



Pinellas County

Legislation Details (With Text)

File #: 16-341A **Version:** 1

Type: Ordinance **Status:** Passed

File created: 2/27/2016 **In control:** Board of County Commissioners

On agenda: 3/29/2016 **Final action:** 3/29/2016

Title: Ordinance amending the Water and Navigation regulations of Chapter 166 of the Land Development Code, specifically dealing with the permitting requirements for the repair or replacement of existing docks.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Affidavit of Publication for Notice of Public Hearing, 2. State-filed Ordinance 16-17, 3. Adopted Ordinance 16-17, 4. Notice of PH, 5. LPA Staff Report_Chapter 166 Ordinance_020216.pdf, 6. Proposed Ordinance (strikethrough version).pdf, 7. Proposed Ordinance.pdf

Date	Ver.	Action By	Action	Result
3/29/2016	1	Board of County Commissioners	approved	Pass

Subject:

Ordinance amending the Water and Navigation regulations of Chapter 166 of the Land Development Code, specifically dealing with the permitting requirements for the repair or replacement of existing docks.

Recommended Action:

Conduct a public hearing and adopt a proposed ordinance amending the Water and Navigation regulations in the Land Development Code which address permitting requirements for dock repair or replacement.

Strategic Plan:

Practice Superior Environmental Stewardship

3.3 Protect and improve the quality of our water, air, and other natural resources

Deliver First Class Services to the Public and Our Customers

5.3 Ensure effective and efficient delivery of county services and support

Summary:

On February 23, 2016, the Board of County Commissioners authorized the advertisement of a public hearing amending the Water and Navigation regulations of Chapter 166 of the Land Development Code, specifically dealing with the permitting requirements for the repair or replacement of existing docks.

The proposed amendments are primarily "housekeeping" in nature and intended to codify County policies that have developed since the adoption of the Water and Navigation regulations in 1990. Specifically, they would formally eliminate the need for dock applicants to obtain a variance in the following two scenarios: (1) the repair or replacement of previously permitted docks in a new configuration, but where variances are not increased, and (2) the repair or replacement of docks, in their historic configuration, where no permit can be located, but where the dock existed prior to the

adoption of the code in 1990. These two scenarios are not explicitly addressed in the Code; however, they clearly meet its intent.

The proposed amendments are intended to improve efficiency in processing these types of applications for staff, dock applicants, and marine contractors, and will have no impact on the Board of County Commissioners historic Water and Navigation responsibilities.

Background Information:

Dock owners have long been able to obtain "repair permits" to repair or replace previously permitted docks in their exact, permitted configuration without having to obtain new variances. The proposed amendments will formally apply this provision to the two scenarios described above. Over the years, staff has routinely received applications that fall into these two categories and which do not qualify for "repair permits" even though they result in equal or lesser impacts to the environment, navigation, and surrounding neighbors.

As a result, policies have evolved over time whereby staff has reviewed these projects on a case-by-case basis and issued the permit once it was determined that there were no new impacts. The proposed amendments formally codify these policies so that they are more defensible and provide clearer direction to staff, contractors, and applicants.

The amendments were approved unanimously by the Local Planning Agency (LPA) on February 11, 2016. The LPA staff report is attached to this item for reference.

Fiscal Impact:

N/A

Staff Member Responsible:

Kelli Levy, Environmental Management Division Manager, Public Works

Partners:

Dock applicants and marine contractors

Attachments:

Proposed Ordinance
Proposed Ordinance (strikethrough version)
LPA staff report