

74-5

ORDINANCE

WHEREAS, the Board of County Commissioners of Walton County, Florida, has employed the firm of Barren, Daffin and Figg, as planning consultants for Walton County, Florida, and

WHEREAS, said firm has recommended the establishment of subdivision regulations as provided herein, and

WHEREAS, pursuant to these recommendations, the Board of County Commissioners feels that the adoption of said regulations would be to the benefit of the citizens of Walton County, Florida,

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Walton County, Florida, as follows:

74-5

SUBDIVISION REGULATIONS

SECTION I
TITLE

An Ordinance establishing Subdivision Regulations in Walton County, Florida, relating to the establishment of standards for subdivisions; to prescribe standards of improvements to be provided by the developer; to establish standards for the efficient, adequate and economic supply of public facilities; to establish criteria for prevention of traffic hazards; to establish safe and convenient means for circulation of traffic; to establish provision for protective flood control measures and drainage facilities, to establish provisions for open spaces in new land development; to establish procedure for preliminary and final approval of plat; to establish provision for modification and exceptions to subdivisions; to establish penalties for violation of the Ordinance; and providing for an effective date.

SECTION II

TITLE

This Ordinance shall be known as the "Subdivision Regulations of Walton County, Florida."

SECTION III
AUTHORITY

As per Chapters 125, 163, and 177, Florida Statutes, incorporated

municipalities and counties, individually or in combination are authorized and empowered to adopt, amend or revise and enforce measures relating to subdivision.

SECTION IV
JURISDICTION

The area subject to these regulations shall be all of Walton County outside incorporated municipalities.

SECTION V
PURPOSE AND INTENT

The public health, safety, comfort, economy, order, appearance, convenience, morals and general welfare require the harmonious, orderly and progressive development of land within Florida. In furtherance of this general purpose counties are authorized and empowered to adopt, amend or revise and enforce measures relating to land subdivision.

Such measures are intended to:

Aid in the coordination of land development in accordance with orderly physical patterns, and discourage haphazard, premature or scattered land development.

Insure safe and convenient traffic control and adequate utilities.

Insure an economically stable and healthful community.

Prevent periodic flooding.

Insure that taxpayers will not have to bear the costs resulting from haphazard subdivision activities.

Insure the installation of adequate physical improvements, recreational open spaces, and educational facilities.

Serve as an instrument of comprehensive planning.

SECTION VI
DEFINITIONS

For the purpose of this ordinance, certain words and terms used herein shall be defined as follows:

May: The word may indicates an action which is permissive.

Shall: The word shall indicates an action which is mandatory.

- 1) Abutting Property - Any property that is immediately adjacent or contiguous to, or immediately across any road or public right-of-way from the subdivision.
- 2) Alley - Any public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on a street, and having a right-of-way width of thirty feet (30') or less.
- 3) Block - A lot or group of lots entirely and immediately surrounded by streets or highways, railroad right-of-way, water courses, subdivision boundaries, or any combination thereof.

- 4) Building - Any structure designed or built for the support, enclosure, shelter or protection of persons, animals or chattel.
- 5) Building Setback - The minimum horizontal distance permitted between the front or side of a building and the nearest lot line.
- 6) County Engineer - A person currently licenced and registered to practice engineering in the State of Florida and retained by Walton County to oversee the appropriate provisions of this ordinance. The County Engineer may be employed directly by the County or retained on a consulting basis.
- 7) County Planner -
- 8) Developer - An individual, partnership, corporation or other legal entity, or agent thereof, who undertakes the activities covered by these regulations. The term "developer" may include "subdivider," "owner," and "builder."
- 9) DOT - Florida Department of Transportation.
- 10) Dwelling -- A building or portion thereof designed or used exclusively for residential occupancy.
- 11) Easement - A grant by the owner of land for a specific use of said land by a person or persons, or by the pub-

- lic generally.
- 12) Frontage - The length of the front property line of the lot, lots, or tract of land abutting a public street, road, highway, or rural right-of-way.
 - 13) Immediate Family - The father, mother, brother, sister, son, daughter or grandchild of a person deeding land without valuable consideration.
 - 14) Improvements - Physical changes made to raw land, and structures placed on or under the land surface.
 - 15) Land Surveyor - A land surveyor duly registered in the State of Florida.
 - 16) Lot - A portion of a subdivision intended as a unit or for development as a unit, or both, the boundaries of which have been clearly designated upon the plat.

