

Chapter 401 Development Review Bodies

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Article 1 General Provisions

401.01 Purpose

The purpose of this Chapter is to establish the authority for review and consideration of development applications and other proposed actions in Alachua County and to assign such authority to the following:

- (a) the Alachua County Board of County Commissioners;
- (b) the Alachua County Planning Commission;
- (c) the Alachua County Board of Adjustment;
- (d) the Alachua County Development Review Committee (DRC); and
- (e) the Alachua County Development Review Departments:
 - 1. Department of Growth Management;
 - 2. Environmental Protection Department; and
 - 3. Department of Public Works.

Article 2 Board of County Commissioners

401.02 Powers and Duties

The Board of County Commissioners shall have the powers and duties listed below, in addition to those provided elsewhere in the Alachua County Code.

(a) Appointments

The Board shall appoint members of the Planning Commission, Board of Adjustment and such other commissions, boards or officers as required by this ULDC and consistent with the Rules and Procedures of the Alachua County Board of County Commissioners and the Guidelines for Citizens Advisory Boards and Committees.

(b) Comprehensive Plan Amendments

The Board has the authority to adopt, adopt with changes, or reject proposed amendments to the Comprehensive Plan and any Evaluation and Appraisal Reports prepared to update the Comprehensive Plan.

(c) ULDC Amendments

The Board has the authority to approve, approve with changes or deny amendments to the text of this ULDC.

(d) Land Development Regulation Commission

The Board of County Commissioners shall serve as the Land Development Regulation Commission (LDRC) as provided in Sections 163.3164(22) and 163.3194(2), Florida Statutes.

(e) Consideration of Applications and Other Actions

The Board has authority to approve, approve with conditions or deny the development applications and other proposed actions listed below:

1. amendments to the Official Zoning Map;
2. special exceptions;
3. special use permits;
4. activity center plans;
5. special area studies;
6. special area plans;
7. major or minor Amendments to an approved planned development zoning district;
8. development agreements as provided in Chapter 163.3220, Florida Statutes;
9. developments of regional impact as provided in Chapter 380, Florida Statutes;
10. plats, including final plats, replats, and vacation or abandonment of plats;
11. vacation or abandonment of streets;
12. preliminary development plans that exceed thresholds, as established in Article 10, Development Plan Review, of Chapter 402; and
13. ~~water and sewer line extensions outside the Urban Services Line that do not meet the requirements in §402.134; and~~

44.13. all water and sewer line extensions outside the Urban Cluster Line.

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Article 3 Planning Commission

401.03 Establishment, Composition and Term of Office

(a) Establishment and Composition

The Planning Commission shall be composed of seven voting members to be appointed by the Board of County Commissioners and one voting member to be appointed by the Alachua County School Board. The Board of County Commissioners may appoint an alternate member who shall serve in place of any absent member, except the School Board member, and shall have all rights and responsibilities of the absent member, including the right to vote.

(b) Term of Office

Each member shall serve a term of four years, and terms shall remain staggered by adopting the present terms of the members of the Planning Commission.

401.04 Qualifications of Members

(a) Residence

Members of the Planning Commission shall be residents of the County.

(b) Qualifications

In addition to the member appointed by the Alachua County School Board, the Board of County Commissioners shall appoint:

1. Three members from state-licensed or state-registered building industry-related professionals, including architects, contractors, engineers, landscape architects, realtors, and surveyors.
2. Three members that are not such state-licensed or state-registered professionals, but may have planning or environmental expertise.
3. One member may be from either category.

(c) Disclosure

Applicants for appointment to the Planning Commission shall disclose whether or not they are currently elected or appointed to hold office in any public body or agency, including serving on an advisory board.

(d) Ethics

Members of the Planning Commission shall be subject to all applicable provisions of Chapter 112, Part III, Florida Statutes, regarding ethics for public officers.

