



Walton County

Planning and Development Services

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To: Walton County Board of County Commissioners

Through: Wayne Dyess, AICP, Planning and Development Services Director

Project Manager: Tim Brown, AICP, Senior Planner

Meeting Date: August 25, 2015

RE: An Ordinance of the Board of County Commissioners of Walton County amending Section 11.06.06 of the Land Development Code and Policies L-1.4.1 and L-1.4.2 of the Comprehensive Plan to allow pond construction in the Large-Scale Agriculture and General Agriculture future land use districts.

Applicant: Walton County

Summary: At the April 28, 2015 County Commission meeting, the BCC directed staff to bring information back for discussion regarding pond construction in the Agriculture Land Use category. Enclosed is a draft ordinance to the LDC and a draft ordinance to the Comprehensive Plan to accomplish this task. These changes will allow excess materials from pond construction to be sold or given away at the discretion of the property owner in the Large-Scale Agriculture and General Agriculture land use districts. For your review, please find attached to this memo the minutes from the 04/28/15 BCC meeting, a draft ordinance to the LDC and a draft ordinance to the comprehensive plan for your review and discussion.

Attachments:

1. 04/28/15 BCC Minutes
2. Draft LDC Ordinance
3. Draft Comprehensive Plan Ordinance

Cc: Mac Carpenter, Planning Manager

Mr. Don Riley stated that everyone says things at times that they regret and there are more pressing issues that need to be addressed. He felt that Mr. Bagby brings excellent qualifications to our County.

Mr. Bill Fletcher felt that those employees that took the lengthy time to report the issue should also be disciplined.

Ms. Harris encouraged the Board to review the report.

Ms. Bonnie McQuiston felt that the best person and qualifications should be appointed to the job position and questioned the intentions of Mr. Bagby.

Ms. Lynn Yort, Waste Management, introduced the staff members that helped to negotiate the rates for waste pickup for the County and their essential roles in the process.

The meeting recessed at 10:29 a.m. and reconvened at 10:49 a.m.

Mr. Wayne Dyess, Planning and Development Services Director, presented for adoption the Mining Ordinance amending Section 11.06.01 and adding Section 11.06.07 to the Walton County Land Development Code, adding definitions; establishing a review process and criteria for temporary small scale mineral extraction and excess materials from pond construction in the Large-Scale Agriculture and General Agriculture Future Land Use Districts.

Commissioner Comander questioned the purpose of the Ordinance is to allow people who want to build a legitimate pond, and if you own property near a roadway that is being built, then you could sell the dirt to the contractor.

Mr. Scott Caraway, Public Works Department, confirmed and explained what a bon-a-fied pond is, exempt ponds, and permitted ponds.

Lengthy discussion ensued regarding the proximity of the roadway project to the property owner selling dirt and permit monitoring.

Motion by Commissioner Meadows to leave the Mining Ordinance as it currently is and address the pond and farm situations in the Agriculture Land Use category designation.

Chairman Imfeld stepped down from Chairman position. Commissioner Comander assumed the Chairman position.

Commissioner Imfeld seconded the motion for discussion.

Discussion continued regarding the need to have a reclamation plan and parameters in place and code violations.

Chairman Comander asked for public comment.

Ms. Gillian Wolfe spoke in opposition of allowing people to sell dirt from creating ponds.

Mr. Thomas Hicks spoke in favor and stated that their ponds are continually monitored if you go through the Water Management District permitting services.

Mr. Chester Carter provided a document for consideration and spoke in opposition of the drafted document. He would like to build a 15 acre pond and sell the dirt to the highest bidder.

Mr. Todd Burke spoke in opposition of the drafted document and encouraged the Board to limit the size of the ponds. He felt that the current ordinance is effective.

Mr. Lee Perry spoke in favor of the current mining ordinance.

Discussion ensued regarding the ability for property owners to sell their dirt, pond size limitations, and the agriculture land use category restrictions.

Ayes 4, Nays 1. Imfeld Aye, Comander Aye, Chapman Nay, Jones Aye, Meadows Aye.

Mr. Jones suggested allowing staff to bring information back for discussion regarding pond construction in the Agriculture Land Use category.

Commissioner Imfeld resumed the Chairman position.