Corner Lot - A lot abutting upon two or more streets at a street intersection, or abutting upon two adjoining and deflected lines of the same street.

Double Frontage Lot - A lot having two-non-adjointing property lines abutting upon a street or streets.

Reverse Frontage Lot -

Lot Depth - The average horizontal distance between the front and rear property lines of a lot.

Lot Width - The average horizontal distance between the two side property lines of a lot.

17) Mobile Home -

18) Mobile Home Subdivision - A subdivision designed and intended for the sale of lots of mobile homes.

19) Non-residential Subdivision - Subdivisions designed and used exclusively for non-residential purposes.

20) Pedestrian Crosswalk - A right-of-way dedicated to the public for pedestrian use and which is designed to provide access to adjacent roads, lots or public use areas.

21) Plat - A map or drawing depicting the division of lands into lots, blocks, parcels.

22) Street - A right-of-way provided for vehicular transportation purposes.

Primary Street - A street which has been or may be designed or designated for the movement of large volumes of traffic between distant points.

Collector Street - A street designed or designated so as to connect a number of minor streets with primary streets.

Minor Street - A street of limited continuity used primarily for access to abutting property and the local needs of the neighborhood.

Cul-de-Sac - A minor street having only one open end providing access to another street.

- 23) Subdivision - The division or redivision of a parcel of land into two or more parcels any one of which is less than four (4) acres in size, except for exclusions provided for in Section X of this ordinance.

Minor Subdivision - Any division of one parcel of land into five (5) or less lots within a period of one year in which one or more parcels are less than four (4) acres in size, but in which all lots have adequate street frontage and no new streets nor changes in existing public streets are required; provided, however that a minor subdivision may include any number of lots, where all lots front on existing streets which meet the paving standards of Section XV of this Ordinance.

- 24) Utility Company - Any private or public company engaged in providing a public service, such as water, electricity, sewerage, garbage disposal, or telephone service.

SECTION VII
PLATTING PROCEDURE

Except as provided by Section X of this Ordinance, no person shall divide any parcel of property into two or more parcels, any one of which is less than four (4) acres in size. In addition no street shall be accepted and maintained by the county, nor shall gas, water or sewer be extended by the county, nor shall any permit be issued by a representative of the County for the construction of any building or other improvement requiring a permit for any subdivision created subsequent to the adoption of this Ordinance unless a plat thereof has been approved by the Board of County Commissioners and has been duly recorded.

Any person refusing to comply or found to be resisting enforcement of this Ordinance shall be subject to the penalties specified in Section XII.

Pre-Application Conference

The developer is encouraged to contact the Board of County Commissioners (or their authorized representatives) the County Engineer, the Walton County Health Department and the utility companies serving the subdivision to discuss tentative subdivision plans prior to the submission of the preliminary plat. At this time the developer may discuss, informally, preliminary sketches and plans for subdividing, and thus facilitate the preparation and review of both preliminary and final plats.

Preliminary Plat Submission

Preliminary plat submission shall consist of five (5) black or blue-line prints of the proposed subdivision, prepared and signed by

a registered surveyor. The preliminary plat shall be at a scale of not less than one hundred feet (100') to the inch, showing the true North Point, and contain the following information.