401.05 Vacancies, Attendance and Removal of Members

(a) Vacancies

Vacancies on the Planning Commission shall be filled by appointment of the Board of County Commissioners.

1. Time of Appointment

An appointment to fill a vacancy shall be made within 60 days after the vacancy occurs.

2. Notification of Vacancy

The Director shall notify the Board of County Commissioners within ten days after any vacancy shall occur on the Planning Commission. If the Director shall fail to provide timely notice of a vacancy, the Chair of the Planning Commission may notify the Board of County Commissioners of the vacancy.

3. Expiration of Term and Continuance in Office

If the term of a member expires prior to the appointment or reappointment of a member by the Board of County Commissioners, that member shall continue to serve until the appointment is made.

(b) Attendance and Removal of Members

1. Attendance Requirements and Removal

Members of the Planning Commission shall meet the minimum attendance requirements specified in the most current version of the Guidelines for Advisory Boards and Committees. These attendance rules do not apply to the School Board member.

2. Removal for Other Cause

The Board of County Commissioners shall remove any member of the Planning Commission who:

- a. is no longer a resident of Alachua County; or
- b. is convicted of a felony or of an offense of moral turpitude while in office serving as a Planning Commissioner; or
- c. is found by the Board of County Commissioners to have knowingly or repeatedly violated provisions of Chapter 112, Part III, Florida Statutes, regarding ethics for public officers; or
- d. is found by the Board of County Commissioners to have known that she or he had a conflict of interest in a matter and participated in the decision on that matter.

401.06 Officers, Meetings, Rules of Procedure

(a) Election of Officers

At an annual organizational meeting to be held each year on October 1 or as soon thereafter as practicable, the members of the Planning Commission shall elect one of their members as Chair and one as Vice-Chair.

(b) Presiding Officers

1. Chair as Presiding Officer

The Chair shall serve as the presiding officer of the Planning Commission.

2. Temporary Absence of the Chair

In the temporary absence of the Chair, the Vice-Chair shall act as Chair and shall have all powers of the Chair. In the temporary absence of both the Chair and Vice-Chair at any meeting, the Planning Commission shall elect a temporary Chair.

3. Permanent Absence of the Chair

In the event of the permanent absence of the Chair due to resignation or other cause, the Vice-Chair shall perform the Chair's duties until such time as the Planning Commission shall elect a new Chair.

4. Duties of the Presiding Officer

The presiding officer shall be in charge of all proceedings before the Commission, and shall take such action as shall be necessary to preserve order and the integrity of all proceedings before the Commission.

(c) Meetings**1. Regular Meetings**

Regular meetings shall be held each month and shall be set for a time, date and location certain.

2. Special Meetings**a. Calling of Special Meetings**

Special meetings may be called by the Chair of the Board of County Commissioners, a majority of the Board of County Commissioners, the Chair of the Planning Commission, or a majority of the members of the Planning Commission.

b. Notice of Special Meetings

The Director shall notify all members a minimum of five days in advance of any special meetings.

(d) Minutes and Public Records

The Planning Commission shall keep minutes of its proceedings, showing the absence of members and the vote of each member including the Chair and Vice-Chair.

(e) Meetings and Hearings to be Public

All meetings and hearings of the Planning Commission shall be open to the public.

(f) Public Notice

Public notice of Planning Commission hearings shall be provided as required for each application type as provided in Chapter 402 and in accordance with the procedures of Article 4, Notice of Hearings, in Chapter 402.

(g) Rules of Procedure

The most recent edition of The Standard Code of Parliamentary Procedure (Alice Sturgis) or such other document as may be specified by the Guidelines for Advisory Boards and Committees shall govern the proceedings at the meetings of the Planning Commission. The Commission may, by resolution, adopt additional rules of procedure not inconsistent with the Guidelines for Advisory Boards and Committees and any procedures set out or incorporated by reference therein.

(h) Quorum

A meeting of the Planning Commission shall not be called to order, nor shall any business be transacted by the Planning Commission, without a quorum being present. A quorum shall consist of at least four members.

