

SUMMARY OF AMENDMENTS TO CHAPTER 151

Section	Change	Less Restrictive	More Restrictive	Correction	Clarification
151.01	INTENT				
151.01	Add tidal flood barriers (seawalls) as a permissible structure.			X	
151.01(A)	Consolidate the existing defined terms used throughout the current chapter 151; Add the term Vessel. Incorporate the County definitions of; bank, berm, green-gray infrastructure, mooring structures, north American vertical datum, public nuisance, rip-rap, seawall, seawall cap, shoreline tidal flood barrier and tidally influenced area.				X
151.02	PERMIT REQUIRED				
151.02(A)	Add the correct defined terms, tidal flood barriers, banks, berms, green-grey infrastructure, seawalls, seawall caps, upland stem walls, rip-rap, derelict erosion control structures, or permeable earthen mounds that do not provide an impermeable water barrier to tidal flooding, footers or any other similar infrastructure as requiring a permit and add the word repair as a requirement to obtain a permit.			X	X
151.02(A)(1)	Incorporate the defined term mooring structures and clarify the permit requirements for the repair of mooring structures to include sub-stringers, stringers, and ledgers. Excluding 25% of a dock's decking replacement as a permissible requirement.	X			X
151.02(A)(2)	Replace the term docks and incorporate the defined terms mooring structures or similar structures, shoreline or shoreline structures, banks, berms, green-grey infrastructure, seawalls, seawall caps, footers, upland stem walls, rip-rap, derelict erosion control structures, or permeable earthen mounds that do not provide an impermeable water barrier to tidal flooding or any other similar infrastructure. Clarify the requirements for structures destroyed by fire or other causality to shall be reconstructed under current applicable regulations versus may.				X
151.02(A)(3)	Add the correct defined term mooring structures. Clarify the requirements for nonconforming structures to be brought up to current code when damaged or require maintenance. Add the requirement that the replacement of nonconforming structures must have been properly permitted at the time of installation.			X	X
151.02(J)	Increase the fee for revised plans from \$40 to \$100.				X
151.03	STRUCTURES IN WATERWAYS				
151.03	Defined terms amended and moved to 151.01.			X	X
151.03(B)	Clarify the current code not allowing structures within 5' setback or cause a vessel to extend into the 5' setback.				X

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151.03(C)	Clarify the current code not allowing structures into the navigational channel or cause a vessel to extend into the navigational channel.				X
151.03(E)	To correct and clarify the current provision for docks in waterways less than 50'			X	X
151.03(F)	Allow davits, lifts and floating vessel platforms in waterways less than 50'	X			
151.03(G)	For waterways greater than 50' add the defined term mooring structures and to amend and move the navigational channel definition to 151.01. Amend/correct the definition of navigational channel to include a measurement for a navigational channel on waterways 40' or less versus having no measurement.		X	X	
151.03(G)(1)	Correct the measurement standard to only include the defined term measurement reference line versus property line.			X	
151.03(G)(2)	Add the correct defined term vessel. Correct the measurement standard to only include the defined term measurement reference line versus property line.			X	X
151.03(G)(3)	Adding a new provision to allow dock decking height above the seawall cap in order to match landward decking.	X			
151.03(G)(4)	Adding the correct defined term vessel. Extending the seaward length of a vessel lift or platform from 20' to 28'. Correct the measurement standard to only include the defined term measurement reference line.	X		X	X
151.03(G)(5)	Add the word approved to clarify a permit must be approved to allow an access platform. Add the word permitted to clarify that the dock the access platform is located on must be properly permitted. Add the term vessel and correct references to other code provisions.			X	X
151.03(G)(6)&(7)	Correct the measurement standard to only include the defined term measurement reference line versus property line.			X	
151.03(G)(8)	Adding a new provision limiting the number of dolphin pilings at single family residences to two or two clusters.		X		
151.03(G)(10)	Adding the correct defined term mooring structures in place of docks and boatlifts.				X
151.03(H)	Correcting the structures that are allowed into the 5' setback to docks, fixed docks or floating docks or similar structures. Allowing the above structures into the 5' setback on waterways less than 50'. Clarification to the provision that the 5' setback pertains to the "side" property line.	X		X	X
151.03(H)(1)	Add the correct defined term vessel.				X
151.03(I)	Correct references to other sections of the code.				X
151.03(I)(1)	Change the requirement to may versus shall (see 151.03(I)(2)). Add the defined term vessel.				X
151.03(I)(2)	Adding the provisions to authorize the City Engineer to divide a shared use waterway when neighbors cannot agree.	X			
151.05	TIDAL FLOOD BARRIERS				

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151.05(A-K)	Adding the mandated provisions of the County's Regional Tidal Flood Barrier Standards and establishing a height minimum from no height minimum to 5' NAVD88				X No provision in current code
151.05(L)	Adding the correct defined terms. Update contacts; City Engineer, City Official and Code Compliance Officer as contacts for violations. Move defined terms to 151.01				X
151.05(M)	Setting the maximum width of a seawall cap to 36"				X No provision in current code
151.05(N)	Setting the distance from an existing tidal flood barrier to a new tidal flood barrier of 12" and authorizing the City Engineer to approve distances greater than 12" when the removal of a tidal flood barrier may cause structural damage the adjacent tidal flood barriers.				X No provision in current code
151.06	DISREGARD OF NOTICE				
151.06	Adding the correct defined term tidal flood barrier or rip-rap.				X
151.07	BACKFILLING TIDAL FLOOD BARRIERS – RIP-RAP				
151.07(A)&(B)	Allowing the backfilling of tidal flood barriers to the level of the finished floor elevation if the seawall cap exceeds the level of the finished floor elevation. Adding the correct defined terms tidal flood barrier or rip-rap and seawall cap.	X			X
151.08	STRUCTURES ON SEAWALL CAPS, TIDAL FLOOD BARRIERS AND RIP-RAPS				
151.08	Incorporate the correct defined terms mooring structures, tidal flood barrier or seawall cap.				X
151.09	REQUIRED DISCLOSURE IN CONTRACTS FOR SALE OF REAL ESTATE				
151.09	A provision required by the County's Regional Tidal Flood Barrier Standards	N/A	N/A	N/A	N/A
151.10	VARIANCES				
151.109(B)	A provision prohibiting from variances 151.03(B) and 151.03(C) - a mooring structure or any other similar structures erected or installed into the navigational channel or 5' setback or cause a watercraft or vessel to extend into the navigational channel or 5' setback is prohibited.			X	X