- 1) The name of the owner and the name of the subdivision.
- 2) A brief legal description of the location of the tract to be subdivided along with the boundary lines of said tract.
- 3) The location of any existing property lines, streets, power distribution lines, sewer, gas or water mains, drainage facilities or public utility easements within the boundaries of the tract and for a distance of one hundred-fifty feet outside these boundaries.
- 4) The location of major topographic and natural features, including wooded areas, marshes, and water bodies which might affect the development of the site.
- 5) Proposed lot and block lines; the dimensions of all lots and blocks; the numbers of all lots and blocks. No lot to be less than 10,000 square feet.
- 6) The location and street widths of unusual intersections; the radii of all curves.
- 7) Proposed recreational and open space facilities.
- 8) Proposed means of water supply, and the location of any proposed water mains.
- 9) Proposed means of sewage disposal along with the loca-

tion of any proposed sewer mains.

- 10) The location of any existing or proposed subdivisions, public schools, recreational areas, parks, or easements within one hundred fifty feet (150') of the plat.

Preliminary Plat Approval

Preliminary plat information will be reviewed by the Board of County Commissioners at the next regular meeting following submission to them. At a regularly scheduled meeting the Board of County Commissioners shall make note of all deviations. All preliminary plats will be reviewed by the Board of County Commissioners and either approved or disapproved within thirty (30) days of the date of submission to them. If requested, the Board of County Commissioners shall hear comments from the subdivider or his representative. The Board of County Commissioners may require a report from a County Consulting Engineer and/or Planner concerning the subdivision which shall be presented to the Board of County Commissioners and the developer prior to the formal decision concerning the preliminary plat. Upon approval of the preliminary plat by the Board of County Commissioners the developer must submit a final plat within eighteen (18) months. Failure to comply with the eighteen (18) months submission deadline for final plat approval (or failure to apply for and receive an extension of time) will result on the lapse of preliminary plat approval.

- 1) Upon approval of the preliminary plat copies shall be retained by the Board of County Commissioners.

- 2). Upon approval of the preliminary plat, the subdivider shall prepare plans for improvements to be installed in the Sub-division. Said plans shall conform to the requirements set forth in Sections XIV and XV.

Final Plat Requirements

The subdivider shall submit to the Board of County Commissioners within eighteen (18) months from the date of preliminary plat approval, the original (which shall be linen) and one sepia or milar tracing of the final plat and ten (10) black or blueline prints of the final plat (24" x 36") along with evidence of title. (as required by Chapter 177.041, Florida Statutes). The subdivider shall also submit three (3) copies each of final plans and specifications for drainage, streets, and other improvements along with a detailed cost estimate of all improvements being installed when the installation of such improvements is being guaranteed by bond or escrow. More specifically, the final plat shall include:

- 1) The name of the subdivision along with brief description of the location by Section, Range, County, and State.
- 2) A legal description of the property being subdivided.
- 3) True northpoint and graphic scale.
- 4) All plat boundary lines with accurate distances measured to hundredths of a foot, and bearings in minutes, decrees, and seconds.
- 5) Accurate location of all permanent reference monuments,

of which there will be no less than two (2) no more than fourteen hundred feet (1400') apart. Reference monuments shall consist of materials and specifications as they appear in Chapter 177, Florida Statutes.

6) The exact layout of the subdivision, including:

- a. All lot lines with dimensions, in feet and hundredths, and bearings in degrees, minutes and seconds.
- b. Lots in numerical order and blocks in alphabetized order.
- c. Street and alley lines, their bearings, angles of intersection, and width.
- d. All easements and rights-of-way.
- e. Length of all arcs chords, radii, points of curative and tangent bearings.

7) The final plat shall contain all information required in the preliminary plat and any additional information as noted above.

Final Plat Approval

The final plat must be acted upon within thirty (30) days after submission to the Board of County Commissioners. If the final plat is found lacking the developer will be so informed and given thirty (30) days to modify the plat before the Board of County Commissioners act to reject it.

