

**Wakulla County Planning and Zoning Commission**  
**Proposed Wetlands and Other Surface Waters Ordinance**  
**Uses of Wetlands and Other Surface Waters and Buffers**

<b>Use</b>	<b>Allowable Use, Conditional Use, Or Variance</b>	<b>Other Requirements</b>	<b>Allowed In</b>	<b>Approved By</b>	<b>Section of Ordinance</b>
Construction, repair, replacement, or maintenance of the following, in accordance with design standards: <ul style="list-style-type: none"> <li>• Docks</li> <li>• Piers</li> <li>• Boardwalks</li> <li>• Observation Decks</li> </ul>	Allowable	<ul style="list-style-type: none"> <li>• Must have applicable state and federal permits prior to filing development permit application.</li> <li>• Design standards provide that only one of the structures may be located on any lot or parcel without obtaining a conditional use permit (i.e., if there is a dock, there cannot also be a pier or a boardwalk without obtaining a conditional use permit).</li> </ul>	<ul style="list-style-type: none"> <li>• Wetlands and other Surface Waters</li> <li>• Buffer Zone One</li> <li>• Buffer Zone Two</li> </ul>	Planning Department	§ 7(A)(1)
Construction, repair, replacement or maintenance of the following, not meeting the design standards: <ul style="list-style-type: none"> <li>• Docks</li> <li>• Piers</li> <li>• Boardwalks</li> <li>• Observation Decks</li> </ul>	Conditional	<ul style="list-style-type: none"> <li>• Must obtain conditional use permit.</li> <li>• Mitigation required if Adverse Impact to Wetland or other Surface Water</li> </ul>	<ul style="list-style-type: none"> <li>• Wetlands and other Surface Waters</li> <li>• Buffer Zone One</li> <li>• Buffer Zone Two</li> </ul>	Planning and Zoning Commission	§ 8(A)(3)
Construction of private Seawalls within an Artificially Created Waterbody where the Seawall adjoins two existing Seawalls not more than 150 feet apart	Allowable		<ul style="list-style-type: none"> <li>• Wetlands and other Surface Waters</li> <li>• Buffer Zone One</li> </ul>	Planning Department	§ 7(A)(2)
Shoreline Armoring, including other Seawalls	Conditional	<ul style="list-style-type: none"> <li>• Must obtain conditional use permit.</li> <li>• Mitigation required if Adverse Impact to Wetland or other Surface Water</li> </ul>	<ul style="list-style-type: none"> <li>• Surface Waters other than geographically isolated Wetlands</li> <li>• Buffer Zone One</li> </ul>	Planning and Zoning Commission	§ 8(A)(7)

<u>Use</u>	<u>Allowable Use, Conditional Use Or Variance</u>	<u>Other Requirements</u>	<u>Allowed In</u>	<u>Approved By</u>	<u>Section of Ordinance</u>
Parks and Recreation Uses as defined in the Ordinance	Allowable		<ul style="list-style-type: none"> <li>Wetlands and other Surface Waters</li> <li>Buffer Zone One</li> <li>Buffer Zone Two</li> </ul>	Planning Department	\$ 7(A)(3)
Conservation and preservation uses, including nature trails	Allowable		<ul style="list-style-type: none"> <li>Wetlands and other Surface Waters</li> <li>Buffer Zone One</li> <li>Buffer Zone Two</li> </ul>	Planning Department	\$ 7(A)(4)
Hunting, trapping and fishing, environmental education, and scientific research, where not otherwise prohibited by law	Allowable		<ul style="list-style-type: none"> <li>Wetlands and other Surface Waters</li> <li>Buffer Zone One</li> <li>Buffer Zone Two</li> </ul>	Planning Department	\$ 7(A)(5)
Boundary fences that do not alter the hydrology of the Wetland or other Surface Water, and which meet the design standards	Allowable		<ul style="list-style-type: none"> <li>Wetlands and other Surface Waters</li> <li>Buffer Zone One</li> <li>Buffer Zone Two</li> </ul>	Planning Department	\$ 7(A)(6)
Boundary fences that do not meet the design standards.	Conditional	<ul style="list-style-type: none"> <li>Must obtain conditional use permit.</li> <li>Mitigation required if Adverse Impact to Wetland or other Surface Water</li> </ul>	<ul style="list-style-type: none"> <li>Wetlands and other Surface Waters</li> <li>Buffer Zone One</li> <li>Buffer Zone Two</li> </ul>	Planning and Zoning Commission	\$ 8(A)(4)
Removal of Exotic Invasive Plants in a manner consistent with the design standards.	Allowable		<ul style="list-style-type: none"> <li>Wetlands and other Surface Waters</li> <li>Buffer Zone One</li> <li>Buffer Zone Two</li> </ul>	Planning Department	\$ 7(A)(7)

