

Proposed Ordinance Amendments

Legislative Changes

Proposed Amendments – Legislative Changes

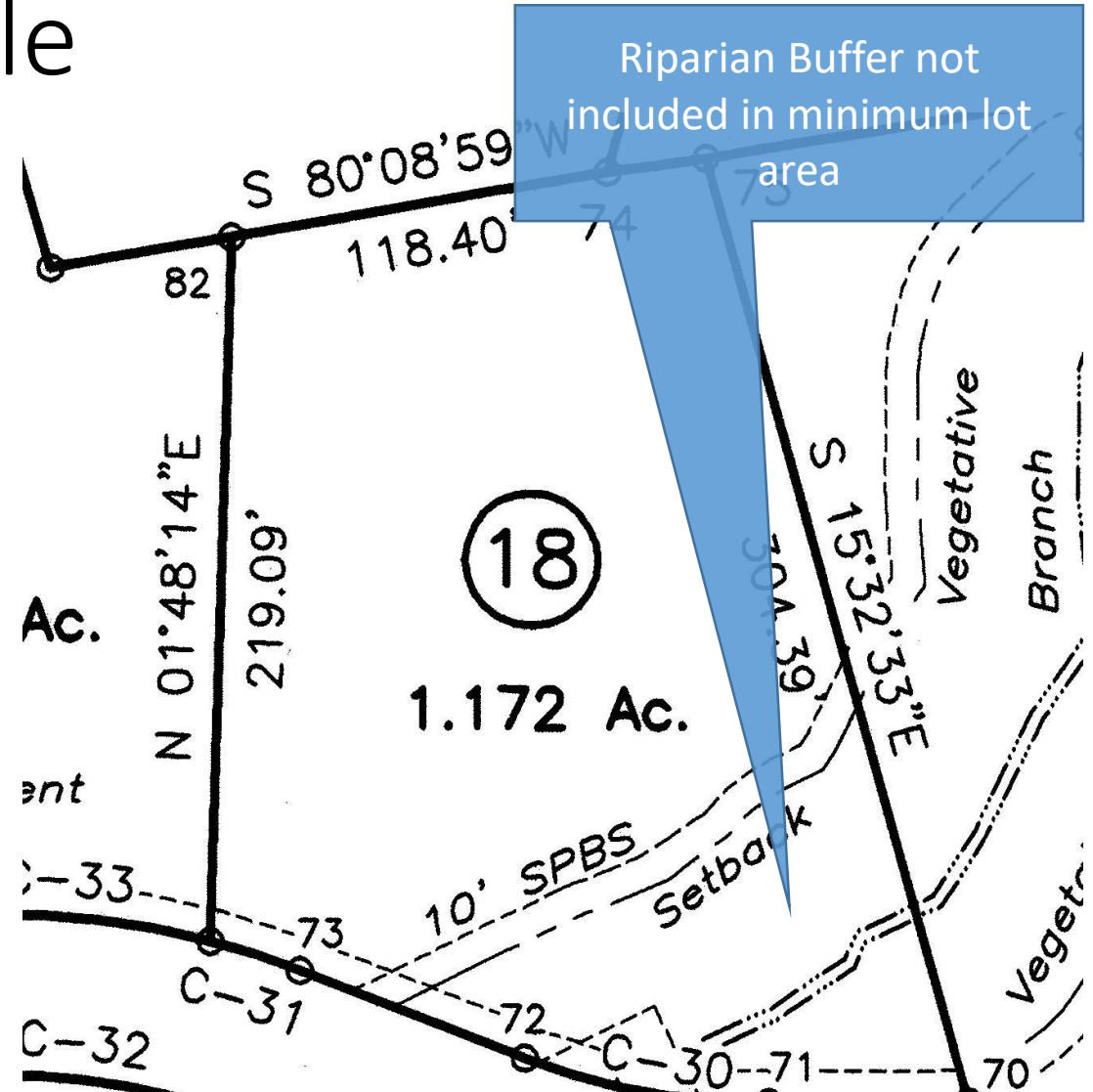
- Financial Guarantees - S.L. 2015-187
 - Financial guarantees are now limited to 125% overage
 - The financial guarantee menu is defined by the legislation
 - “Performance guarantee[s] shall only be used for completion of the required improvements...”
 - Extensions of financial guarantees are now required to be permitted, as long as developer demonstrates “reasonable, good faith effort”

Proposed Amendments – Legislative Changes

- Environmental
 - S.L. 2015-90 – Development projects must now be at least ten acres in size to trigger an environmental impact statement
 - S.L. 2015-246 – Limits on local riparian buffer regulations
 - The area of a riparian buffer must count toward lot dimensional standards even if the buffer is held as common area