(i) Consideration of Applications and Other Actions

A majority vote of a quorum or any greater number of members present at a meeting shall be necessary for the Planning Commission to take any action or make a decision or other determination. The provisions of Chapter 286.012, Florida Statutes, prohibiting abstention from voting except in the case of conflict of interest, shall apply.

(j) Conflict of Interest

1. Action if Conflict of Interest Exists

If there is a matter which comes before a member of the Planning Commission for which a conflict of interest exists, the member shall, as provided in Chapter 112, Part III, Florida Statutes:

- a. prior to the vote being taken, publicly state the nature of the interest in the matter;
- b. abstain from voting or participating in the matter; and
- c. within 15 days after the vote occurs, file a memorandum, Form 8B or other approved form with the secretary describing the nature of the interest in the matter.

(k) Powers and Duties

The Planning Commission shall exercise the powers and duties listed below.

1. Public Hearings and Recommendations

The Planning Commission shall hold public hearings and make recommendations to the Board of County Commissioners on the applications and other actions listed below:

- a. amendments to the Official Zoning Map;
- b. major change to an approved planned development zoning district;
- c. special exceptions, and major amendments to such exceptions;
- d. special use permits, and major amendments to such permits;
- e. amendments to the text of this ULDC when requested by the Board of County Commissioners.

2. Local Planning Agency

The Planning Commission shall act as the Local Planning Agency as provided by Chapter 163.3174, Florida Statutes. In the capacity as the Local Planning Agency, the Planning Commission shall hold public hearings and make recommendations to the Board of County Commissioners regarding:

- a. Evaluation and Appraisal Reports and
- b. Comprehensive Plan amendments.

Article 4 Board of Adjustment

401.07 Establishment, Composition and Term of Office

(a) Establishment and Composition

The Board of Adjustment is hereby established, which shall consist of five members to be appointed by the Board of County Commissioners.

(b) Term of Office

All members shall serve a term of four years, and terms shall remain staggered by continuing the present terms of the members of the Board of Adjustment.

401.08 Qualifications of Members

(a) Residence

Each member of the Board of Adjustment shall be a resident of the County.

(b) Disclosure

Applicants for appointment to the Board of Adjustment shall disclose whether or not they are currently elected or appointed to hold office in any public body or agency, including serving on an advisory board.

(c) Ethics

Members of the Board of Adjustment shall be subject to all applicable provisions of Chapter 112, Part III, Florida Statutes, regarding ethics for public officers.

401.09 Vacancies, Attendance, and Removal of Members

(a) Vacancies

Vacancies in the Board of Adjustment membership shall be filled by appointment by the Board of County Commissioners for the unexpired term.

1. Time of Appointment

An appointment to fill a vacancy shall be made within 60 days after the vacancy occurs.

2. Notification of Vacancy

The Director or Chair shall notify the Board of County Commissioners within ten days after any vacancy shall occur among members of the Board of Adjustment.

3. Expiration of Term

If the term of a member expires prior to the appointment or reappointment of a member by the Board of County Commissioners, that member shall continue to serve until the appointment is made.

(b) Attendance and Removal of Members

1. Attendance Requirements and Removal

Members of the Board of Adjustment shall meet the minimum attendance requirements specified in the most current version of the Guidelines for Advisory Boards and Committees.

2. Removal for Other Cause

The Board of County Commissioners shall remove any member of the Board of Adjustment who:

- a. is no longer a resident of Alachua County; or
- b. is convicted of a felony or an offense involving moral turpitude while in office serving as a member of the Board of Adjustment; or
- c. is found by the Board of County Commissioners to have knowingly or repeatedly violated provisions of Chapter 112, Part III, Florida Statutes, regarding ethics for public officers; or
- d. is found by the Board of County Commissioners to have known that he or she had a conflict of interest in a matter and participated in the decision on that matter.