<u>Use</u>	<u>Allowable Use, Conditional Use Or Variance</u>	<u>Other Requirements</u>	<u>Allowed In</u>	<u>Approved By</u>	<u>Section of Ordinance</u>
Removal of Exotic Invasive Plants in a manner not consistent with the design standards	Conditional	<ul style="list-style-type: none"> <li>• Must obtain conditional use permit.</li> <li>• Mitigation required if Adverse Impact to Wetland or other Surface Water</li> </ul>	<ul style="list-style-type: none"> <li>• Wetlands and other Surface Waters</li> <li>• Buffer Zone One</li> <li>• Buffer Zone Two</li> </ul>	Planning and Zoning Commission	\$ 8 (A)(6)
Activity for which the Developer has a valid, unexpired, and unrevoked Development Order	Allowable		<ul style="list-style-type: none"> <li>• Wetlands and other Surface Waters</li> <li>• Buffer Zone One</li> <li>• Buffer Zone Two</li> </ul>	None required.	\$ 7(A)(8)
Renewal, improvement, or alteration of 50% or less of any existing structure, within the same footprint as the original structure	Allowable		<ul style="list-style-type: none"> <li>• Wetlands and other Surface Waters</li> <li>• Buffer Zone One</li> <li>• Buffer Zone Two</li> </ul>	Planning Department	\$ 7(A)(9)
Repair or total replacement of structure damaged by natural disaster or fire within the same footprint as the original structure	Allowable	<ul style="list-style-type: none"> <li>• Original structure must have been legally constructed</li> </ul>	<ul style="list-style-type: none"> <li>• Wetlands and other Surface Waters</li> <li>• Buffer Zone One</li> <li>• Buffer Zone Two</li> </ul>	Planning Department	\$ 7(A)(10)
Utilities needed to serve upland areas with only Minimal Impacts to the Buffer	Allowable		<ul style="list-style-type: none"> <li>• Buffer Zone One</li> <li>• Buffer Zone Two</li> </ul>	Planning Department	\$ 7(B)(1)(a)
Utilities where no upland alternative exists in a manner consistent with the design standards	Conditional	<ul style="list-style-type: none"> <li>• Must be located within or adjacent to driveway if there is one</li> <li>• Must obtain conditional use permit</li> <li>• Mitigation required if Adverse Impact to Wetland or other Surface Water</li> </ul>	<ul style="list-style-type: none"> <li>• Wetlands and other Surface Waters</li> <li>• Buffer Zone One</li> <li>• Buffer Zone Two</li> </ul>	Planning and Zoning Commission	\$ 8(A)(8)
Utilities not otherwise authorized as an allowable or conditional use (e.g., upland alternative exists, adverse Impacts to Buffer)	Variance	<ul style="list-style-type: none"> <li>• Must obtain a variance.</li> <li>• Mitigation required if Adverse Impact to Wetland or other Surface Water</li> </ul>	<ul style="list-style-type: none"> <li>• Wetlands and other Surface Waters</li> <li>• Buffer Zone One</li> <li>• Buffer Zone Two</li> </ul>	BOCC	\$ 9(A)(2)

<u>Use</u>	<u>Allowable Use, Conditional Use Or Variance</u>	<u>Other Requirements</u>	<u>Allowed In</u>	<u>Approved By</u>	<u>Section of Ordinance</u>
Continuous uses of property in existence prior to the effective date of the ordinance	Allowable	<ul style="list-style-type: none"> <li>Grandfathers previous uses</li> </ul>	<ul style="list-style-type: none"> <li>Buffer Zone One</li> <li>Buffer Zone Two</li> </ul>	Planning Department	\$ 7(B)(1)(b)
Landscaping and Yard Maintenance activities around the principal structure on the property	Allowable	<p>Activities may only occur within the following area around the principal structure:</p> <ul style="list-style-type: none"> <li>25 feet in the front</li> <li>15 feet in the back</li> <li>8 feet on either side</li> </ul>	<ul style="list-style-type: none"> <li>Buffer Zone Two</li> </ul>	Planning Department	\$ 7(B)(2)(a)
Wetlands Restoration and habitat management	Conditional	<ul style="list-style-type: none"> <li>Must obtain conditional use permit.</li> </ul>	<ul style="list-style-type: none"> <li>Wetlands and other Surface Waters</li> <li>Buffer Zone One</li> <li>Buffer Zone Two</li> </ul>	Planning and Zoning Commission	\$ 8(A)(1)
Stormwater management facilities	Conditional		<ul style="list-style-type: none"> <li>Buffer Zone Two</li> </ul>	Planning and Zoning Commission	\$ 8(A)(2)
Construction of Boat Ramps meeting the design standards	Conditional	<ul style="list-style-type: none"> <li>Must obtain conditional use permit</li> <li>Mitigation required if Adverse Impact to Wetland or other Surface Water</li> </ul>	<ul style="list-style-type: none"> <li>Wetlands and other Surface Waters</li> <li>Buffer Zone One</li> </ul>	Planning and Zoning Commission	\$ 8(A)(5)
Construction of Boat Ramps not meeting the design standards	Variance	<ul style="list-style-type: none"> <li>Must obtain variance</li> <li>Mitigation required if Adverse Impact to Wetland or other Surface Water</li> </ul>	<ul style="list-style-type: none"> <li>Wetlands and other Surface Waters</li> <li>Buffer Zone One</li> </ul>	BOCC	\$ 9(A)(3)
Driveways where no upland alternative access exists in a manner consistent with the design standards	Conditional	<ul style="list-style-type: none"> <li>Must obtain conditional use permit</li> <li>Mitigation required if Adverse Impact to Wetland or other Surface Water</li> </ul>	<ul style="list-style-type: none"> <li>Wetlands and other Surface Waters</li> <li>Buffer Zone One</li> <li>Buffer Zone Two</li> </ul>	Planning and Zoning Commission	\$ 8(A)(8)