The approved linen together with all required copies shall then be conveyed by the subdivider to the Clerk of the Circuit Court of Walton County for recording. If more than six (6) months elapses between approval and submission for recording, the plat must be reprocessed. Before any final plat can be accepted by the County, and before any lot can be sold or any building permit issued in the proposed subdivision, one of the requirements of Section VIII must be satisfactorily completed.

SECTION VIII BONDING

No final plat of any subdivision shall be granted approval by Walton County until the subdivider has satisfactorily guaranteed that improvements required under this Ordinance shall be installed. Such improvements shall be made within a specified period of time, not to exceed two (2) years. Said guarantee shall be made in one of the following ways:

- 1) A surety bond executed by a company in Florida, payable to Walton County in sufficient amount to assure completion of improvements.
- 2) A cash deposit in an escrow account in sufficient amount to assure completion of improvements.
- 3) A construction loan agreement may be used, provided the subdivider and a qualified lending institution enter into an agreement with the County whereby the subdivider

is bound to complete the work, and the lender is bound to advance the funds as the work is completed, thereby providing for completion of the work in event of the subdivider's default.

SECTION IX
FEES

At the time of presenting the final plat to the Board of County Commissioners the subdivider shall pay a fee to the County in the amounts as follows:

\$25.00 plus \$1.00 for each lot over twenty-five (25) in number. The subdivider shall pay all recording fees, said fees shall be deposited in the general fund of the County.

SECTION X
EXCEPTIONS

Minor Subdivision

Minor subdivisions as herein defined shall not be required to comply with the requirements of this Ordinance. Such developments shall be recorded by deed and filed by metes and bounds or boundary line descriptions.

Inheritance

Any division of land directly from inheritance, either by testate or intestate, shall be exempted from the provisions of this Ordinance.

Deed of Gift

Any deed of gift, for any parcel of land given without valuable consideration to any number of the donar's immediate family shall be exempted from the provisions of this Ordinance.

Non-Residential Subdivisions

Subdivisions designed and used exclusively for non-residential purposes need meet only those standards specified by Chapter 177, Florida Statutes. Should any lot so exempted be used for residential purposes, said lot shall be replated in compliance with the provisions of this Ordinance.

SECTION XI LEGAL PROVISIONS

Validity

If any section, clause or phase of this Ordinance is adjudicated to be void such decision shall not effect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be invalid or unconstitutional.

Amendment

This Ordinance may be amended by the Walton County Commission by notification and hearing as specified in Chapter 163, Florida Statutes.

Conflicting Ordinances

Should the requirements of this Ordinance conflict with those of any

other regulation or ordinance of Walton County, Florida, the regulation or ordinance requiring the higher standard shall prevail.

Effective Date

These regulations shall be in effect from and after their passage, approval and publication according to the laws of the State of Florida. Any development plat submitted to the County prior to the effective date of this Ordinance shall not be subject to the provisions of the Ordinance.

SECTION XII VIOLATION

Penalties

It shall be unlawful for any owner or the agent of any owner of land to transfer, sell or convey land without complying with the provisions of this Ordinance.

Any person committing such an unlawful act shall be guilty of a misdemeanor of the first degree, punishable as provided under Section 775.082 or 775.083, Florida Statutes.

SECTION XIII VARIANCES

Where strict adherence to the provisions of this Ordinance would cause an unnecessary hardship due to topographical or other conditions peculiar to the site, or strict adherence to this Ordinance is impossible or impractical, the Board of County Commissioners may authorize a variance. Such a variance shall apply only to the requirements directly affecting the particular

hardship, and shall not be detrimental to the intent of this Ordinance. Any request for a variance shall be submitted in writing to the Board of County Commissioners, reviewed, and acted upon within thirty (30) days from the date of submission.