401.10 Officers, Meetings, Rules of Procedure

(a) Election of Officers

At an annual organizational meeting to be held each year on October 1 or as soon thereafter as practicable, the members of the Board of Adjustment shall elect one of their members as Chair and one as Vice-Chair. The Board of Adjustment may create and fill such other offices as it may determine.

(b) Presiding Officers

1. Chair as Presiding Officer

The Chair shall serve as the presiding officer of the Board of Adjustment.

2. Temporary Absence of the Chair

In the temporary absence of the Chair, the Vice-Chair shall act as Chair and shall have all powers of the Chair. In the temporary absence of both the Chair and Vice-Chair at any meeting, the Board of Adjustment shall elect a temporary Chair.

3. Permanent Absence of the Chair

In the event of the permanent absence of the Chair due to resignation or other cause, the Vice-Chair shall perform the Chair's duties until such time as the Board of Adjustment shall elect a new Chair.

4. Duties of the Presiding Officer

The presiding officer shall be in charge of all proceedings before the Board of Adjustment, and shall take such action as shall be necessary to preserve order and the integrity of all proceedings before the Board of Adjustment.

(c) Meetings

Regular meetings shall be held each month and shall be set for a time, date and location certain.

(d) Minutes and Public Records

The Board of Adjustment shall keep minutes of its proceedings, showing the absence of members and the vote of each member including the Chair and Vice-Chair.

(e) Meetings and Hearings to be Public

All meetings and hearings of the Board of Adjustment shall be open to the public.

(f) Public Notice

Public notice of Board of Adjustment hearings shall be provided as required for each application type as provided in Chapter 402 and in accordance with the procedures of Article 4, Notice of Hearings, in Chapter 402.

(g) Rules of Procedure

The most recent edition of The Standard Code of Parliamentary Procedure (Alice Sturgis) or such other document as may be specified by the Guidelines for Advisory Boards and Committees shall govern the proceedings at the meetings of the Board of Adjustment. The Board may, by resolution, adopt additional rules of procedure not inconsistent with the Guidelines for Advisory Boards and Committees and any procedures set out or incorporated by reference there.

(h) Quorum

A meeting of the Board of Adjustment shall not be called to order, nor shall any business be transacted by the Board of Adjustment, without a quorum being present. A quorum shall consist of at least three members.

(i) Consideration of Applications and Other Actions

A majority vote of a quorum or any greater number of members present at a meeting shall be necessary for the Board of Adjustment to take any action, issue an order, or make a decision or other determination.

(j) Conflict of Interest

If there is a matter which comes before a member of the Board of Adjustment for which a conflict of interest exists, the member shall, as provided in Chapter 112, Part III, Florida Statutes:

1. publicly state the nature of the interest in the matter, prior to the vote being taken;
2. abstain from voting or participating in the matter; and
3. within 15 days after the vote occurs, file a memorandum, Form 8B or other approved form with the secretary describing the nature of the interest in the matter.

401.11 Powers and Duties

The Board of Adjustment shall exercise the powers and duties listed below.

(a) Variances

The Board of Adjustment has the authority to approve, approve with conditions or deny a variance from the requirements of the following provisions of this ULDC subject to Article 26, Variances, of Chapter 402:

1. Chapter 403 Zoning Districts

Variances from the following requirements contained in any zoning district, except the Planned Development (PD) zoning district, may be granted by the Board of Adjustment:

- a. the minimum yard/setback requirements, lot width or lot depth; and the maximum height or building coverage;

2. Chapter 407 General Development Standards, Section 407.01 (a) Principal Building on Lot

In cases of personal hardship, such as care for an aged or infirm family member, a secondary living unit may be approved by the Board of Adjustment as follows:

- a. In the 'A' and 'R-1c' zoning districts the secondary living unit may be a mobile home or manufactured home.
- b. The property that contains a secondary living unit shall not be subdivided so as to create two lots.
- c. Conditions may be placed on the secondary living unit to require its removal at the termination of the hardship or require recertification of need after a specified time frame. Additionally, design conditions may be placed on the unit to functionally integrate it with the principal building.