<u>Use</u>	<u>Allowable Use, Conditional Use Or Variance</u>	<u>Other Requirements</u>	<u>Allowed In</u>	<u>Approved By</u>	<u>Section of Ordinance</u>
Roads	Variance	<ul style="list-style-type: none"> <li>• Must obtain variance</li> <li>• Mitigation required if Adverse Impact to Wetland or other Surface Water</li> </ul>	<ul style="list-style-type: none"> <li>• Wetlands and other Surface Waters</li> <li>• Buffer Zone One</li> <li>• Buffer Zone Two</li> </ul>	BOCC	§ 9(A)(2)
Development of residential and non-residential properties if necessary to prevent a taking	Variance	<ul style="list-style-type: none"> <li>• Must obtain variance.</li> <li>• Mitigation required if Adverse Impact to Wetland or other Surface Water</li> </ul>	<ul style="list-style-type: none"> <li>• Buffer Zone Two</li> </ul>	BOCC	§ 9(A)(1)
Reduction or modification of the minimum buildable area requirement	Variance	<ul style="list-style-type: none"> <li>• Must obtain variance</li> </ul>	<ul style="list-style-type: none"> <li>• Wetlands and other Surface Waters</li> <li>• Buffer Zone One</li> <li>• Buffer Zone Two</li> </ul>	BOCC	§ 9(A)(4)
Development activities conducted in Artificially Constructed Waterbodies, including canals, lakes, and ditches; swales, stormwater facilities; gravel pits, stone quarries; or wastewater treatment lagoons	Exempt from regulation	<ul style="list-style-type: none"> <li>• Must not have been constructed in or be hydrologically connected to Wetlands or other Surface Waters</li> <li>• Must not intercept an Aquifer</li> </ul>	<ul style="list-style-type: none"> <li>• Wetlands and other Surface Waters</li> <li>• Buffer Zone One</li> <li>• Buffer Zone Two</li> </ul>	N/A	§ 11(A)(1)
Dredging and filling activities for which a state or federal permit was issued prior to the effective date of the Ordinance	Exempt from regulation	<ul style="list-style-type: none"> <li>• State or federal dredging and filling permit must still be valid.</li> </ul>	<ul style="list-style-type: none"> <li>• Wetlands and other Surface Waters</li> <li>• Buffer Zone One</li> <li>• Buffer Zone Two</li> </ul>	N/A	§ 11(A)(2)
Bona Fide Agricultural Uses and Silvicultural activities and activities conducted on a bona fide farm operation under the Florida Right to Farm Act	Exempt from regulation	<ul style="list-style-type: none"> <li>• Activity must be regulated through implemented Best Management Practices in order to qualify for exemption</li> </ul>	<ul style="list-style-type: none"> <li>• Wetlands and other Surface Waters</li> <li>• Buffer Zone One</li> <li>• Buffer Zone Two</li> </ul>	N/A	§ 11(A)(3)

<u>Use</u>	Allowable Use, Conditional Use Or Variance	Other Requirements	Allowed In	Approved By	Section of Ordinance
Vegetation maintenance and tree pruning or trimming of utility rights-of-way by a utility company	Exempt from regulation	<ul style="list-style-type: none"> <li>The activity has to conform to all requirements of law</li> </ul>	<ul style="list-style-type: none"> <li>Wetlands and other Surface Waters</li> <li>Buffer Zone One</li> <li>Buffer Zone Two</li> </ul>	N/A	§ 11(A)(4)
Development within Wetlands or other Surface Waters that are smaller than 500 square feet in size and Buffers adjacent to a Wetland or other Surface Water that is smaller than 500 square feet in size so long as the area where the Development occurs is not within the Bugger of a larger Wetland or Other Surface Water	Exempt from regulation	<ul style="list-style-type: none"> <li>Governed by more stringent requirements in Policies 13.1 through 13.12 of Future Land Use Element</li> </ul>	<ul style="list-style-type: none"> <li>See Future Land Use Element</li> </ul>	N/A	§ 11(B)

\*\*\*In addition to the above requirements, a Developer must still obtain any necessary state or federal permits, before beginning the Development activity.

\*\*\*Developer must also obtain any required development permit from the Building Department.