ORDINANCE SUMMARY 1 2 SEAWALL ORDINANCE 3 4 This ordinance proposes to update Chapter VI of the Land Development Regulations, entitled "Resource Protection Standards", in order to ensure protection of the environment by providing 5 6 specific criteria and conditions for when vertical seawalls may be utilized for shoreline protection along springs, lakes, rivers and streams, and provide criteria for capturing upland runoff. 7 8 9 Ordinance No. 2014-10 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA: AMENDING LAKE COUNTY CODE APPENDIX E. LAND DEVELOPMENT 11 **REGULATIONS, CHAPTER VI, ENTITLED "RESOURCE PROTECTION STANDARDS",** 12 SECTION 6.01.06, ENTITLED "SEAWALLS", IN ORDER TO RENAME IT "EROSION 13 CONTROL METHODS FOR SHORELINE PROPERTIES", TO PROVIDE CRITERIA AND 14 CONDITIONS SPECIFYING WHEN VERTICAL SEAWALLS CAN BE UTILIZED FOR 15 SHORELINE PROTECTION ALONG THE SHORELINE OF SPRINGS, LAKES, RIVERS AND 16 STREAMS, AND TO PROVIDE CRITERIA FOR CAPTURING UPLAND RUNOFF; 17 PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; 18 PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN 19 20 EFFECTIVE DATE. 21 WHEREAS, Policy III-2.2.8 of the 2030 Comprehensive Plan permits new seawalls along the shoreline of canals, but states that they shall be avoided along springs, lakes, rivers, 22 and streams except where no reasonable alternative exists for the protection of shorelines; 23 24 WHEREAS, Section 6.01.06 of the Lake County Land Development Regulations 25 26 implements the seawall provisions contained in Policy III-2.2.8 of the 2030 Comprehensive Plan: 27 28 29 WHEREAS, properties along springs, lakes, rivers or streams need protection from erosion where it may not be feasible, based on terrain or vegetative restrictions, to utilize other 30 preferred methods of shoreline hardening, and the 2030 Comprehensive Plan permits seawalls 31 32 to be installed in these locations where no reasonable alternative exists but does not provide 33 criteria and conditions for their installation; 34 WHEREAS, the Lake County Board of County Commissioners desires to amend 35 Chapter VI, LDRs, entitled "Resource Protection Standards", Section 6.01.06, entitled 36 "Seawalls", in order to create criteria and conditions allowing vertical seawalls along springs, 37 lakes, rivers and streams when no reasonable alternative exists, or when there are existing 38 39 seawalls on both sides of the neighboring properties; and 40 WHEREAS, on April 30, 2014, the Planning & Zoning Board, in its capacity as the Local 41 Planning Agency, considered this ordinance and recommended approval at a properly 42 advertised public hearing: and 43 44 45 WHEREAS, on the _____ day of _____, 2014, this Ordinance was heard at a public hearing before the Lake County Board of County Commissioners; 46

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1 NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake 2 County, Florida, that:

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4 Section 1. Recitals. The foregoing recitals are true and correct and incorporated herein 5 by reference.

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Section 2. Amendment. Chapter VI, Lake County Code, Appendix E, Land Development 8 Regulations, entitled "Resource Protection Standards", Section 6.01.06, entitled "Seawalls", shall be amended as shown below. Changes are shown as follows: Strikethrough for deletions 9 and underline for additions to existing Code sections. The notation "* * *" shall mean that all 10 preceding or subsequent text remains unchanged. 11

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- CHAPTER VI RESOURCE PROTECTION STANDARDS 14
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18 6.01.06 Erosion Control Methods for Shoreline PropertiesSeawalls. New seawalls shall be allowed along the shoreline of canals, but avoided along springs, lakes, rivers, and streams 19 except where no reasonable alternative exists for the protection of shorelines. 20 Planting of 21 shoreline and aquatic vegetation is the preferred method of protecting shorelines from erosion. Where planting of shoreline and aquatic vegetation alone will not protect shoreline property from 22 erosion and shoreline hardening is required, the following methods may be used. 23

* * *

- A. Non-vertical systems: Should shoreline hardening be required to protect property from erosion by adjacent waters, the following methods should be used:
 - 1. Riprap;
 - 2. Vegetated open-cell block;
 - 3. Geo-textile container: or
 - 4. Similar, non-vertical systems.
- B. Erosion from upland runoff shall be controlled by shoreline vegetation or berm and swale systems. Vertical systems (seawalls), provided that the following guidelines for their installation or construction in a particular location are followed:
 - 1. New seawalls shall be allowed along the shoreline of canals.
 - 2. New seawalls shall not be permitted along springs, lakes, rivers and streams, unless there is no reasonable alternative to a seawall for the protection of shorelines, or when there are existing seawalls on both sides of the neighboring properties.
 - 3. Existing seawalls may be repaired or replaced.

Erosion from upland runoff shall be controlled. The use of berm or swale systems for properties along all springs, lakes, rivers or streams may be used to control erosion from upland runoff. Plans and calculations shall be submitted with the zoning permit application, and the plans and calculations shall demonstrate that the proposed berm or swale system will capture at least the first one (1) inch of storm water runoff.

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Section 3. Severability. If any section, sentence, clause or phrase or the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portion of this Ordinance.

Section 4. Inclusion in the Code. It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake County Code and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section", "article" or such other appropriate word or phrase in order to accomplish such intentions.

11 Section 5. Filing with the Department of State. The Clerk shall be and is hereby 12 directed forthwith to send a certified copy of this Ordinance to the Secretary of State for the 13 State of Florida.

15 **Section 6. Effective.** This Ordinance shall become effective upon filing with the Secretary 16 of the State.

18	Enacted this day of	, 2014.
19	Filed with the Secretary of State	, 2014.
20 21 22 23		BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA
24		
25 26 27 28 29 30 31 32	ATTEST:	Jimmy Conner, Chairman
33 34 35 36	Neil Kelly, Clerk of the Board of County Commissioners of Lake County, Florida	
37	Approved as to form and legality:	
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39 40 41	Sanford A. Minkoff County Attorney	

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