3. Chapter 407 General Development Standards, Section 407.07

A variance to the maximum height requirement for subdivision boundary fences may be approved by the Board of Adjustment in accordance with the following:

- a. The applicant must demonstrate unique conditions exist on the property warranting the need for a higher fence.

4. Chapter 407 General Development Standards, Section 407.73(f)1

A variance to the public road frontage requirement may be approved by the Board of Adjustment for the first split of a parent tract or for a Family Homestead Exception granted in accordance with the requirements of Article 23 of Chapter 402 in accordance with the following:

- a. The applicant must provide proof of access to a county maintained public road;
- b. The applicant must demonstrate sufficient hardship exists; and
- c. The private road must provide for minimum width, stabilization, and maintenance requirements as determined by the Public Works Department for the purpose of providing service delivery, particularly emergency services delivery.

(b) Family Homestead Exceptions

1. Exceptions

The Board may approve, approve with conditions or deny a family homestead exception as provided in Article 23 of Chapter 402, Family Homestead Exceptions.

2. Transfer of Exceptions

The Board may approve, approve with conditions or deny a request to transfer a family homestead exception certificate to an individual not meeting the definition of an immediate family member as provided in §402.143(d).

(c) Airport Impact Zoning Regulations

1. Variances

The Board has the authority to approve, approve with conditions or deny a variance from the requirements under Fl. Statutes s. 333.07(2).

2. Appeals

The Board may hear and decide appeals from any order, requirement, decision, or determination made in the enforcement of Article 7, Airport Impact Zoning Regulations, Chapter 405, as provided in Fl. Statutes, s. 333.08.

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Article 5 Development Review Committee

401.12 Establishment

The Development Review Committee (DRC) is hereby established.

401.13 Composition and Officers

(a) Members

The directors of the Growth Management, Environmental Protection and Public Works Departments shall each designate one DRC regular member and an alternate member from their respective departments. The DRC regular and alternate members shall not be directly involved with the review of the DRC development applications. Names of the appointed members and alternates shall be noted on the DRC agendas. Upon application, applicants shall be advised not to contact the DRC members or alternates with regard to any item to be reviewed on the DRC agenda to ensure the integrity of the quasi-judicial process.

(b) Officers

The Chair shall be the Director of the Growth Management Department's designee ~~Department~~ or such person's designated alternate.

401.14 Meetings

The time, location and date of meetings shall be established by the Director.

401.15 Public Notice

Public notice of DRC hearings shall be provided as required for each application type as provided in Chapter 402 and in accordance with the procedures of Article 4, Notice of Hearings, in Chapter 402.

401.16 Rules of Procedure

- (a) The Development Review Committee shall adopt rules of procedure necessary to its governance and the conduct of its affairs in keeping with applicable provisions of Florida law and the ordinances of Alachua County.
- (b) All meetings and hearings of the Development Review Committee shall be open to the public.

401.17 Powers and Duties

(a) Review and Approval

The Development Review Committee has the authority to approve, approve with conditions, or deny the following:

1. preliminary development plans under the thresholds established in §402.44 Thresholds for Development Review;
2. final development plans;
3. minor development plans;
- ~~3.4.~~ minor change to an approved planned development;
5. modifications to a development plan resulting in more than 1,500 square feet of new impervious area or affecting other elements of an approved final development plan;
6. change of use deemed not to be a similar use per §404.08;