SECTION XIV DESIGN STANDARDS

General

The design of any subdivision in Walton County shall conform to the County Master Plan, when adopted, as it relates to land uses, traffic circulation, and the general development of the county. Subdividers should make every effort to conform to the natural topography and features of the tract in improving the tract, and in establishing the size and shape of blocks and lots. The subdivider should also take steps to insure the preservation of existing trees, water courses, and other natural features of the land.

Streets

The layout of streets in any subdivision shall conform to the official County Circulation Plat, when adopted, as well as existing streets and thoroughfares.

- 1) A proposed street system shall be continuous and extended in alignment with existing or planned streets with which they are to connect.
- 2) Proposed streets shall intersect at angles of no less than seventy-five (75) degrees. Unaligned

intersections shall be separated by a minimum of one hundred twenty-five feet (125') between centerlines.

3) Rights-of-Way

- a. Primary roads and thoroughfares shall have a minimum right-of-way width of eighty (80) feet.
- b. Collector streets shall have a minimum right-of-way width of sixty feet (60').
- c. Minor streets shall have a minimum right-of-way width of forty feet (40').

Blocks

- 1) Length - Residential blocks shall not be more than fifteen hundred feet (1500') in length. Blocks more than eight hundred feet (800') in length shall be required to have a pedestrian crosswalk near the center of the block, which extends across the street and is at least twenty feet (20') wide.
- 2) Width - Blocks shall have sufficient width to provide for two tiers of lots except when prevented by unique topographical or natural conditions.

Lots

- 1) Lot sizes shall contain a minimum of 10,000 square feet.
- 2) All lots shall front on a street dedicated to public use.
- 3) Excessive depth in relation to width is to be avoided.

- 4) Double frontage and reverse frontage lots are to be avoided.
- 5) Residential lots fronting on collector streets or primary roads shall have sufficient extra depth to permit a buffer zone between the building line and the street.
- 6) Residential lots shall be at least sixty feet (60') wide at the building setback line, except in mobile home subdivisions where the lots must be at least forty feet (40') wide.
 - a. Zero lot line and cluster developments need not comply with the above minimum lot widths.

SECTION XV
MINIMUM REQUIREMENTS FOR THE INSTALLATION OF IMPROVEMENTS

General

All improvements and construction activities required under the Walton County Subdivision Regulations shall take place according to plans approved by the Board of County Commissioners. The plans submitted to the Board of County Commissioners shall bear the signature of the Professional Engineer responsible for the project.

Road and Street Construction

- 1) Cleaning and Grubbing - Cleaning and grubbing shall be done in accordance with applicable portions of Section 110 of the Florida DOT "Standard Specifications for Road and Bridge Construction".
- 2) Excavation and Embankment - Excavation and embankment shall be done in accordance with applicable portions of Section 120 of the Florida DOT "Standard Specifications for Road

'and Bridge Construction."

3) Right-of-Way

- a. Primary roads shall have a minimum right-of-way width of eighty feet (80').
- b. Collector streets shall have a minimum right-of-way width of sixty feet (60').
- c. Minor streets shall have a minimum right-of-way width of forty feet (40').
- d. Provisions for widening of streets or rights-of-way shall be made in those instances where the County Master Plan indicates such a future need.

4) Street Widths

- a. Primary streets shall have a pavement width of twenty-four feet (24').
- b. Collector streets shall have a pavement width of twenty feet (20'), excluding curbs and gutters.
- c. Minor streets shall have a pavement width of twenty feet (20'), excluding curbs and gutters.

5) All primary streets shall be paved as set forth herein. Collector and minor roads may be unpaved providing they meet the requirements of paragraph 6 a, b and c below.

6) Roadway Base - Roadway base shall be constructed of sand-clay, limerock stabilized base, or shell stabilized base according to the specifications shown below. Upon approval of construction plans by the County Engineer, construction may begin, with testing occurring as follows:

Tests for subgrade bearing capacity and compaction at intervals of no more than two hundred feet (200'); staggered to the left, right and on the center line. Thickness of base shall be measured by the County Engineer at intervals of not less than two hundred feet (200') by means of holes drilled in the base.

