

**CALHOUN COUNTY BOARD OF COUNTY COMMISSIONERS
PLANNING COMMISSION WORKSHOP MINUTES
JANUARY 23, 2018**

PRESENT AND ACTING:

**DANNY RAY WISE, CHAIRMAN
GENE BAILEY, VICE-CHAIRMAN
DARRELL MCDOUGALD
DENNIS JONES**

**MATT FUQUA, ATTORNEY
CARLA A. HAND, CLERK OF COURT AND COUNTY COMPTROLLER
SARAH WILLIAMS, CLERK ADMINISTRATIVE ASSISTANT**

The workshop was called to order by Chairman Wise at 5:00 p.m., CT.

Mr. Snowden stated there are some issues with density (number of dwellings allowed) and flooding in the Comprehensive Plan. Mr. Snowden stated he has some suggestions with respect to these issues. Mr. Snowden provided the Board with excerpts from the Future Land Use Element of the Comprehensive Plan. Mr. Snowden stated the Board might want to consider adopting some changes to the language of the Comprehensive Plan. Mr. Snowden stated a definition of floodplain does not exist in the Comprehensive Plan, and the County has been interpreting the word to mean any land below the FEMA Base Flood Elevation (BFE). Mr. Snowden stated another way to define floodplain would be to use the Mean Annual Flood Line, which is considerably lower than the Base Flood Elevation. Mr. Snowden stated only once has flooding on the Apalachicola River met or exceeded the Base Flood Elevation and it happened in 1929. Mr. Snowden stated in order to install a septic tank, the tank must have a fifty (50) foot buffer from the Mean Annual Flood Line. Mr. Snowden stated the County installed septic tanks at Lamb Eddy Boat Landing and Neal Landing, which are both well below the Base Flood Elevation but comply with the Florida Department of Health rules for septic tanks located near surface water. (The Department of Health recognizes the Mean Annual Flood Line.)

Mr. Snowden stated there are a number of people, Mr. Matthew Griffin for example, who has bought twelve (12) acres of land to build on but about half of the land is beneath the FEMA BFE. Mr. Snowden stated the FEMA BFE relates to building a structure; a structure must be built two (2) feet above the BFE. Mr. Snowden stated an example of this would be on the Chipola River where there is a very broad floodplain, where the BFE is 47 feet. Mr. Snowden stated homes must be built above this elevation, but there is a very rare chance of flooding occurring in these areas. Mr. Snowden stated he would propose the Board consider a Comprehensive Plan amendment in which the County defines floodplain areas as areas beneath the Mean Annual Flood Line. Mr. Snowden stated in the Comprehensive Plan there are several places in the agricultural areas in which they define how much acreage is needed to build a home. Mr. Snowden explained with the density requirements in those areas, a definition of the word floodplain is needed to free up some of the property considered in the floodplain by FEMA but not by the Florida Department of Health standards for septic tanks with the Mean Annual Flood Line, so people can build on their land. Mr. Snowden stated most of these areas considered in the floodplain are always dry, and are rarely wet. Mr. Snowden explained how the density requirements and the floodplain definition are problematic for many property owners, and asked the Board if they would be interested in entertaining a Comprehensive Plan amendment. Attorney Fuqua stated it has been his feeling from the

Board throughout the years that they would like to see the restrictions loosened, as they are problematic for many people. Mr. Snowden referenced the Purpose of the Conservation area of the Future Land Use Element, and stated it reads the "Agricultural and limited development may occur in a Conservation area and it is not the intent of the Board of County Commissioners to absolutely prohibit development in these areas." Mr. Snowden stated the policy also reads that no new parcels, lots, tracts or divisions of land may be created entirely in the wetlands or floodplains. Mr. Snowden stated this means that if someone wanted to purchase 40 acres strictly for hunting from a property owner with 100 total acres in the floodplain, they would be unable to purchase it even though they are not interested in building any structures. Commissioner McDougald asked if this language is State mandated. Mr. Snowden indicated the language is not State mandated. There was further discussion about the language in the Comprehensive Plan. Mr. Snowden stated to change the language in the Comprehensive Plan, the Board would need to amend the plan and justify the changes made to the State. Commissioner Bailey stated he is for lessening the restrictions in the Comprehensive Plan so people who would like to buy land to build a house can do so, or people who have land could develop their property. There was further discussion about the Comprehensive Plan and floodplain definitions. Mr. Snowden stated he believes the County should eliminate the density requirements associated with flooding in each of the land use categories. Mr. Snowden stated the Mean Annual Flood Line definition of floodplains in the Conservation portion of the Future Land Use Element would take care of the buying and selling, and the Floodplain Ordinance would take care of the BFE requirement for the elevation of structures in the floodplain. There was further discussion about the Comprehensive Plan and the Floodplain Ordinance. Mr. Snowden stated density in the agriculture land use categories is also an issue with the Comprehensive Plan. Mr. Snowden stated there are four (4) different agriculture land use categories, 1:10, 1:5, 1:3, and 1:1 (#dwellings allowed: required acres). Mr. Snowden stated when the Future Land Use Map was last revised, separate categories were added for agriculture land use categories 1:5, 1:3 and 1:1, but they have not yet been identified on the map. Mr. Snowden stated identifying these areas would be difficult, but would be necessary. Mr. Snowden stated there are few people who can afford to buy ten (10) acres of land and build a house, and by defining these other areas designated within the agriculture category more people would be able to buy land and build a house. Mr. Snowden stated several more workshops would be needed to discuss the details of the changes which need to be made, and the Future Land Use Map would need to be modified. Mr. Snowden stated Mr. Jace Ford updated the last map, and could also complete these updates. There was further discussion about the Future Land Use Map and amending the Comprehensive Plan. Mr. Snowden stated it is important for the County to keep the Future Land Use Map up to date. Mr. Snowden stated the last Comprehensive Plan amendment is available on the Clerk of Court website, but the modified Future Land Use Map has not been updated online and needs to be updated (this has not be provided to the Clerk's Office). Mr. Snowden stated the issues with the Comprehensive Plan need to addressed first, but the Land Development Regulations have not been updated in a long time, and the subdivision development requirements have not been revised since 1984, and would need to be addressed as well. There was further discussion about the Land Development Requirements.

