

ORDINANCE
2007-52

AN ORDINANCE MODIFYING THE WALTON COUNTY LAND DEVELOPMENT CODE TO ESTABLISHING WORKFORCE/AFFORDABLE HOUSING CRITERIA, MODIFYING DESIGN REGULATONS, ALLOWING INCREASED DENSITY, ESTABLISHING REQUIREMENTS PROVIDINGFOR CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE IN THE LAND DEVELOPMENT CODE.

WHEREAS, the Walton County Board of County Commissioners wishes to increase the availability of affordable, attainable housing for the citizens of Walton County;

WHEREAS, the Walton County Board of County Commissioners has expressed a desire to increase the density of selected land use designations to increase availability of attainable housing units;

WHEREAS, the Walton County Land Development Code regulates the type and number of units within in each land use designation;

WHEREAS, the Walton County Land Development Code establishes review procedures for issuance of development orders within Walton County;

WHEREAS, Walton County Board of County Commissioners finds that it is in the best interest of the health, safety, and welfare of citizens to increase the allowable base density as a means to increase the number of affordable housing units in certain land use designations provided that certain criteria are met;

WHEREAS, The ordinance is intended to implement the requirements of Chapter 163 F.S. generally, and specifically 163.3177(6)(f), and Chapter 420 F.S. generally, and specifically 420.907. F.S. and Chapter 125 F.S. generally, and specifically 125.379 F.S., and Florida Administrative Code Section 67-37;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners to adopt the following:

Section 1. Authority; purpose and intent.

This ordinance is adopted pursuant to Section 125.01 Florida Statutes.

(deletions are ~~strike through~~ additions are underlined)

Section 2. Chapter 2 of the Walton County Land Development Code is amended as follows:

CHAPTER II. LAND USE DISTRICTS

2.00.00. GENERALLY

2.00.01. Purpose and Intent.

The purpose of this chapter is to describe the specific uses and restrictions that apply to the land use districts established in the land use element of the Walton County Comprehensive Plan. These regulations are intended to allow development and use of property only in compliance with the goals, objectives, and policies of the County as expressed in the Walton County Comprehensive Plan.

2.01.00. LAND USE DISTRICTS

2.01.01. Generally.

Land use districts for the County are established in the Future Land Use Element (FLUE) of the Comprehensive Plan, including the Future Land Use Map (FLUM). The land use districts defined in the Future Land Use Element and delineated on the Future Land Use Map shall be the base determinants of permissible activities on any parcel in the unincorporated area of Walton County. This section describes specific uses which are allowed or prohibited in each district and provides special conditions or restrictions which may apply to all development activity within each district. **Note:** There may be other limitations on the type or intensity of use allowed within any of these districts beyond those described in this Chapter. These additional factors are similarly described in Chapters IV and V of this Code.

A. **Primary Land Uses Allowed.** This section defines and prescribes the specific categories of uses allowed within each land use district described in the Comprehensive Plan and this Code. The specific types of uses allowed in each category are listed in Subsection 2.01.04 of this Section.

B. **Accessory Uses and Structures Allowed.** Accessory structures and uses are allowed in any land use district in connection with any lawfully existing primary use, subject to the requirements of this Code. All accessory structures or uses shall meet the requirements for the land use district in which the structure or use is located.

C. **Conditional Uses Allowed.** This section describes uses which may be allowable within a district subject to the provisions of one or more additional sections of the Code. Each conditional use listed will reference the additional development conditions which may be imposed or additional approval process which may be required, during the development approval process.

Any specific conditions or process provided here will be in addition to all other permitting application requirements and development conditions required in other sections of this Code.

D. **Interpretation of Use Regulations.** Whenever a use is not specifically mentioned in subsections 2.01.03 or 2.01.04, either the Commission or its delegee, the Planning and Zoning Director, shall make a determination as to whether the proposed use is of the same general type as the uses specifically allowed in the land use district. In making such a determination, the Planning and Zoning Director shall be guided by the goals, objectives and policies of the Walton County Comprehensive Plan and this Code.

E. **Local Utility Infrastructure.** Utility services infrastructure such as potable water distribution lines, sanitary sewer collection systems, drainage facilities, electrical and natural gas distribution systems, police and fire stations, public works maintenance facilities, and road facilities which are necessary to provide essential public and utility services to a local commercial area or residential area may be sited in any land use district subject to the location criteria and permitting process provided in this Code.

F. **Home Occupations.** Within any land use district classified as residential a home occupation as defined in this Code shall be allowed in a bona fide dwelling unit provided that the home occupation is clearly incidental and subordinate to the use of the property for residential purposes, does not change the outside appearance of the residential unit, does not occupy more than twenty-five (25) percent of the total floor area of the residence, must be within the primary dwelling units on a site, does not result in an increase in expected traffic, and does not create a nuisance in relation to neighboring residential properties.

G. **Manufactured Housing.**

1. Manufactured homes built in compliance with the HUD code or built under the Florida Manufactured Building Act and certified by the Florida Department of Community Affairs as complying with the structural requirements of the Standard Building Code shall be allowed to locate in all residential land use districts.

H. **Existing Lots of Record Provisions:** None of the provisions of this section preclude the development of a single family dwelling unit on an individual lot of record existing as of the November 7, 1996 on a private well and/or septic tank which comply with the other regulatory requirements of this Code and applicable state law, if central sewer or water service is unavailable. The boundaries of qualifying lots of record may be adjusted to provide for more efficient and/or workable development plans where two or more of these lots are contiguous only if established density does not increase and established type of development does not change.

I. **Division of Family Farms.** The division of land used as a family farm shall be exempt from the agricultural and silvicultural density requirements set forth in this Code provided that all other applicable requirements of this Code are met and the newly created parcel is conveyed to a member of the property owner's immediate family.

2.01.02. Land Use Districts.

The land use districts created for the County are as follows:

1. General Agriculture – GA.
2. Estate Residential - ER.
3. Rural Low Density Residential - RLD.
4. Rural Residential - RR.
5. Rural Village - RV.
6. Urban Residential - UR.
7. Commercial - CM.
8. Private Conservation - PC.
9. Conservation Residential - CR.
10. Neighborhood Planning Areas - NPA.
11. Coastal Center - CC.
12. Mixed Use Centers - MU.
13. Coastal Village 1 — (CV-1).
14. Business Park District — BPD.
15. Light Industrial — LI.
16. Medium Industrial (MI).
17. Heavy Industrial – II.
18. Specific Plan Area - SPA.
19. Court Ordered Overlay District – COO.
20. Large-Scale Agriculture – LSA.
21. Public Facilities – PF.

22. Institutional – IS.
23. Parks and Recreation – PR.
24. Conservation – C.

2.01.03 Allowable Uses and Density Allocations for Each District. The County intends for each of these specific districts to address a particular identified class of need for use of the lands within the unincorporated areas of the County. Each of the following subsections will list the categories of primary uses which the County considers to be appropriate and allowable in each district, restrictions on density and/or intensity of development allowable within each district, specific conditions applicable to development within each district, required setbacks, if any, which are applicable to development within each district and specific buffering requirements, if any, which are applied to development within each district.

A. **LARGE-SCALE AGRICULTURE (LSA):** This district includes areas now used and appropriate for continued use primarily in large-scale agricultural and silvicultural activities, including timber production.

1. **Primary Uses Allowed:**

- Agricultural
- Silvicultural
- Community Uses
- General Agricultural Residential
- Functional Agriculture Related Non-Residential

2. **Conditional Uses Allowed:** Residential Subdivisions, subject to the limitations provided in ~~paragraph~~ number 7 below. Communication towers subject to the limitations and approval process provided in this Code.

3. **Residential Density Allowed:** The maximum residential density allowed within this district is one unit per forty acres (1 unit/40 acres).

4. **Nonresidential Intensity Allowed:** The maximum intensity for any nonresidential development within this district is a floor to area ratio of .30 (30%).

5. **Setback Requirements:** See Section 5.00.03.

6. **Buffering Requirements:** See Section 5.01.02.

7. **Special Development Standards within this District:**

- a. **Residential Subdivisions:** The subdivision of parcels within all lands in the unincorporated areas of the County which are designated under this district shall not result in the creation of more than 50 new building lots during any calendar year.
- b. **Open Space:** For both residential and nonresidential uses within this district, seventy percent (70%) of the development site must be retained in open space. Within this district, open space is the amount of the site that is devoted to passive recreation, resource protection, amenity and/or landscaped buffers. Open space shall include pervious areas only, including: lawns, storm water retention ponds, passive recreation areas and parks, wooded areas, and water courses. Open space does not include impervious surfaces such as driveways, parking lots, or other surfaces designed or intended for vehicular travel.

8. **Workforce/Affordable Housing Density Bonus:** Workforce/Affordable housing density bonuses are not applicable to this land use designation.

B. **GENERAL AGRICULTURE (GA):** This mixed use district is intended to support rural development characterized by smaller-scale agricultural activities, including timber production and limited supporting commercial activities. Low density residential subdivision development is allowed subject to specific open space/clustering requirements.

1. **Primary Uses Allowed:**

- Agricultural
- Silvicultural
- General Agricultural Residential
- Functional Agriculture Related Non-Residential
- Civic Uses
- Reclaimed Water Disposal Facilities. The additional criteria and approval process subject to the requirements for major development provided in Chapter 11 of this Code.

2. **Conditional Uses Allowed:** Residential Subdivisions, subject to the additional conditions provided in ~~Subsection number 7~~ below. Communication towers subject to the limitations and approval process provided in Subsection 5.07.09 of this Code.