- ~~7.~~ change of use deemed to be a similar use per §404.08 resulting in more than 1,500 square feet of new impervious area or affecting other elements of an approved final development plan;
- ~~4-8.~~ master plans for planning parcels with significant plant and wildlife habitat or listed plant and animal species habitat;
- ~~5.~~ development within the Urban Cluster but outside the Urban Services Line that meet the requirements in Chapter 402, Article 20, §402.134;
- ~~6-9.~~ rural home based businesses; flood hazard area permits except those listed under §401.20(d);
- ~~7-10.~~ variance to Flood Hazard Protection Standards of Chapter 406, §406.57(p);
- ~~8-11.~~ waivers to the setback requirements from major road centerlines, section lines, and half section lines in §407.03 in conjunction with an associated development plan;
- ~~9-12.~~ exceptions to the Street Network Standards of Chapter 407, §407.140;
- ~~10-13.~~ reductions to the minimum property development standards in Table 407.78.1.1, Dimensional Standards for Rural/Agriculture Clustered Subdivisions, for front setback, rear setback, lot width and lot depth by no more than 25 percent pursuant to §407.78(g)1;
- ~~11-14.~~ Certificate of Level of Service Compliance (CLSC) pursuant to Chapter 407, Article 12, Concurrency Management;
- ~~12-15.~~ reductions or waivers to the industrial district boundary requirement in accordance with §403.16(b)3; and
- ~~13-16.~~ reductions or increases of the preservation boundary buffer in accordance with §405.33(b)4.

(b) Review and Recommendation

The Development Review Committee shall review and make recommendations on plats, replats or vacation of plats or streets to the Board of County Commissioners.

Article 6 Development Review Departments

401.18 Establishment

For the purpose of this Article the Development Review Departments shall consist of the Department of Growth Management, the Environmental Protection Department and the Department of Public Works.

401.19 Department of Growth Management

Unless otherwise provided herein, the authority to administer, implement, enforce and interpret this ULDC is granted to the Director of the Department of Growth Management.

401.20 Development Review Departments Powers and Duties

The Department of Growth Management, the Environmental Protection Department and the Department of Public Works shall exercise the powers and duties listed below:

(a) Review and Report

The Growth Management Department shall review and prepare reports and recommendations to the following decision making bodies based on the review and recommendations of the Environmental Protection Department, the Department of Public Works, as well as input from other departments and agencies:

1. Board of Adjustment

regarding the following development applications:

- a. Article 26, Variances; and
- b. Article 23, Family Homestead Exceptions.

2. Development Review Committee

regarding the following development applications:

- a. any application listed in 401.17(a);
- ~~a.~~ development plans and amendments;
- b. plats, including final plats, re-plats and vacation or abandonment of all or a portion of an approved plat;
- c. vacation or abandonment of streets;
- ~~d.~~ minor change to an approved planned development meeting the requirements of 402.89(c);
- ~~e.~~ master plans for planning parcels with significant plant and wildlife habitat or listed plant and animal species habitat;
- ~~f.~~ development within the Urban Cluster but outside the Urban Services Line that meet the requirements in Chapter 402, Article 20, §402.134, Criteria for Development Review Committee Approval;
- ~~g.~~ rural home based business permits;
- ~~h.~~ variance to Flood Hazard Protection Standards of Chapter 406, §406.57(p);
- ~~i.~~ flood hazard area permits except those listed in §401.20(d);
- ~~j.~~ exceptions to the Street Network Standards of §407.140;

~~reductions to the minimum property development standards in Table 407.78.1, Dimensional Standards for Rural/Agriculture Clustered Subdivisions, for front setback, rear setback, lot width and lot depth by no more than 25 percent pursuant to §407.78(g)1;~~

- ~~k. Certificate of Level of Service Compliance (CLSC) pursuant to Chapter 407 Article 12, Concurrency Management;~~
- ~~l. reductions or waivers to the industrial district boundary requirement in accordance with §403.16(b)3; and~~
- ~~m. reductions or waivers of the preservation boundary buffer in accordance with §405.33(b)4.~~

3. Board of County Commissioners (and Planning Commission where applicable)

Applications as listed in 401.02.

regarding the following applications:

- ~~a. Evaluation and Appraisal Reports;~~
- ~~b. Comprehensive Plan Amendments;~~
- ~~c. amendments to the Official Zoning Map;~~
- ~~d. special use permits;~~
- ~~e. special exceptions;~~
- ~~f. preliminary development plans exceeding the thresholds established in Article 10, Development Plan Review;~~
- ~~g. major or minor Amendments to an approved Planned Development district;~~
- ~~h. activity center and special area studies;~~
- ~~i. special area plans;~~
- ~~j. amendments to the text of this ULDC;~~
- ~~k. developments of regional impact;~~
- ~~l. water and sewer service extensions outside the urban cluster line; and~~
- ~~m. development agreements per Section 163.3220, Florida Statutes.~~

(b) Decisions of the Growth Management Department

The Director of the Growth Management Department, in conjunction with any of the other appropriate Development Review Departments, shall coordinate the review and make a decision to approve, approve with conditions or deny any of the following applications:

1. interpretation of the ULDC;
2. vested rights certification;
3. interpretation of district boundaries, where there is any dispute as to the location of the boundary of a zoning district in relation to particular property;
4. building permit;
5. building permits for docks of less than 1,000 square feet meeting the standards in Chapter 404, §404.65;
6. certificate of occupancy;

7. general home-based businesses;
8. family homestead exceptions not requiring approval by the Board of Adjustment;
9. temporary uses that do not involve overnight camping;
10. sign permit;
11. temporary placement permit;
12. tree removal permit;
- ~~12.~~ 13. certain personal wireless service facilities meeting the administrative development approval criteria in Article 12 of Chapter 404 of this ULDC, ~~and~~
- ~~13.~~ 14. administrative development plan review of any modifications to a development plan resulting in less than 1,500 square feet of impervious area provided the change does not affect other elements of an approved final development plan; ~~and~~
- ~~14.~~ 15. administrative development plan review ~~for~~ a change of use ~~to~~ deemed a permitted or limited similar use, except where DRC approval is required in Chapter 404, per §404.08 for existing development where the proposed use will not require more than 1,500 square feet of impervious area provided the change does not ~~alter~~ affect other required elements of an approved final development plan; ~~and~~
- ~~15.~~ 16. waivers to the setback requirements from major road centerlines, section lines, and half section lines in §407.03 for structures on existing legal lots of record.

(c) Decisions of the Environmental Protection Department

The Director of the Environmental Protection Department, in conjunction with any of the other appropriate Development Review Departments, shall coordinate the review and make a decision to approve, approve with conditions or deny any of the following applications:

1. activities in and adjacent to conservation or preservation areas;
2. activities in and adjacent to regulated natural and historic resources;
3. removal of indigenous vegetation in special area studies;
4. hazardous facilities;
5. well registration and well abandonment; ~~and~~
6. Murphree Wellfield hazardous waste licenses; and
- ~~6.~~ 7. dewatering activities discharging to wetlands, conservation or preservation areas.

(d) Decisions of the Department of Public Works

The Director of the Public Works Department, in conjunction with any of the other appropriate Development Review Departments, shall coordinate the review and make a decision to approve, approve with conditions or deny any of the following:

1. flood hazard area permit for single family residence or mobile or manufactured home on a legal lot of record;
2. flood hazard area permit for boat docks under 1,000 square feet meeting the standards of §404.65;

3. minor modifications to stormwater management facilities associated with development previously approved by the Development Review Committee;
4. as an exception to the requirements found in Chapter 404, Article 24 Mining, Excavation and Filling Operations, and for the purposes of creating an Agricultural type pond, excavation of more than 200 cubic yards of material that do not impact regulated resource areas or involve areas within the limits of the 100 year flood plain;
5. right of way use and Utility Permit for allowable uses of public rights-of-way;
6. driveway permits; ~~and~~
7. construction permits;
8. Temporary construction stockpiles and temporary construction storage, leasing and sales offices that are not shown on an approved development plan; and
- ~~7.9.~~ Dewatering activities with proposed offsite discharge.