, advertising and staff time allocation".

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11.08.00 PROCEDURES TO AMEND DEVELOPMENT ORDERS

11.08.01 Generally

An amendment to a Development order may constitute either a non-substantial or substantial deviation. The following regulations establish the procedures for such deviations.

11.08.02 Non-Substantial Deviations

A. Non-Substantial Deviations Defined. A non-substantial deviation includes changes to a Development Order that do not alter the overall characteristics of the total plan and that create no adverse impacts on adjacent uses or public services and facilities. Non-substantial deviations include:

1. changes in location and type of landscaping and/or screening so long as the approved character and intent is maintained;
2. changes in the location of sidewalks and pathways, provided that continuity of pedestrian circulation remains;
3. the reorientation, but not complete relocation of structures;
4. changes that will not impact properties or uses outside of and adjacent to the development; or

B. Prohibitions. No minor change authorized by this section may cause any of the following:

1. Any increase in the number of dwelling units on the site;
2. A change in the Use of the site or building as specified in the Development Order;
3. Any reconfiguration of locations for buildings, structures, parking areas, landscaped areas or stormwater control structures;
4. Any relocation or reconfiguration of driveways or other vehicular Access;
5. Any change involving damage or destruction of natural resources including, but not limited to, protected trees, wetlands and shoreline buffers;
6. Any changes involving additional acreage or an increase in the dimensions or property boundaries of the site;

11.08.03 Substantial Deviations

All proposed changes to a Development Order other than those listed as non-substantial deviations shall be considered substantial deviations. Any substantial deviation from an approved Development Order will necessitate a formal amendment of

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such order. All such amendments shall be reviewed and processed in the same manner and procedure as was used to approve the original Development.