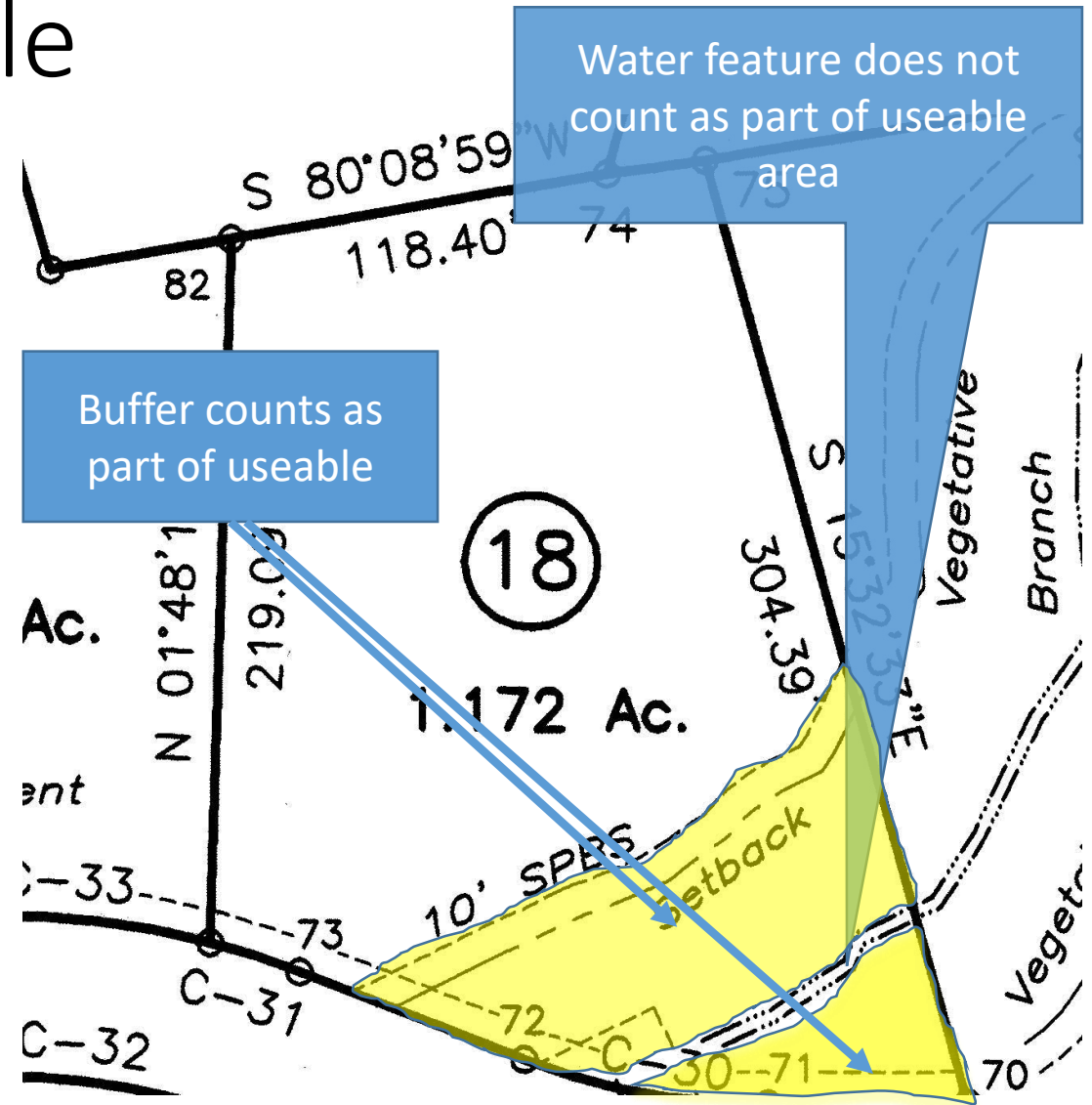
Riparian buffer example

- Minimum useable lot area definition – Does not include “public right-of-ways or land within riparian buffers, flood hazard areas, or floodways.”
- Legislation requires that the riparian buffer area count as part of useable area. The water feature still does not count as part of useable area.



Riparian buffer example

- Example: Lot 18 has a minimum of 40,000 square feet of useable area per a note on the recorded plat. The lot size at 1.172ac = 51,052 square feet.
- The lot size could be reduced by approximately 10,000 square feet under the new legislation.



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- Subdivision
 - S.L. 2017-10 – Creates “expedited review” classification for certain minor subdivisions
 - No recreation fee
 - Maximum of 3 lots
 - Parent tract must be greater than 5 acres
 - S.L. 2017-27 – Alters and clarifies certain standards for subdivision plats

Proposed Amendments – Legislative Changes

- Comprehensive Plan Consistency Statements - S.L. 2017-10
 - If BOC approves a rezoning that is contrary to the Comp Plan, the BOC must state reasons why and the Comp Plan is automatically amended

Proposed Amendments – Legislative Changes

- Agriculture – S.L. 2017-108
 - Agritourism is defined in relation to the Bona Fide Farm Exemption
 - “‘Agritourism’ means any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, ranching, historic, cultural, harvest-your-own activities, or natural activities and attractions. A building or structure used for agritourism includes any building or structure used for public or private events, including, but not limited to, weddings, receptions, meetings, demonstrations of farm activities, meals, and other events that are taking place on the farm because of its farm or rural setting.”
 - A Farm ID number is no longer usable to establish Bona Fide Farm status
 - The definition of “Agriculture” is changed
 - “A” farm vs. “The” farm