3. **Residential Density Allowed:** The maximum allowable density for residential development as a primary use in this district shall be one dwelling unit per ten acres (1 unit/10 acres) gross density.

4. **Nonresidential Intensity Allowed:** The maximum intensity of development of any commercial use allowed as a secondary or supporting use in this district is a floor to area ratio of .30.
5. **Setback Requirements:** See Section 5.00.03
6. **Buffering Requirements:** See Section 5.01.02
7. **Special Development Conditions Within This District:**
 - a. **Residential Subdivisions:**
 - (I) Dwelling units may be clustered on lots as small as one-half acre, provided that a plat is recorded which shows the remainder of the property, from which density is transferred, as a permanent open space tract reserved exclusively for agricultural, silvicultural, or conservation uses.
 - (ii) For lots of record as of November 7, 1996, of 20 acres or less, base density for residential use shall be allowed at a density not to exceed I unit per 2.5 acres. Within these areas, residential units may be clustered so long as the base density for the entire site is not exceeded.
 - b. **Open Space:**

For both residential and nonresidential uses within this district, seventy percent (70%) of the development site must be retained in open space. Within this district, open space is the amount of the site that is devoted to passive recreation, resource protection, amenity and/or landscaped buffers. Open space shall include pervious areas only, including: lawns, storm water retention ponds, passive recreation areas and parks, wooded areas, and water courses. Open space does not include impervious surfaces such as driveways, parking lots, or other surfaces designed or intended for vehicular travel.
8. **Workforce/Affordable Housing Density Bonus: Workforce/Affordable housing density bonuses are not applicable to this land use designation.**

C. ESTATE RESIDENTIAL (ER): This mixed use district is intended to support uses which are appropriate to development in proximity to unincorporated municipalities and other urbanized areas. The purpose of this district is to direct new rural development toward these more urbanized areas, and away from agriculture areas in order to preserve the working

landscape in the Large-Scale and General Agriculture Districts. This district allows limited nonresidential uses unrelated to agricultural uses and traditional types of subdivisions with less substantial open space requirements than General Agriculture.

1. **Primary Uses Allowed:**
 - Agricultural
 - Silvicultural
 - General Agricultural Residential
 - Civic Uses
 - Residential subdivisions

2. **Conditional Uses Allowed:** Neighborhood Serving Retail/Service uses subject to the additional conditions provided in ~~subsection~~ number 7 below. Communication towers subject to the limitations and approval process provided in Subsection 5.07.09 of this Code.

3. **Residential Density Allowed:** The maximum density for residential development within this district is one unit per five acres (1 unit/5 acres).

4. **Nonresidential Intensity Allowed:** The maximum intensity for any nonresidential development within this district is a floor to area ratio of .30 (30%).

5. **Setback Requirements:** See Section 5.00.03

6. **Buffering Requirements:** See Section 5.01.02

7. **Special Development Considerations within This District:**
 - a. **Commercial Development:**
 - (i) Allowable commercial uses may occupy up to 5% of the total area designated on the FLUM under this district.

 - (ii) Commercial developments shall be minor scale (less than 3,500 square feet of gross floor area) and consistent with the character of existing neighborhoods and businesses.

 - (iii) Commercial development may be located no closer than 1 linear mile from each area designated as Commercial on the FLUM as measured from the closest boundary of the applicable Commercial land use area and shall be adjacent to improved (paved) collector or arterial roadways

- (iv) Not more than 15% of the total frontage on both sides of a collector or arterial road shall be occupied by commercial uses within this district.
- (v) Commercial development, other than home occupations, is prohibited on interior subdivision lots.

D. RURAL LOW DENSITY RESIDENTIAL (RLD): This district is intended to be a mixed use district which provides for residential uses where the predominant lot size is approximately one (1) acre. The intent is to prevent further subdivision into smaller lots that would further degrade water quality from septic tanks, increase densities in Floodplains or change the character of existing residential areas.

1. **Primary Uses Allowed:**

- Agricultural
- Silvicultural
- General Agricultural Residential
- Civic Uses
- Residential subdivisions

2. **Conditional Uses Allowed:** Functional Agriculture Related Non-Residential subject to the additional conditions of ~~section number~~ 7 below. Communication towers subject to the limitations and approval process provided in Subsection 5.07.09 of this Code.

3. **Residential Density Allowed:** The maximum allowable density for residential development is one unit per acre (1 unit/1 acre) when connected to central potable water service. The maximum allowable density is one unit per five acres (1 unit/5 acres) where central potable water is not available.

4. **Non-Residential Intensity Allowed:** The maximum intensity of non-residential uses shall not exceed a floor area ratio of 50 percent (0.5 FAR).

5. **Setback Requirements:** See Section 5.00.03

6. **Buffering Requirements:** See Section 5.01.02

7. **Special Development Conditions Within This District:**

a. **Commercial Development:**

- (i) Residential uses shall account for approximately 95 percent of the total land area within any area designated on the FLUM for this District. The remaining area may be utilized for related and compatible commercial uses.
- (ii) The location of neighborhood commercial land uses shall be limited to collector and arterial road intersections, intersections of subdivision collectors and arterial or collector roads.
- (iii) Not more than 15% of the total frontage on both sides of a collector or arterial road shall be occupied by commercial uses within this district.

8. **Workforce/Affordable Housing Density Bonus: Workforce/Affordable housing density bonuses are not applicable to this land use designation.**

E. **RURAL RESIDENTIAL (RR):** This mixed use district includes lands that are in proximity to unincorporated municipalities and other urbanized areas. The purpose for this district is essentially the same as Estate Residential. However, it does allow for higher overall residential density. This district allows limited commercial uses and traditional types of subdivisions.

1. **Primary Uses Allowed:**

- Agricultural
- Silvicultural
- General Agricultural Residential
- Civic Uses
- Residential subdivisions

2. **Conditional Uses Allowed:** Functional Agriculture Related Non-Residential subject to the additional conditions of Section number 7 below. Communication towers subject to the limitations and approval process provided in Subsection 5.07.09 of this Code.

3. **Residential Density Allowed:** The maximum residential density allowed will be one unit per two and one half acres (1 unit/2.5 acres).

4. **Non-residential Intensity Allowed:** The maximum intensity for non-residential development allowed in this district is a floor to area ratio of 0.50.

5. **Setback Requirements:** See Section 5.00.03.
6. **Buffering Requirements:** See Section 5.01.02
7. **Special Development Conditions Within This District:**
 - a. **Commercial Development:**
 - (i) Commercial uses may occupy up to 5% of the total area designated on the FLUM for this District.
 - (ii) Commercial developments shall be minor scale (less than 3,500 square feet of gross floor area) and consistent with the character of existing neighborhoods and businesses.
 - (iii) Commercial development may be located no closer than 1 mile from areas designated as Commercial on the FLUM, and shall be adjacent to improved (paved) collector or arterial roadways.
 - (iv) Not more than 15% of the total frontage on both sides of a collector or arterial road shall be occupied by commercial uses within this district.
8. **Workforce/Affordable Housing Density Bonus: Workforce/Affordable housing density bonuses are not applicable to this land use designation.**

F. **RURAL VILLAGE (RV):** This district is a mixed use district which permits predominantly residential development up to a maximum of 2 units per acre:

1. **Primary Uses Allowed:**
 - Silvicultural
 - General Agricultural Residential
 - Civic Uses
 - Residential subdivisions
2. **Conditional Uses Allowed:** Functional Agriculture Related Non-Residential subject to the additional conditions of ~~Section~~ number 7 below.
3. **Residential Density Allowed:** The maximum allowable residential density is two units per acre (2 units/1 acre).

4. **Non-Residential Intensity Allowed:** The intensity of non-residential uses shall not exceed a floor area ratio of 50 percent (0.5 FAR).
5. **Setback Requirements:** See Section 5.00.03
6. **Buffering Requirements:** See Section 5.01.02
7. **Special Development Conditions within This District:**
 - a. **Commercial Development:**
 - (i) Residential uses shall account for approximately 95 percent of the total land area within any area designated on the FLUM for this District. The remaining area may be utilized for related and compatible commercial uses.
 - (ii) Commercial uses may occupy up to 5% of the total land area designated on the FLUM for this District.
 - (iii) Commercial land uses shall be limited to collector and arterial road intersections, intersections of subdivision collectors and arterial or collector roads, and areas that are specifically designated Commercial on the FLUM.
 - (iv) Not more than 15% of the total frontage on both sides of a collector or arterial road shall be occupied by commercial uses within this district.
8. **Workforce/Affordable Housing Density Bonus:** Affordable housing density bonuses are applicable to this land use designation based on the criteria detailed in section 2.04.

G. URBAN RESIDENTIAL (UR): This district includes areas that constitute reasonably compact additions to urbanized areas surrounding municipalities, which do not constitute significant habitat, wetland, or flood hazard areas, and which are either served by public water or sewer systems, or where such systems are scheduled to be extended within five years. This district allows higher density residential development in more traditional residential subdivisions and provides for a more intensive commercial component in mixed use areas.