- a. Sand-Clay Base - The material and construction shall conform to Florida DOT Specifications as shown in Sections 240,912 of "Standard Specifications for Road and Bridge Construction."
- b. Limerock Stabilized Base - The material and construction shall conform to Florida DOT Specifications as shown in Sections 230 and 911 of "Standard Specifications for Road and Bridge Construction."
- c. Shell Stabilized Base - The material and construction shall conform to Florida DOT Specifications as shown in Sections 260 and 913 of "Standard Specifications for Road and Bridge Construction."

7) All shoulders on paved and unpaved roads shall be stabilized mulched and grassed.

8) Surface Treatments - Surface courses for flexible pavements shall be an asphaltic-concrete surfact 2 inches thick.

This asphaltic-concrete surface shall be Type S-I or Type II as specified in Sections 330 and 331 of Florida DOT "Standard Specifications for Road and Bridges."

Testing of the surface course will be carried out by the County Engineer through borings which will be no more than two hundred feet apart and staggered to the left, right, and on the centerline.

- 9) Required Inspection - Inspection of the following phases of street construction must be conducted by the County Engineer in addition to the testing procedures noted above.

Stablized Grade

Curb and Concrete Work

Subgrade

Roadway Base

Surface Course

It is the developers responsibility to notify the County Engineer twenty-four (24) hours before any of the above noted phases of construction are to be ready for construction.

- 10) Street Names - Street names and markers shall be installed according to the specifications of the Board of County Commissioners. No names shall closely approximate any existing street names.

Drainage

A complete drainage plan shall be submitted by the subdivider and approved by a licensed Engineer. These plans shall show sufficient documentation to demonstrate the capability of the drainage system to collect, control, and dispose of storm runoff. The drainage

system will include all catch basins, manholes, inlets headwalls, bridges, pipes, settling basins, etc., deemed necessary by the licensed Engineer. The drainage system shall be based upon the facilities necessary to dispose of runoff according to the frequencies listed below. Rainfall data shall be obtained from the Florida DOT rainfall curves.

The drainage plan shall include a delineation of the major areas draining into the subdivision, sufficient topographical information to verify location of streams, drainage ways, etc., and existing drainage features (pipes, ditches).

Design Frequencies -

<u>Drainage Facility</u>	<u>Design Frequency</u>
Bridges and Culverts	50 year
Cross Drains and Canals (minor watershed)	25 year
Cross Drains and Ditches for internal Subdivision drainage	5 year
Sidedrains for Roadway ditches	5 year
Storm Sewers	5 year
Retention Basins	25 year

1) Material Specifications -

- a. The following materials are acceptable for culverts and storm sewers provided they comply with Florida DOT Standard Specifications (minimum diameter fifteen inches).

Reinforced Concrete Pipe

Corrugated Steel Pipe (Bituminous Coated)

Corrugated Aluminum Pipe (IF Soil Conditions Permit)

Structured Steel Plate Pipe (Bituminous Coated)

Pipe joints shall conform to Florida DOT Standard Specifications.

- b. Manholes and Inlets - Manholes and inlets shall be constructed so as to conform to the standards shown in Section 425 of the Florida DOT "Standard Specifications for Road and Bridge Construction."
- c. Curbs and Gutters - Curbs and gutters shall be constructed so as to conform to the standards appearing in Section 520 of the Florida DOT "Standard Specifications for Road and Bridge Construction."

Utilities

When considered appropriate to the subdivision design, the subdivi-der is encouraged to place all utilities underground.

ADOPTED this 20th day of August, 1974.

BOARD OF COUNTY COMMISSIONERS
OF WALTON COUNTY, FLORIDA

ATTEST:

Philip A. Anderson
Philip A. Anderson, Clerk

Hughie V. Infinger
Hughie Infinger, Chairman