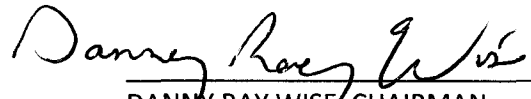
Mr. Doug Goodman stated he owns property on JW Alexander Road that he is unable to build on because of the density requirements. Mr. Goodman stated he is able to have a well and septic system permitted according to Florida Department of Health rules, but there is only $\frac{3}{4}$ acre of land and is designated as agriculture, so he cannot build a house there. Mr. Goodman stated he believes the land should be grandfathered into the Comprehensive Plan because it the parcel was established before 1992 when the Comprehensive Plan was first adopted. Mr. Snowden stated if the parcel was in fact there prior to 1992 and Mr. Goodman can prove it, the land is grandfathered in and a house could be built. Mr. Goodman stated he bought an acre and a half initially, but he sold the house and $\frac{3}{4}$ of an acre,

which left him with $\frac{3}{4}$ of an acre. Mr. Snowden stated since the land division was after 1992, it couldn't be grandfathered into the Comprehensive Plan. There was further discussion about the issues with the Comprehensive Plan. Commissioner Bailey asked if this Comprehensive Plan was developed by Calhoun County, or if the plan was developed by the legislature to be placed into effect. Mr. Snowden stated he is not sure, there is no parcel map showing what the County looked like in 1992 before the Comprehensive Plan was adopted. Attorney Fuqua stated the County adopted their own plan in 1992, but it was based upon the rules and regulations from the State. Attorney Fuqua stated there were planning companies who sent out several basic plans they thought would fit many different counties, and modified them to each county for adoption. Attorney Fuqua stated the County has been working their way back from this since then. There was further discussion about the Comprehensive Plan and the Future Land Use Map.

Commissioner Jones stated he has spoken to one of the Wakulla County Commissioners and was told Wakulla County did not adopt what the State mandated, and stated it was not required. Commissioner Jones stated if the Comprehensive Plan is amended, consideration for everyone needs to be taken into account so one area is not penalized because of their location. Mr. Snowden recommended the Board meet at least once per month until they could come up with a solid plan of how the Comprehensive Plan and Future Land Use Map needs to be amended. Commissioner Bailey asked where the GIS maps would come into amending the Comprehensive Plan and Future Land Use Map. Mr. Snowden stated the County has GIS software, and employee Jace Ford is qualified to modify the map and submit in order for the changes to be accepted. Commissioner McDougald stated he would not be opposed to monthly workshops to work on the Comprehensive Plan. There was further discussion about meeting once per month and amending the Comprehensive Plan.

Mr. Snowden stated Mr. Matthew Griffin has purchased twelve (12) acres of land with the intent to build a house, and after the fact found he would be unable to build because of floodplain restrictions. Mr. Snowden stated Mr. Griffin's land has plenty of uplands for building. Mr. Snowden asked if there was a way for Mr. Griffin to build on his land without amending the Comprehensive Plan, because some of his land is not in the floodplain. There was further discussion about a possible way for Mr. Griffin to build on his land. Attorney Fuqua suggested Mr. Griffin apply for a Small Scale Map Amendment to change his land use designation. Mr. Snowden asked what the fee is for a Small Scale Map Amendment. Commissioner Jones asked if everyone is qualified to apply for a Small Scale Map Amendment. Mr. Snowden answered in the affirmative. There was further discussion about Small scale Map Amendments. Attorney Fuqua stated a Small Scale Map Amendment is \$1,750. Commissioner Bailey asked what Mr. Griffin needed to do to start the process of a Small Scale Map Amendment. Attorney Fuqua stated Mr. Griffin would need complete the application and pay the fee in the Clerk's Office. Mr. Snowden stated there would then be a Board meeting and the Board would have to approve the Small Scale Map Amendment. Attorney Fuqua stated the process would take about two (2) months. Chairman Wise suggested scheduling another Workshop to continue discussion of the Comprehensive Plan issue further for February 27, 2018 at 5:00.

There being no further business, the Workshop adjourned at 6:05 p.m.


DANNY RAY WISE, CHAIRMAN

ATTEST:


CARLA A. HAND, CLERK