1. **Primary Uses Allowed:**

- Residential Subdivisions

2. **Conditional Uses Allowed:** Limited Supporting Neighborhood Commercial, ~~and/or Multifamily~~, and/or Workforce/Affordable Housing subject to the conditions provided in ~~subsection~~ number 7 below.
3. **Residential Density allowed:** The maximum residential density allowed within this district is four units per acre gross density (4 units/1 acre).
4. **Non-Residential Intensity Allowed:** The intensity of non-residential uses shall not exceed a floor area ratio of 50 percent (0.5 FAR).
5. **Setback Requirements:** See Section 5.00.03
6. **Buffering Requirements:** See Section 5.01.02
7. **Special Development Conditions within this District:**
 - a. **Limited Supporting Neighborhood Commercial:**
 - (i) Neighborhood Commercial development shall ensure compatibility and harmony of scale and character. No more than five percent of the total area designated on the FLUM for the District shall be in limited supporting neighborhood commercial.
 - (ii) Commercial uses shall not occupy more than ten percent of any specific area designated as UR.
 - (iii) Commercial uses shall be limited to collectors and arterial road intersections, intersections of subdivision collectors and arterial or collector roads.
 - (iv) Not more than 15% of the total frontage on both sides of a collector or arterial road shall be occupied by commercial uses within this district.
 - b. **Affordable Housing.** Multi-family, Workforce/affordable housing sites may be permitted at densities up to 10 dwellings/acre within the UR district subject to the following conditions:
 - (i) at least 20% of the dwellings are for very-low, low-, and moderate income housing;
 - (ii) The development is connected to a public water and sewer system; and

~~(iii) a building setback of at least 50 feet for every floor of building height measured by individual building footprint is maintained between the high density housing and pre-existing adjacent lower density residential uses (Example: 1 story units must be 50 feet away, 2 story units must be set back another 50 feet, three story units must be set back another 50 feet).~~

~~(iv)~~(iii)The buffering requirements of this Code for incompatible uses are required in the setback area if adjacent to single family.

c. Required Utility Services Connections:

(i) Connection to central water and sewer systems shall be required for any residential development with a density over 2 dwelling per acre, and for any commercial development, if such service is available within one-quarter (1/4) mile; furthermore, dry lines (water and sewer) shall be installed extending to the closest point on the boundary of the closest existing utility line corridor for such development, if the extension of water or sewer lines to within 1/4 mile of the site is included for completion within five (5) years in the Capital Improvements Plan of the appropriate utility provider.

H. Commercial (CM): This district is intended to provide for business uses that serve the community and the traveling public through the development of integrated commercial centers in North Walton County.

1. Primary Uses Allowed:

- General Commercial
- Civic Uses

2. Conditional Uses Allowed: Multi-family workforce/affordable housing projects subject to the provisions of number ~~paragraph~~ 7 below and Mobile Home Parks

3. Residential Density Allowed: This district does not provide for residential uses, with the exception of multi-family workforce/affordable housing projects as provided for in this section and accessory workplace-related housing for business owners and employees.

4. **Non-Residential Intensity Allowed:** The maximum intensity for commercial uses in this district is a floor to area ratio of 0.6
5. **Setback Requirements:** See Section 5.00.03
6. **Buffering Requirements:** See Section 5.01.02
7. **Special Development Conditions within This District:**
 - a. **Multi-family, Workforce/Affordable Housing:**
 - (i) ~~Multi-family~~ Workforce/Affordable housing sites may be permitted at densities up to 10 dwellings/acre within the CM district subject to the following conditions:
 - (ii) At least 20% of the dwellings are for very-low, low-, and moderate-income housing;
 - (iii) The development is connected to a public water and sewer system; and
 - ~~(iv) a building setback of at least 50 feet for every floor of building height is maintained between the high density housing and pre-existing adjacent lower density residential uses (Example: 1 story units must be 50 feet away, 2 story units must be set back another 50 feet, three story units must be set back another 50 feet)~~
 - ~~(iv)~~(iv) The buffering requirements of this Code for incompatible uses are required in the setback area if adjacent to single family.
 - b. **Mobile Home Parks:**
 - (i) A mobile home park is an unsubdivided parcel of land which is improved to accommodate the placement of mobile manufactured homes and/or house trailers.
 - (ii) All mobile home parks must be licensed through the Florida Department of Health and Rehabilitative Services in compliance with all applicable administrative regulations.
 - (iii) Parks must be limited to a maximum base density of two (2) units per acre. Individual mobile home sites within the park must comply with the HRS minimum size requirements.

I. INDUSTRIAL (I): This district includes areas devoted exclusively to industrial development, allowing a mix of heavy and light industry, storage, distribution, and other industrial activities.

1. **Primary Uses Allowed:**
 - General Commercial
 - General Industrial
2. **Residential Density Allowed:** This district does not provide for residential uses.
3. **Intensity Allowed:** The maximum intensity for non-residential uses in this District is a floor to area ratio of 0.6
4. **Setback Requirements:** See Section 5.00.03
5. **Buffering Requirements:** See Section 5.01.02

J. PRIVATE CONSERVATION (PC): This district includes areas with extremely limited development potential due to environmental sensitivity, including wetlands, floodplains, and privately owned natural reservations. Generally, the intention is that land uses are limited to activities compatible with the conservation and protection of natural resources and wildlife habitats.

1. **Primary Uses Allowed:**
 - Silviculture.
 - General Agricultural Residential
 - Passive Parks and Recreational
2. **Conditional Uses Allowed:** Residential Subdivisions, subject to the conditions provided in ~~subsection number~~ 7 below.
3. **Residential Density Allowed:** The maximum residential density allocated to private conservation lands is one unit per twenty acres (1 unit/20 acres).
4. **Non-Residential Intensity Allowed:** **This district** does not provide a nonresidential intensity value for primary land uses.
5. **Setback Requirements:** See Section 5.00.03
6. **Buffering Requirements:** See Section 5.01.02

7. **Special Development Conditions within this District:**

a. **Residential Development:**

- (i) Clearance of natural vegetation and required open space shall be consistent with the Walton County Comprehensive Plan. Open space shall include pervious areas only, including storm water retention ponds, passive recreation areas and water sources. Open space does not include impervious areas such as driveways, parking lots, or other surfaces designed or intended for vehicular travel.
- (ii) Septic tank drain fields shall not be permitted within wetlands and within wetland buffer areas or within 100 feet of the shoreline of the rivers and creeks and within the private conservation district. As an alternative, aerobic systems may be permitted in the buffer areas if a conventional septic tank cannot be sited on the property in accordance with the provisions of this section, where placement of an aerobic or other alternative treatment system is consistent with Chapter 10D-6, F.A.C.

K. CONSERVATION RESIDENTIAL (CR): This district includes private, larger tract ownership intended for very low density use and enhancement of natural resource conservation. This classification responds to a variety of circumstances such as limited development potential due to environmental sensitivity, including development constraints caused by the presence of salt marsh, wetlands, or floodplains. Land use is limited to low impact residential usage and activities compatible with natural resource and wildlife conservation.

1. **Primary Uses Allowed:**

- General Agricultural
- Residential
- Parks and Passive Recreational
- Silviculture

2. **Conditional Uses Allowed:** Residential Subdivisions, subject to the conditions provided in ~~subsection~~ number 7 below.

3. **Residential Density Allowed:** The CR land use district consists of three sub-Districts with the following specific maximum residential density allowances:

- a. CR1/10 (1 unit/10 acres);
- b. CR1/2.5 (1 unit/2.5 acres);

- c. CR 2/1 (2 units/acre).
- 4. **Non-Residential Intensity Allowed:** This district does not allow for commercial and industrial commercial uses.
- 5. **Setback Requirements:** See Section 5.00.03
- 6. **Buffering Requirements:** See Section 5.01.02
- 7. **Special Development Conditions within this District:**
 - a. **Residential Subdivisions:**
 - (i) Clearance of natural vegetation is allowable on any development parcel consistent with the Comprehensive Plan.
 - (ii) A minimum open space percentage must be provided consistent with the Comprehensive Plan.
 - (iii) Buildings shall be located on the least environmentally sensitive part of any development parcel site as determined by County staff and shall be subject to the density transfer provisions of section of this Code;
 - (iv) Septic tank drain fields shall not be permitted within wetlands and within wetlands buffer areas or within 100 feet of the shoreline of the Bay, rivers and creeks. As an alternative, aerobic systems may be permitted within the buffer areas if a conventional septic tank cannot be sited on the property in accordance with the provisions of this section, where placement of an aerobic or other alternative treatment system is consistent with Chapter 10 D-6, F.A.C.
- 8. **Workforce/Affordable Housing Density Bonus: Workforce/Affordable housing density bonuses are not applicable to this land use designation.**

L. NEIGHBORHOOD PLANNING AREAS: This district builds upon the historical patterns of settlement in South Walton County. Neighborhood Planning Areas (NPA) consist of a mixture of existing platted or vested development, unplatted or undeveloped vacant areas, infill areas and small neighborhoods. It is the intention of the County that walkable, mixed use neighborhoods shall be developed within areas designated in this district through the implementation of infill development, the expansion of existing neighborhoods, cooperative planning, and the use of traditional principles of community design.

