

Sec. 306. Development review procedures.

306.1 Intent and purpose. It is hereby declared to be in the best interest of the public to require the review of all development in the county prior to the commencement of such development. It is also hereby determined by the board of county commissioners that the division of land into three or more parcels creates a public need for:

- A. The review of impacts associated with the proposed development.
- B. Approval of proposed solutions designed to resolve such development impacts.
- C. Site planning which is coordinated and consistent with the county comprehensive plan and with existing patterns of development or an existing system of public improvements.

D. Record disclosure of the existence and nature of, and the dedication or creation of, streets, easements, or other areas and facilities proposed to service the development.

The procedures established in this Code are deemed to be the minimum procedures necessary to ensure the protection of the public health, safety, and welfare, and shall govern the review of development in the county.

306.2 Classification of development. Each classification of development, as set forth in paragraphs A through E below, shall conform with procedures which are applicable to that particular classification of development.

A. Class I development shall be that development identified as follows:

- 1. Professional, commercial, institutional, or industrial development involving building floor area of less than 20,000 square feet where no subdivision is involved.
- 2. Multifamily development involving less than 30 units where no subdivision is involved.
- 3. Other development, not including subdivision, land spreading construction and demolition debris disposal facilities, or mining, involving less than ten acres of real property.

B. Class II development shall be that development identified as follows:

- 1. Professional, commercial, institutional, or industrial development involving building floor area of 20,000 square feet or more, where no subdivision is involved.
- 2. Multifamily development involving 30 or more units where no subdivision is involved.
- 3. Other development, not including subdivisions, land spreading, construction and demolition debris disposal facilities, or mining, involving ten acres or more of real property.

C. Class III development shall consist of all subdivisions. Class III development shall be further classified as follows:

1. Class IIIMRS (minor rural subdivisions) shall consist of all subdivisions which meet the requirements of table A, provided that:

a. There is a maximum of ten lots within the RES-1 land use classification and 16 lots within the AG and AG/R land use classification. Wetlands and required upland buffers may be included and platted within the lots provided that set-backs are measured from the upland buffer line and that no activity requiring the issuance of a building permit shall be allowed within five feet of the upland buffer line required by county. A notation on the plat for class IIIMRS subdivisions shall be made setting forth these additional restrictions on measurement of setback and issuance of building permits.

b. The parent parcel contains the land use designation shown in table A.

c. The parent parcel contains only agricultural and/or residential zoning.

d. If connection to water and/or sewer, beyond an individual point of service connection where the distribution or collection line exists in front of the development, is determined to be available and the development is required to connect, then the development cannot be considered a class IIIMRS.

Table A

TABLE INSET:

Land Use Classification	Maximum Number of Proposed Lots	Minimum Lot Size (Acres)
AG	16	*
AG/R	16	*
RES-1	10	1
RES-3		
RES-6		
RES-9		
* Minimum lot size as governed by the comprehensive plan land use classification and zoning requirements. Wetlands and required upland buffer may be included in the lot provided that set-backs are measured from the upland buffer line and that no activity requiring the issuance of a building permit shall be allowed within five feet of the upland buffer line required by county.		

2. Class IIILFS (limited family subdivisions) shall consist of all subdivisions where a property owner desires to subdivide a parcel of land in order to convey a portion or portions of the subdivided property to his or her heir or heirs (as defined in F.S. § 163.3179) so the heir or heirs can create a homestead and which meet the following requirements:

- a. The lot or lots created in accordance with this section shall meet the minimum lot size and density standard of the zoning district in which the property is located. Wetlands and required upland buffer may be included in the lot provided that set-backs are measured from the upland buffer line and that no activity requiring the issuance of a building permit shall be allowed within five feet of the upland buffer line required by county.
- b. An heir may only receive one lot created by this section.
- c. The parcel of land to be subdivided hereunder must have a comprehensive plan future land use classification of AG or AG/R.
- d. The maximum number of lots subdivided hereunder shall be five.
- e. Lots created pursuant to this section may not be further subdivided except as otherwise in accordance with the requirements of IIU and IIMRS subdivisions.
- f. Building permits for the lots created pursuant to this section may only be pulled by the heir identified in the affidavit of property owner filed as part of the application pursuant to.

3. Class IIU (urban subdivision) shall consist of all subdivisions which do not meet the requirements for minor rural subdivisions or limited family subdivisions.

4. Exemptions. The following developments shall not be subject to the subdivision requirements of this Code.

- a. Division of an agriculturally or residentially zoned parent parcel into:
 - (1) Lots greater than or equal to 40 acres within the AG (agricultural) and AG/R (agricultural/rural) land use classifications.
 - (2) Lots greater than or equal to 20 acres within the RES-1 (residential--1 du/ga) and RES-3 (residential--3 du/ga) land use classifications.

(3) Lots greater than or equal to ten acres within the RES-6 (residential--6 du/ga) and higher land-use classifications.

b. The combination or recombination of all or a portion of previously platted lots of record where none of the newly created or residual lots contain less area, width, or depth than the smallest of the original lots of record being combined and no streets or alleys of any kind or public easements are created, changed, or extinguished.

c. Any conveyance between adjoining landowners if the purpose of the conveyance is to adjust or settle the common boundary line and the deed of conveyance or other legal instrument states such purpose of the conveyance and is recorded in the official records of the county.

d. The combination of an adjoining parcel or a portion of an adjoining parcel provided a substandard lot is not created and a unity of title is recorded in the official records with the clerk of the court.

e. Any division of land for the purpose of conveying land to any Federal, State, or local government entity or agency or public utility, provided such conveyance is accepted and acknowledged by the grantee by an instrument recorded in the public records of the county.

f. Any division of land by order of a court of competent jurisdiction.

g. Any conveyance for the purpose of correcting an error made in the language used in an original conveyance.

h. Construction of a single-family dwelling on any parcel of land recorded by deed as of June 16, 1989, but not to include lands platted on or after May 1, 1974.

5. Prior to subdividing a parcel with existing legal dwelling units into individual lots for each dwelling unit, the property owner shall submit the following to the development review division:

a. A plan showing proposed lot lines prepared by a state-registered surveyor. This will be used to determine if the structures meet the applicable zoning and land use requirements.

b. Proof of the existence of all legal septic tanks or central sewer facilities servicing the unit(s). The location of the septic tanks shall be shown on the survey and verified by the health department.

c. Proof of the issuance of a lawful building permit. This condition may be waived by the development review division if the dwelling units existed prior to February 1985 and proof from the serving power company of existing power service for the unit(s) can be provided. Proof shall include connect and disconnect dates for each unit.

d. Proof of ownership or legal interest.

D. Class IV development shall consist of all land spreading, mining activities, and all construction and demolition debris disposal facilities.

E. Developers of projects which do not qualify as development must only submit a project plan sufficient to demonstrate that the project will conform to this Code and the comprehensive plan. Such project shall be reviewed for compliance with this Code and the comprehensive plan by the county administrator, or his designee.

Developers of projects are advised that dedication of rights-of-way and/or easements and utility connections may be required as a condition of approval of development plans. In addition, other local, state, and federal regulatory permits may be required before building permits may be issued.

(Ord. No. 07-08, § 1, 4-24-07)