1. **Types of Projects Allowed Within This District:** There are five project types allowed within the NPA land use district; any proposal for development in an NPA shall be either (a) a RESIDENTIAL PRESERVATION AREA PROJECT, (b) an INFILL PROJECT, (c) a SMALL NEIGHBORHOOD PROJECT, (d) a TRADITIONAL NEIGHBORHOOD DEVELOPMENT PROJECT, or (e) a VILLAGE SCALE DEVELOPMENT PROJECT. Each NPA project proposed for an area within this district, regardless of type, shall conform to the standards established in this section for either: (i) the project type, or (ii) a specific adopted Neighborhood Plan. A Neighborhood Plan may be adopted for all or part of an area designated as NPA, as more fully described in Section 2.03.00 of this Code. The following criteria are established to determine generally which project type will be applied to new development in this district:
 - (a) **Residential Preservation Areas (RP):** Residential Preservation Areas consist of previously existing platted subdivisions and approved development projects which are vested or built out, or existing platted subdivisions that have infrastructure in place and are substantially sold and developed.
 - (b) **Infill Development (IF):** Infill development generally consists of unplatted, vacant or redevelopment parcels of land surrounded by development, conservation or public lands on three or more sides, where the size of the undeveloped infill parcels is ten (10) acres or less for the total infill area.
 - (c) **Small Neighborhood Projects (SN):** Small Neighborhood Projects consist of undeveloped, unplatted or redevelopment parcels which range from more than ten (10) to less than forty (40) acres.
 - (d) **Traditional Neighborhood Development Projects (TND):** Traditional Neighborhood Development Projects consist of undeveloped, unplatted or redevelopment parcels which range from forty acres to less than one hundred sixty (160) acres.
 - (e) **Village Scale Development Projects (VSD):** A Village-Scale project is one that is greater than one hundred sixty (160) acres and is subdivided into more than one neighborhood. Two neighborhoods, autonomous by identity and boundary, make a Village. All development projects that are greater than 160 acres in area shall be divided into neighborhoods, so that no neighborhood is greater than 160 acres, and each neighborhood

shall meet the land use and design requirements for a Traditional Neighborhood.

2. **General Regulations and Requirements Applying to All Five Types of Development Projects within an NPA.**

a. **Base Density for Areas with a Neighborhood Plan:**

- (i) two units per acre (2 units/acre) if central water and sewer is not available
- (ii) three (3) units per acre if connected to central water but using septic tanks.
- (iii) four (4) units per acre if connected to central water and either central sewer or dry lines (sewer) are installed and the extension of sewer to within 1/4 mile of the site is adopted within the Capital Improvements Plan of the appropriate utility provider, and connection is mandatory when available.
- (iv) up to ten units per acre (10 units/acre) if connected to both central water and sewer if developed in conformity with the density bonuses provided herein.

b. **Base Density for Areas without a Neighborhood Plan:** The base densities for areas without adopted Plans are the same as those specified in Subsection (b) above. A site may be developed up to this base density without the adoption of a neighborhood plan using any of the proposed traditional design criteria.

c. **Density Limitations Based on Location:** Development projects within one mile of County Road 30A or within a drainage basin of a coastal dune lake shall be allowed a maximum density consistent with the Comprehensive Plan.

d. **General Traditional Neighborhood Design Criteria:** All projects proposed for any type of development within an NPA will be required to comply with the fundamental design standards established in this Code.

e. **Compatibility with Existing Neighborhoods:** The compatibility of new development with existing adjacent neighborhoods shall be considered as part of the review of any proposal for development within the NPA district. To accomplish this, all individual project

plans and Neighborhood Plans shall establish a specific combination and quantity of uses which relate to existing adjacent conditions and in effect, preserve or enhance the desirable aspects of existing development in the adjacent areas and ensure compatible new development. The specific criteria which shall be used to by an applicant, where applicable, establish presumption of compatibility is as follows:

- (i) No new commercial or workplace uses shall be established within a 250-foot buffer around areas which meet the definition of Residential Preservation Areas within the NPA district. This specific buffer does not apply to areas designated as Coastal Center, Mixed Use Center, Light Industrial Center or Court Ordered Overlay District on the FLUM.
- (ii) New residential projects with buildings over 2 stories in height shall be set back 50 feet from Residential Preservation Areas which contain more than seventy-five percent (75%) 1 or 2 story dwellings.
- (iii) These buffer requirements may only be modified by the County Commission, as an express part of an adopted Neighborhood Plan for an area within the NPA district.

3. **Density, Mix, and Standards For Each Specific Type of Development Project Allowed Within an NPA.**

a. **RESIDENTIAL PRESERVATION AREAS (RP):**

- (I) **Primary Uses Allowed within the Category:** Development within RP areas is limited to the type, of development that is shown in the approved plat or development order for the proposed area.
- (ii) **Residential Density Allowed within the Category:** Unless specified otherwise on a previously approved development order, the maximum allowable residential density within an area designated RP shall be one (1) dwelling unit per platted lot. The reconfiguration of existing platted lots for sale which does not require a minor re-subdivision as defined in this Code, shall be allowed only to the extent that this stated maximum density is not increased for the subject area.

(iii) **Non-Residential Intensity Allowed within the Category:** Non-residential uses are not allowed in this district, unless part of a previously approved plat or development order.

(iv) **Workforce/Affordable Housing Density Bonus:** Affordable housing density bonuses are not applicable to this land use designation.

b. **INFILL PROJECTS (IF):** The maximum intensity for any nonresidential development within this district is a floor to area ratio of .50 (50%).

(i) **Primary Uses Allowed Within the Category:**

- Residential subdivision community uses
- Public Uses

(ii) **Conditional Uses Allowed Within the Category:** Civic uses are not required but may be approved by the County with a detailed plan and a demonstration of need.

(iii) **Special Development Conditions within this Category:**

(aa) New development must show its place within the neighborhood it infills, including the neighborhood's ultimate size, boundary and center, and shall be functionally related to the existing pattern of development for that neighborhood and be compatible with that development plan.

(bb) The average density and setbacks shall conform to the greatest extent possible to the abutting areas being infilled. In order to show conformity, an applicant shall prepare a detailed study of the immediate area. The study must show existing densities and setbacks of all development within a 1/4 mile radius of the proposed project. The study shall be presented to the Planning Commission for consideration and shall be subject to a public hearing.

(cc) Commercial uses are prohibited, except as an expansion of an existing commercial use. Any proposal for expansion of an existing commercial use shall be subject to a detailed plan, including buffers between incompatible uses, interconnections between adjacent parking and access facilities, submission and approvals of a description of all

uses including scale and character adjacent to the proposed expansion.

Workplace is prohibited.

- (iv) **Workforce/Affordable Housing Density Bonus:**
Affordable housing density bonuses are applicable to this land use designation based on the criteria detailed in section 2.04. Any development shall meet compatibility criteria established by Walton County.

c. **SMALL NEIGHBORHOOD PROJECTS:**

(i) **Primary Uses Allowed within this Category:**

- Residential
- Civic Uses
- Public Uses

(ii) **Conditional Uses Allowed:**

- (aa) Workplace is prohibited, except as an extension of an existing use. Any proposal for an extension of an existing workplace type use shall be subject to submission and approval of a detailed plan by the County. The detailed plan shall provide buffers between incompatible adjacent uses, lateral interconnections between adjacent parking and access facilities, a description of abutting neighborhood uses of similar scale and character. The extension of existing workplace uses is limited to a maximum new area that does not exceed fifty percent of the existing land area occupied by the workplace use.
- (bb) Neighborhood Serving Commercial and Retail is allowed but may not exceed ten (10) percent of the project acreage. Residential units may occur over the commercial and this configuration is encouraged.
- (cc) In order to prevent strip commercial development, commercial uses must be located within 330 feet of either existing commercial uses, or commercial use locations in an approved Neighborhood Plan, or the boundary of a Mixed Use district.

- (iii) **Residential Density Allowed:** Residential densities and unit types can be mixed in accordance with the bonus provisions of this Code.
- (iv) **Nonresidential Intensity Allowed:** The intensity of non-residential uses within this category shall not exceed a floor to area ratio of 50% (0.5 FAR).
- (v) **Special Conditions Required within the Category:**
 - (aa) Any proposal for a Small Neighborhood project within an designated NPA must constitute, or be based upon, a specific Neighborhood Plan, must identify whether the proposed development is infill or new development, and if based on an existing adopted Neighborhood Plan, must identify the specified NPA's ultimate size, boundary and center, and the proposed development's relationship to it.
 - (bb) A Small Neighborhood project shall be pedestrian in scale and shall facilitate and encourage pedestrian use. The placement of residential and commercial land uses shall be such that pedestrian rather than vehicular access to commercial uses is facilitated and encouraged.
- (vi) **Workforce/Affordable Housing Density Bonus:** Affordable housing density bonuses are applicable to this land use designation based on the criteria detailed in section 2.04, if developed as a standard subdivision. If developed to the Small Neighborhood standards, the affordable housing bonus system is applicable at the discretion of the developer.

d. **TRADITIONAL NEIGHBORHOOD DEVELOPMENT PROJECTS:**

- (i) **Primary Uses and Use Mix Allowed Within this District:** Any Plan for a Traditional Neighborhood Development Project must be based upon a mix of the following primary uses and complies with the related use criteria. Residential uses shall not exceed 80% of the entire project.

aa. **Public Use:**

- (1) Each Plan must provide for a minimum of 5% of the neighborhood area or three (3) acres (whichever is greater) to be designated for Public use.
- (2) Each Plan must contain at least one (1) public square, close to the geographic center of the Plan.

bb. **Civic Use:**

- (1) Each Plan must provide for a minimum of 2% and a maximum of 15% of the project area to be designated for Civic uses.
- (2) Each plan should designate Civic uses within or adjacent to squares and parks or on a lot terminating a street vista.
- (3) Each plan should designate Off-street parking to the side or rear of buildings and may provide for parking to be shared with other adjacent uses. Shared parking shall be permitted subject to approval of the Planning Commission at a duly noticed public hearing.
- (4) The maximum FAR is 1.0 for civic uses.

cc. **Workplace:**

- (1) These uses shall only be allowed if they are of a neighborhood scale and neighborhood character.
- (2) There shall be no outdoor storage, bulk storage, or storage of hazardous materials allowed.
- (3) Such uses shall create no off-site impacts with regard to noise, particulate matter, vibration, odor, fumes, glare and fire hazard.
- (4) Each Plan must provide for a minimum of 1% and may allow up to a maximum of 25% of the project area to be designated in Workplace uses.
- (5) Each Plan should provide for off-street parking which is to the side or rear of the buildings.

dd. **Commercial Center:**

- (1) Each Plan must provide for a minimum of 2%, or one (1) acre, and may provide up to a maximum of 20% of the project area in Commercial Center Uses.
- (2) Each Plan must designate at least 25% of the building area for residential uses, unless the site is less than two (2) acres.
- (3) Each Plan must include front streets with parallel parking and with sidewalks which are a minimum of 10' wide.
- (4) Each Plan should provide for off-street parking to the side or rear of the buildings and may provide for parking to be shared with other uses. A shared parking plan shall be subject to approval of the Planning Commission at a duly noticed public hearing.
- (5) A Plan may provide for limited lodging facilities as a part of this use category. Limited lodging is a bed and breakfast type lodging facility housed within one primary structure which is residential in exterior character.
- (6) Heights may not exceed four (4) stories above ground level.
- (7) Entertainment and recreational uses, without outdoor broadcasting or music, are allowed.

ee. **Small Apartment Buildings and Townhouses:**

- (1) Each Plan may designate up to a maximum of 80% of the entire Project area for Small Apartment Buildings and Townhouses uses.
- (2) Buildings in areas designated for these uses may have limited office and retail uses, cafes, limited lodging and artisanal uses on the ground floor. All building areas above the ground floor must be designated for residential use.

- (3) These uses require front streets with parallel parking and sidewalks a minimum of six (6') feet wide.
- (4) These uses require all off-street parking to be located behind the buildings except for on-street parallel parking.
- (5) Building heights are limited to three (3) stories above ground level for townhouses and/or four (4) stories above ground level for small apartments.
- (6) Outbuildings of no greater than 800 square feet in size are allowed. If a different size is specified in the applicable Neighborhood Plan, that size will control.

ff. **Single Houses:**

- (1) Each Plan can designate up to 80% of the Neighborhood area as single houses.
- (2) Home occupation uses which comply with the provisions of this Code are allowable if located on the ground floor.
- (3) Single houses and lots must face roads with a minimum of 6' wide sidewalks on at least one side of the road and optional parallel parking.
- (4) All off-street parking related to single houses is to the side or rear of the building. Where access is through the front, garages or carports are located a minimum of 20' behind the building facade.
- (5) Outbuildings of no greater than 800 square feet in size are allowed. If a different size is specified in the applicable Neighborhood Plan, that size will control.

(ii) **Workforce/Affordable Housing Density Bonus: Affordable housing density bonuses are applicable to this land use designation based on the criteria detailed in section 2.04, if developed as a standard subdivision. If developed to the Traditional Neighborhood standards, the affordable housing bonus system is applicable at the discretion of the developer.**

M. COASTAL CENTER (CC): The areas within this mixed use land use district are primarily residential, allowing medium residential densities and supporting uses. All development is required to be connected to a public water and sewer system, and shall comply with applicable provisions of the US 98 Scenic Corridor guidelines adopted by the County.

1. **Uses Allowed:** The uses allowed in this district include:

- Public uses
- Civic uses
- Workplace, limited to offices and artisanal uses
- Commercial shall be for retail entertainment, restaurant, services, and lodging. There shall be no outdoor entertainment or broadcasting. In order to prevent visual blight from all roadways and neighborhoods, no outdoor storage is permitted without an adequate screening plan being approved as a condition of a development plan within the Coastal Center category. Outdoor display of retail items is permitted during business hours. Commercial uses are specified as the following:

Retail sales stores, such as shoe stores, clothing stores, home accessories and furnishings, pharmacies, florists, bookstores, and the like;

Sports clubs

Fitness centers

Dance schools and other performing arts

Small indoor theaters

Dinner clubs/lounges

Restaurants (standard sit-down without drive-up facilities)

Garden Supply, vehicle parts and accessories (but specifically excluding vehicle sales/service/repair)

Specialty food stores (such as meat markets, delicatessens, and bakeries)

Service businesses such as blueprint, printing, catering, tailoring, travel agencies, upholstery shops, local Laundromat/dry cleaners, and light mechanical repair stores (such as camera, TV, or bicycle repair shops)

Professional office uses such as accountants, attorneys, engineers, doctors, and the like

Limited lodging (75 rooms or less) including full services, such as supporting restaurant use

- Residential
- Multifamily Residential

2. **Residential Density Allowed:** The maximum allowable density for residential development in this district is eight (8) units per acre (8 units/1 acre)
3. **Commercial Intensity Allowed:** Commercial development within this district shall have a maximum floor area ratio of 1.5 and an impervious surface ratio of 0.75.
4. **Setback Requirements:** See Section 5.00.03
5. **Buffering Requirements:** See Section 5.01.02
6. **Special Development Conditions Within the District:** The following restrictions apply to all development and redevelopment within this category:
 - a. **Mixed Use Requirement:** Development projects of 40 acres or more shall be required to be mixed use, and shall include a minimum of 10% and not more than 35% commercial uses.
 - b. Access to commercial and workplace use in projects located along US 98 and US 331 shall be subject to the minimum spacing standards, joint driveway provisions and cross access easements of the Walton County Scenic Corridor Guidelines, as provided in Chapter 13 of this Code.
 - c. Each parcel or lot, except single family, with a public street frontage shall provide vehicular connections to abutting lots to limit access impacts on US 98.

7. **Workforce/Affordable Housing Density Bonus:** Affordable housing density bonuses are applicable to this land use designation based on the criteria detailed in section 2.04.

N. COASTAL VILLAGE (CV-1): The Coastal Village mixed-use district is intended to provide a location where opportunities may occur for working, shopping, lodging, recreation and entertainment, and living. Coastal Village activity centers are intended to create a sense of place and identity. The Coastal Village district may serve regional or local needs, providing shopping, professional services, offices, institutional services, or recreational facilities within village centers. A range of uses is anticipated within the district, including mixed-use buildings with commercial and office uses mixed with residential uses. Residential units may be mixed within each block with commercial and office uses. The district permits residential development at a variety of densities up to a maximum of 1 unit per gross acre.

1. Uses Allowed

- Residential
- Civic
- Public
- Professional Service/Office
- Commercial

2. Residential Density Allowed: The maximum density for residential development is one unit per one acre (1 unit/1 acre).

3. Non-Residential Density Allowed: The intensity of non-residential uses on an individual non-residential development sites shall not exceed a 0.5 floor area ratio (FAR). The total non-residential building floor area within a parcel designated CV-1 shall not exceed the equivalent of a 0.05 FAR as applied to the maximum allowable non-residential area of a CV-1 district.

4. Buffering Requirements: See section 5.01.02.

5. Special Development Standards within this District:

- A. Mixture of Uses: Allowable residential and accessory uses as defined in paragraph (a) above shall account for 85 percent to 95 percent of the gross parcel area designated CV-1. Allowable non-residential uses shall account for 5 percent to 15 percent of the gross parcel designated CV-1. Internal landscaped buffers shall be required between residential uses and non-residential uses, if necessary to achieve compatibility. Neighborhoods shall be designed to be interconnected for vehicular, bicycle, and pedestrian access with minimum impacts to environmentally sensitive lands.

B. Location Criteria for Commercial Uses: Commercial uses shall be limited to collector and arterial roadway intersections, intersections of subdivision collectors and arterial or collector roads, and areas specifically designated and platted for commercial uses as a part of PUD master plans. To limit linear and/or strip development and to provide for access management along thoroughfares, community—serving commercial uses shall be located in activity centers within a maximum of 1,320 feet either side of the intersections or arterial and/or collector roadways.

C. Uses Proximate to Water bodies: Residential uses, recreational uses, water dependent uses, water-related uses, and ancillary commercial uses are allowed subject to all generally applicable plan policies as further limited by this policy. Recreational uses may include docks piers, footbridges, boardwalks, boat launching ramps, swimming pools, gazebos, picnic areas, playgrounds and ancillary uses. Development within the coastal dune lake protection zone on any coastal dune lake or tributary depicted on the map entitle Walton County Coastal Dune Lake System shall be subject to Section 4.02.06 B and to all generally applicable plan policies including, but not limited to Policies C-3.2.1 and C-3.2.8 of the comprehensive plan. In designated coastal dune lakes, docks shall not provide permanent mooring for watercraft with internal combustion engines, except for safety/rescue watercraft or water taxis. Fueling, re-fueling and boat repair activities shall be prohibited, except for routine service and maintenance on allowed watercraft.

D. Wetlands Protection: All new development or redevelopment within this land use district shall be designed to avoid impacts on wetlands. During the site plan approval process, the County will ensure that the wetlands are avoided to the maximum extent practical. Wetland impacts, where unavoidable, shall require a permit from the Florida Department of Environmental Protection and/or the U.S. Army Corps of Engineers as described in comprehensive plan policy Coastal Zone/Conservation Policy C-3.2.2. Buffers shall be located around wetlands consistent with comprehensive plan policy Coastal Zone/Conservation Policy C-3.2.1(c).

6. **Workforce/Affordable Housing Density Bonus:** Affordable housing density bonuses are applicable to this land use designation based on the criteria detailed in section 2.04.

O. BUSINESS PARK (BP): The Business Park district is intended to provide a wide range of business, office commercial, professional services, and manufacturing, and supporting civic, institutional, recreational, infrastructure, and open space uses and activities arranged within a contiguous campus setting. In order to foster a park-like

environment, where vehicles and pedestrians can move freely within the project boundary, uses shall be connected by an internal network of roads and sidewalks. Supporting infrastructure, recreation, open space and green space may be included within these parks. Business Park areas shall have a minimum of 10 contiguous acres. Developments within this district are intended to be located on arterial highways or major collector roadways, as depicted on the Future Traffic Circulation Map, with limitations to access provided to minimize traffic congestion and to control traffic impacts within each development. Uses within Business Park district will be required to provide buffers when adjacent to any residential use.

1. Primary Uses Allowed: The following uses are allowed uses within this commercial/light industrial land use district:

Greenhouse, Nursery, Floriculture Production, and Agriculture; Seafood Support Activities; Utilities and Infrastructure Systems; Construction and Specialty Trade; Wholesale Trade; Retail Trade; Transportation and Warehousing; Information and Communication Services; Finance, Insurance, Real Estate, Leasing, and Rental Services; Professional, Scientific, and Technical Services; Health Care and Social Assistance; Accommodations and Food Service; Other Services, including Performing and Fine Arts Centers and Recreational Facilities and Open Space

2. Non-Residential Intensity Allowed: The intensity of uses shall not exceed a 0.15 floor area ratio (FAR) for a parcel designated BP. The intensity of use on any individual development site shall not exceed a 1.0 FAR.

3. Setback Requirements: See Section 5.00.03.

4. Buffering Requirements: To ensure a compatible mix of uses, landscaped buffers shall be required between the Business Park uses and any adjacent residential uses. The buffer shall be at least 20 feet in width and include an opaque fence. For all other uses, the standards set forth in Section 5.01.02 and Policy L-1.7.3 shall apply. Interior storage yards shall be fenced and screened to minimize visual and noise impacts.

5. Special Development Standards within this District:

A. Location Standards: To limit linear strip development and to provide for access management along thoroughfares, commercial uses shall be located totally within business park campuses or in activity centers within a maximum of 1,320 feet on either side of the intersections of arterial and/or collector roadways.

B. Wetlands Protection: All new development or redevelopment within this land use district shall be designed to avoid impacts on wetlands. During the site plan approval process, the County will ensure that the

wetlands are avoided to the maximum extent practical. Wetland impacts, where unavoidable, shall require a permit from the Florida Department of Environmental Protection and/or the U.S. Army Corps of Engineers as described in comprehensive plan policy Coastal Zone/Conservation Policy C-3.2.2 Buffers shall be located around wetlands consistent with comprehensive plan Coastal Zone/Conservation Policy C-3.2.1(c).

P. LIGHT INDUSTRIAL (LI): This non-residential district is created to include areas containing a combination of uses, such as offices and light industrial uses that limit or create little off-site impacts with regard to noise, particulate matter, vibrations, odor, fumes, glare and fire hazard.

1. **Primary Uses Allowed:** The following uses are allowed uses within this commercial/industrial land use district:
 - Light Industrial
 - Office
 - Public Uses
 - Civic Uses
 - Warehousing
 - Contractor's Yards and Equipment Storage
2. **Conditional Uses Allowed:** The following uses are allowed on the condition that they are housed in a building which principally serves allowable primary use
 - a. personal services
 - b. business services
 - c. restaurants and cafes
 - d. newsstands
 - e. other similar support uses
3. **Residential Density Allowed:** This category does not allow for residential uses.
4. **Non-Residential Intensity Allowed:** The maximum intensities of non-residential site development for this district are a floor to area ratio of .50 and an impervious surface ratio of .75.
5. **Setback Requirements:** See Section 5.00.03
6. **Buffering Requirements:** Twenty five (25) feet between Industrial uses and any other land use.

Q. MEDIUM INDUSTRIAL (MI): Areas intended primarily for those operations which — by their inherent nature or by the virtue of the materials used, processes utilized, or products produced — generate noise, particulate matter, vibrations, odor, fumes, glare, and other hazards uncharacteristic of and incompatible with residential uses. Extractive and any heavy industrial uses are prohibited.

1. Primary Uses Allowed: The following uses are allowed uses within this commercial/light industrial land use district:

- a. Medium intensity manufacturing
- b. Fabricating or milling
- c. Outdoor storage
- d. Salvage yards
- e. Light industrial uses

2. Conditional Uses Allowed: The following uses are allowed on the condition that they are housed in a building which principally serves allowable primary use:

- a. Personal services
- b. Business services
- c. Restaurants and cafes
- d. Newsstands
- e. Other support uses

3. Residential Uses Allowed: This category does not allow for residential uses.

4. Non-Residential Intensity Allowed: The maximum intensities of nonresidential site development for this district are a floor to area ratio of .60 and an impervious surface ratio of .80.

5. Setback Requirements: See Section 5.00.003.

6. Buffering Requirements: Twenty-five (25) feet between industrial uses and any other land use.

T. HEAVY INDUSTRIAL (I): This district includes areas devoted exclusively to industrial development, allowing a mix of heavy and light industry, storage, distribution, and other industrial uses.

1. Primary Uses Allowed:

- a. Asphalt and concrete plants
- b. Class I and Class II landfills
- c. Extractive uses
- d. Hazardous waste collection and handling

2. Residential Density Allowed: This district does not provide for residential uses.
3. Intensity Allowed: The maximum intensity for non-residential uses in this district is a floor to area ratio of .70 and an impervious surface ratio of .85.
4. Setback Requirements: See Section 5.00.003.
5. Buffering Requirements: Twenty-five (25) feet between industrial uses and any other land use.

Q. MIXED USE CENTERS (MU): The intent of the Mixed Use Center land use district is to support the economic development strategy by providing a specific, defined location where multiple opportunities may occur for working, shopping, entertainment, lodging and living. These centers are the most intense activity centers and are intended to create a sense of place and identity. They can have regional or local significance.

1. **Types of Mixed Use Centers.** The types of Mixed Use Centers for South Walton County are:
 - a. Coastal Center Mixed Use Center
 - b. Village Mixed Use Center
 - c. Town Center
2. **Primary Uses Common to All the Types of Mixed Use Centers:**
 - a. Public Uses
 - b. Civic Uses
 - c. Workplace, except warehousing
 - d. Neighborhood Commercial
 - e. Multifamily Housing
3. **Development Restrictions Common To All the Types of Mixed Use Centers:**
 - a. A base density of twelve (12) units per acre is the maximum residential density allowed, so long as the units are integrated with compatible non-residential uses to create a mixed use within the specific center where it is to be located.
 - b. For parcels of less than 3 acres in existence as of the adoption of this Code, this mixed use requirement does not apply.

- c. Compatibility shall be established between uses in a mixed use development. The intent of mixed use is to promote an integration of land uses, not require a separation.
- d. Mixed use projects shall submit a detailed site plan to demonstrate effective alternatives to buffering, such as street alignment and orientation, screening, pedestrian continuity, building articulation, building heights at the edge of the project, and controlled window views.

4. **Development Restrictions Applicable to Specific Types of Mixed Use Centers:**

a. **Coastal Center Mixed Use (CCMU):**

(I) **Primary Uses Allowed:** The following uses are allowed uses within this mixed land use district:

- Public uses
- Civic uses
- General Commercial
- Residential
- Multifamily Residential

(ii) **Residential Density Allowed:** The maximum allowable residential density is 12 units per acre as established in Subsection 3 above.

5. **Commercial Intensity Allowed:** The maximum intensities of site development for this district are a floor to area ratio of 2.0 and an impervious surface ratio of .85.

6. **Setback Requirements:** See Section 5.00.03.

7. **Buffering Requirements:** See Section 5.01.02.

8. **Special Conditions on Development Within this District:**

- (i) Maximum height of four (4) stories above ground level.
- (ii) The scale and uses at the edge shall be compatible with the abutting land uses.
- (iii) A detailed site plan is required for each project.

- (iv) Allowed Lodging includes hotels, motels, inns and bed and breakfasts.
- (v) Entertainment and recreation uses include amusement arcades, fitness centers, sports clubs, nightclubs, indoor movie theaters, dinner clubs, small indoor theaters and restaurants with outdoor entertainment.
- (vi) Each parcel or lot, except for single family, shall provide vehicular connections to abutting lots as a way of limiting traffic congestion as specified in Section 5.04.04(D) of the Code.
- (vii) All development within established corridor boundaries is subject to the additional development conditions provided in Chapter XIII of this Code.
- (iv) **Workforce/Affordable Housing Density Bonus:** Affordable housing density bonuses are applicable to this land use designation based on the criteria detailed in section 2.04.

b. **Village Mixed Use Center (V):**

(I) **Primary Uses Allowed:** The following uses are allowed uses within this commercial land use district:

- General Commercial Uses
- Public Uses
- Civic Uses
- Entertainment and Recreation
- VMU Limited Lodging

(ii) **Residential Density Allowed:** 12 units per acre.

(iii) **Commercial Intensity Allowed:** The maximum intensities of site development for this district are a floor to area ratio of 2.0 and an impervious surface ratio of .85.

(iv) **Setback Requirements:** See Section 5.00.03

(v) **Buffering Requirements:** See Section 5.01.02.

(vi) **Special Conditions on Development Within this District:**

- aa. Maximum height of four (4) stories above ground level.
- bb. Limited lodging means an inn of no more than seventy-five (75) rooms and can include full services, such as supporting restaurant use.
- cc. Entertainment and recreation uses include sports clubs, health clubs, lounges, restaurants with limited outdoor entertainment, small indoor theaters and similar uses.
- dd. The scale and uses at the edge shall be compatible with abutting neighborhood uses.
- ee. The center shall be interconnected whenever practicable and feasible with abutting uses for car and pedestrian linkage.
- ff. A detailed plan is required.

(iv) **Workforce/Affordable Housing Density Bonus:** Affordable housing density bonuses are applicable to this land use designation based on the criteria detailed in section 2.04.

c. **Town Center (TC):** This District is intended to be a planned mixed use community that is, in essence, a new planned traditional town to be developed in South Walton according to a master development plan adopted for the area by the County.

(I) **Primary Uses Allowed:** the primary uses allowed within this District shall be in accordance with the uses specified in the adopted Master Town Plan.

(ii) **Residential and Non-Residential Density Allowed:**

- a. The underlying residential density for privately-owned lands within this District shall be two (2) dwelling units per acre, until the master plan is approved, and the densities and conservation and development criteria of the Neighborhood Planning Area category shall apply.
- b. The densities, and intensities of land use within the District shall be as stated in the adopted master

town plan. This Master Town Plan is specifically entitled “The South Walton New Town Master Plan of Development” dated October 31, 1996. This Plan is hereby incorporated into this Code in its entirety by this reference.

(iii) **Special Conditions on Development Within this District:**

- (a) Future development within this District will also be governed by a more detailed plan which applies the Traditional Neighborhood Design and the detailed criteria adopted in the Comprehensive Plan.
- (b) Projects within this District may proceed in phases that are smaller than the required minimum area, provided that development is consistent to the approved overall Master Town Plan.

(iv) **Workforce/Affordable Housing Density Bonus:**
Affordable housing density bonuses are applicable to this land use designation based on the criteria detailed in Town Center 1 Master plan.

P. **INDUSTRIAL (I):** This district includes areas which are devoted exclusively to industrial development.

1. **Primary Uses Allowed:** The following uses are allowed uses within this industrial land use district:
 - Heavy Industrial
 - Light Industrial
 - Public Uses
 - Civic Uses
2. **Residential Density Allowed:** This category does not allow for residential uses.
3. **Commercial Intensity Allowed:** Commercial and industrial development within this district shall have a maximum of 60% impervious surface area.
4. **Setback: Section 5.00.03**
5. **Buffer: Section 5.01.02**

Q. COURT ORDERED OVERLAY DISTRICT (COO): Within the areas of South Walton designated as Court Ordered Overlay District and Town Center Two on the FLUM of the Comprehensive Plan, the land uses and development shall be governed by the agreement with the State of Florida which was executed as a part of the acquisition of the Topsail and Deer Lake sites by the State of Florida and adopted by the court in the Consent Amended Final Judgement, Topsail and Deer Lake in Case No. 94-923-A. This agreement is included as Attachment A to the County's Comprehensive Plan and is hereby incorporated as a part of this code as Appendix D. The general provisions of this Code which govern the use and development of lands within the County shall not apply to the extent that these general provisions would be inconsistent with the above-referenced agreement.

R. PUBLIC FACILITIES (PF): This district includes publicly-owned land intended for public facilities and services.

1. **Primary Uses Allowed: The following uses are allowed uses** within this land use district:
 - Public Facilities
 - Public Uses
 - Civic Uses
2. **Conditional Uses Allowed:**
 - a. utility and solid waste facilities requiring state and/or federal permit approval shall be required to obtain all these approvals prior to issuance of County development approval
 - b. prisons
 - c. Tall structures subject to review process provided in Section 5.07.09 of this Code
3. **Residential Density Allowed:** Residential uses are not allowed as a primary land use within this district.
4. **Setback Requirements:** See Section 5.00.03.
5. **Buffering Requirements:** See Section 5.01.02.
6. **Special Conditions:**

All development, with the exception of towers, will be subject to a maximum building height of 36 feet AGL.

S. **INSTITUTIONAL (INST):** This district includes land designated for major public and semi-public uses not included as allowed uses within Public Facilities district.

1. **Primary Uses Allowed:** The following uses are allowed uses within this land use district:
 - Public Uses
 - Civic Uses
2. **Conditional Uses Allowed:** Communication facilities including towers subject to tall structures review process provided in Section 5.07.09 of this Code.
3. **Residential Density Allowed:** Residential uses are not allowed as a primary land use within this district.
4. **Non-Residential Intensity Allowed:** The intensity of any nonresidential land use within this district shall not exceed a floor to area ration of .40.
5. **Setback Requirements:** See Section 5.00.03
6. **Buffering Requirements:** See Section 5.01.02

T. **PARKS AND RECREATION (PR):** This district includes land areas devoted to parks and recreation facilities that are owned and operated by the County, or an agency of the County, for the purpose of active and passive recreational use.

1. **Primary Uses Allowed:** The following uses are allowed uses within this land use district:
 - Civic Uses
 - Parks/Passive Recreation
2. **Residential Density Allowed:** Residential uses are not allowed as a primary land use within this district.
3. **Non-Residential Intensity Allowed:** Commercial and Industrial land uses are not allowed as primary land uses within this district.
4. **Setback Requirements:** See Section 5.00.03
5. **Buffering Requirements:** See Section 5.01.02

U. **CONSERVATION (CON):** This district includes publicly or privately-owned land suitable for the protection of natural resources and passive recreational activities.

1. **Primary Uses Allowed:** The following uses are allowed uses within this land use district:
 - a. State Forest
 - b. Passive Recreation and Parks
2. **Accessory Uses Allowed:** There shall be zero density associated with this district except for conservation uses limited to public access and residential and non-residential uses necessary to manage such conservation lands (e.g., ranger stations, research stations and park amenities).
3. **Special Development Standards within this District:**
 - a. Development within State Forest areas shall be limited to publicly-owned land utilized for natural and wildlife resource management and conservation, and passive recreation uses. These lands must be managed by the State of Florida and may include timber harvesting as a part of its management responsibilities. No density and intensity values are given to primary uses within these areas.
 - b. Portions of the State Forest areas designated as Future State Forest lands shall provide development separation, focus upon ecosystem management and protect threatened and endangered species.
 - c. Designation of areas as State Park and Recreation areas shall be limited to publicly owned lands that fall into subdistricts of State parks, State recreation areas, State preserves and ornamental gardens. No density and intensity values are given to primary uses within this area. No development will be allowed except for recreation and conservation uses as identified in the approved State management plans.
 - d. Management plans for these areas shall be prepared by the responsible governmental entity within the State of Florida and publicly reviewed periodically to ensure compatibility with abutting uses.

Section 3: Section 2.04.00 of the Walton County Land Development Code is amended as follows:

2.04.00. WORKFORCE/AFFORDABLE HOUSING DENSITY BONUS

2.04.01. Purpose.

It is the purpose of this section to expand housing opportunities for extremely low-, low-, moderate-, and workforce/affordable income persons/households throughout the county by providing increased residential densities to developers who guarantee that a portion of their housing development will be affordable to persons/households of extremely low-, low-, moderate-, and workforce/affordable income. The density bonus system is intended to create neighborhoods comprised of many different income levels and housing types.

2.04.02. Applicability.

Density bonuses may be utilized in accordance with this section in all residential land use categories except neighborhood planning area- residential preservation area, conservation residential 2:1, conservation residential 1:2.5, rural low density, rural residential, large scale agriculture, and general agriculture, neighborhood planning areas and town center 1. However, if in any case the administration of this section conflicts with Rule 10D-6, F.A.C., Standards for On-site Sewage Disposal Systems, the standards of Rule 10D-6 shall apply.

~~Neighborhood Planning Areas and Town Center 1 density bonuses are subject to the bonus point system in Appendix A.~~

2.04.03. Calculation of Bonuses.

To calculate the workforce/affordable housing density bonus, determine the percentage of total housing units in a residential project that are devoted to workforce/affordable housing in accordance with Section 2.04.04, and calculate that percentage as a bonus, up to a maximum of 100 25-percent. A minimum of 10% of the total project or five (5) units whichever is greater, must meet the affordable housing criteria in each project in order to take advantage to the density bonus point system and expedited review process.

2.04.04. Standards.

A. Submittals. All proposed development requesting additional density for the provision of workforce/affordable housing shall provide the following information on the application for development approval:

1. The application for approval of a proposed development shall indicate that the development approval is requested through compliance with the bonus standards.
2. The application shall clearly show the units affordable by persons and families of extremely low-, low-, moderate-, and workforce/affordable income, showing the basis for the requested density bonus.
3. The application will be accompanied by a preliminary plan in writing, detailing the effort to provide workforce/affordable housing. This plan shall include the affordability agreement, detail the number of units, provide location of the units, outline the cost of housing, describe family income level targeted, provide the proposed homeowners documentation, and copies of contracts, deeds and restrictions, town home documentation/plats, and condominium documents/plats.
4. All associated plats and documentation shall indicate the unit/dwelling/lot, which is dedicated and encumbered to be designated workforce/affordable, by number, location, and by legal description. This encumbrance shall be at least twenty (20) years for ownership units and at least twenty (20) years for lease/rental units. Properties or units designated workforce/affordable are to be dedicated to any approved workforce/affordable housing entity within Walton County approved by Walton County Board of County Commissioners and recommended by the Walton County SHIP committee;
5. A statement and acceptance letter of the subject property from the designated housing entity is required to be submitted with the development order application.
6. Properties or units designated workforce/affordable that are or will be owner occupied must remain workforce/affordable for the duration of the encumbrance of the property. The deed of the project/development shall be restricted to reflect that ownership units can only be transferred to another workforce/affordable qualified owner, until the termination of the encumbrance. A statement of intent and acceptance is required with the application.
7. Properties or units designated workforce/affordable that are or will be renter occupied must remain workforce/affordable for the duration of the encumbrance of the property. The deed and rental agreements must reflect the restriction that only workforce/affordable qualified tenants, lessee, renters, and occupants may reside in the unit, until the expiration of the encumbrance. A statement of intent and acceptance is required with the application.

8. A statement from the developer that applies to owner occupied properties that are designated, dedicated, and/or established as workforce/affordable units are allowed to transfer ownership between workforce/affordable qualified persons as long as the final sales price does not exceed 2% appreciation per year. This is to be provided in the affordability agreement.
9. A statement that gross rental rates including utilities of renter occupied properties that are designated, dedicated, and/or established as workforce/affordable units are allowed to increase based on total housing cost up to 30% of the median family income, adjusted for family size, established each year by the U.S. Department of Housing and Urban Development and as defined by Florida Statutes section 420.602. This statement is to be included in the affordability agreement.
10. An agreement to construct all units according to the same plans and specifications thus ensuring that workforce/affordable housing units will be substantially similar in amenities and features as non-affordable units within the same development is required.
11. For residential rental developments, to help insure the workforce/affordable units remain affordable throughout the encumbrance period, a statement from the developer that any proposed change of ownership or other transfer of physical assets of the rental development shall require Walton County approval during the term of the workforce/affordable housing encumbrance period.
12. An agreement to submit to reporting requirements is required. In order to receive the benefits of these incentives the developer has taken advantage of an agreement to report to the Walton County SHIP committee will be required. This agreement is to comply with periodic (not less than annual) reporting requirements established by Walton County regarding compliance with the Workforce/Affordable Housing Program.
13. The developer must also agree that during the term of the agreement the owner shall not: demolish any part of the project necessary for the operation thereof for its intended purposes or substantially subtract from any real or personal property of the project, or permit the use of the dwelling accommodations of the project for any purpose except residences.
14. The developer and the approved affordable housing entity must agree to the following restriction concerning rents. The developer must be permitted to

increase rents as Area Median income increases as determined by HUD. The agency and owner agree that rents may increase as median incomes increase as published by the U.S. HUD or in order to bring rents up to the limits set. Any other adjustments to rents will be made only if the Board of county commissioners or their designee finds any adjustment is necessary to support the continued financial viability of the project and only by an amount that the agency determines is necessary to maintain continued financial viability of the project. The owner will provide documentation to justify the rate increase not attributable to the median income increase, within thirty (30) days of receipt of documentation, the agency will approve or deny, as the case may be, all or a portion of the rental increase in excess in median annual income. In the event any portion is denied, the Board of County Commissioners or the Walton County SHIP committee will state specifically the reasons therefore. In no event, however, will any increase directly proportional to an increase in the Median Family Income be denied for any reason.

B. Review of Density Bonus Application.

1. After a duly noticed public hearing, the Walton County Board of County Commissioners may grant a density bonus for projects that include units affordable to extremely low-, low-, moderate-, workforce/affordable income persons, allowing a greater number of units ~~than the maximum shown in table 2.03.06.~~ Density bonuses shall be allotted as set forth in section 2.04.03. The number of bonus units shall not exceed up to 100 25 percent of the maximum number of units permitted in the base district without a density bonus. A minimum of 10% of the total project or five (5) units whichever is greater, must meet the affordable housing criteria in each project in order to take advantage to the density bonus point system and expedited review process.
2. If the density bonus is approved, the developer shall enter into an agreement with the county. The county attorney shall approve all such agreements prior to execution. The agreement shall contain, among other items, the terms and conditions of the deed restrictions to be placed on the units to ensure that the units remain workforce/affordable to extremely low-, low-, moderate-, workforce income persons for a period of at least 20 years for ownership and 20 years for rental/lease 30 years. The restrictions shall run with the land and shall be enforceable by the county until such restrictions expire.
3. The application will be accompanied by a preliminary plan and statement in writing detailing the effort to provide workforce/affordable housing. This plan shall include the number of units, location of the units, cost of housing, family income level targeted, proposed homeowners

documentation, and copies of contracts, deeds and restrictions, town home documentation/plats, and condominium documents/plats.

4. All associated plats and documentation shall indicate the unit/dwelling/lot, which is dedicated and encumbered to be designated workforce/affordable, by number, location, and or legal description.

C. Location of Workforce/Affordable Units. In order to qualify for a density bonus, the workforce/affordable units may be located on-site and integrated into the development project or off site, provided that the applicant makes a satisfactory showing to the Board of County Commissioners that the units will be located in an area with a demonstrated need for affordable housing units. The intent is to incorporate different income levels and housing types into existing communities or create new communities that are compatible with the surrounding area. This is to be accomplished by the following:

1. Workforce/Affordable units within a project are to be randomly placed, mixed, and integrated within a project and be indistinguishable from any of the units within any given project.
2. Workforce/Affordable units to be located offsite are to be compatible with the surrounding area, utilizing Walton County's compatibility standards and subject to the final acceptance of the Board of County Commissioners.

D. Criteria for Workforce/Affordable Housing

1. A housing unit shall be considered an affordable housing unit if it meets, and continues to meet for 20 years for ownership and 20 years for rental/lease ~~30~~ years, one of the two following conditions:
 - a. Has an annual rental rate that is less than or equal to 30 ~~33~~ percent of 80 percent to 140 percent of the median family income of Walton County. Annual rental rate must be calculated according to F.S. 420.602.
 - b. Has an annual cost (including property taxes, insurance, utilities), after a ten percent down payment, that is less than or equal to 30 ~~33~~ percent of 80 percent to 140 percent of the median family income of Walton County. Annual cost must be calculated according to F.S. 420.602.
2. The Walton County median family income shall be that figure published and periodically updated for Walton County as a whole by the U.S. Department of Housing and Urban Development (HUD).

E. Density Bonus Point System

1. Standards considered in the workforce/affordable housing bonus system include the following: type of residential unit, location within the County, services availability, income level of occupants, percentage of workforce/affordable units in project, and occupancy type.
2. The density bonus point scoring system is illustrated in appendix C.4
3. Bonus density points will be awarded in the following manner:
35 points or more may increase the base density up to 100 percent of the land use category base density
28 to 34 points may increase up to 50 percent of the land use category base density
20 to 27 points may increase up to 25 percent of the land use category base density.
4. To encourage a diversification of housing stock and mixing of family incomes within a project, a project can be credited for each income level represented and occupancy type established within a given project.

F. Definitions

Area Median Income (“AMI”) — the median family income in Walton County, Florida, adjusted for family size, as published annually by the Florida Housing Finance Corporation on behalf of the U.S. Department of Housing and Urban Development.

Workforce person or household — a person or family with total annual gross household income of 100% to 140% of Walton County’s AMI, adjusted for family size. A workforce household typically contains at least one full-time wage earner whose net earnings comprise at least 50% of the total household income. Such households traditionally have annual family incomes which exceed the limits set by traditional housing assistance programs.

Moderate-income person or household — a person or family with total annual gross household income of 81% to 100% of Walton County’s AMI, adjusted for family size.

Low-income person or household—a person or family with total annual gross household income of 51% to 80% of Walton County’s AMI, adjusted for family size.

Very low-income person or household — a person or family with total annual gross household income that is 31% to 50% of Walton County’s AMI, adjusted for family size.

Extremely low-income person or household — a person or family with total gross household income that is 30% or less of Walton County’s AMI, adjusted for family size.

Affordability Agreement- The applicant shall enter into a deed restriction affordability agreement with the County. The affordability agreement shall provide the number and designation level of affordable units, and period of time the units are committed to be affordable, consistent with the written policies and procedures established by the Board of County Commissioners and by the U.S. Department of Housing and Urban Development and as defined by Florida Statutes section 420.602.

Section 4 The appendix of the Walton County Land Development Code is amended as follows:

Appendix C4

PERCENTAGE of AFFORDABLE HOUSING UNITS IN A PROJECT	POINTS AWARDED
76%-100%	4
51%-75%	3
26%-50%	2
10%-25%	1
SERVICE AVAILABILITY	
Central Water and Sewer, onsite	4
Central Water & Sewer, within 1/4 mile	3
Private Water &/or Septic	1
LOCATION	
Located within 3 miles of incorporated area	4
Located south of the bay	5
TYPE OF UNIT	
Single family	2
Multi-family	3
INCOME LEVEL, ADJUSTED FOR FAMILY SIZE	If the project mixes housing income levels, the maximum number of income points will be 10
Workforce; 100% to 140% of Median Family Income	1
Moderate Income; 81% to 100% Median Family Income	1
Low Income; 51% to 80% of Median Family Income	2
Very Low Income; 31% to 50% of Median Family Income	3
Extremely Low Income; 30% or less of Median Income	4
OCCUPANCY TYPE	
Ownership	4
Rental/Lease	3
TOTAL POINTS	BASE DENSITY INCREASE
35 or more	100%
28 to 34	50%
20 to 27	25%

Section 5: Chapter 11 of the Walton County Land Development Code is amended as follows:

11.01.02. Designation of Plans as Major or Minor Developments

A. *Generally.* For purposes of these review procedures, all development plans shall be designated by the Director of the Division of Planning and Development Services or their designee ~~Department of Planning and Zoning~~ as either minor or major developments according to the criteria below. Before submitting a development plan for review, the developer shall provide the ~~Director~~ division with sufficient information to make this determination. The ~~Director~~ division's determination shall be supported by written findings which shall be maintained in the department records. Plans designated by the Division ~~Director~~ as major development shall be subject to review and action by the Planning Commission and the Board of County Commissioners. Plans designated as minor development shall be reviewed and acted upon administratively by the Director of the Division of Planning and Development Services or their designee. ~~Department of Planning and Zoning.~~

B. *Minor Development.* A plan shall be designated as a minor development if it is not a development exempt from permit requirements pursuant to §11.00.01 of this Code; does not meet any criteria as set forth in the following subpart of this Section as a major development; and involves only:

1. A division of land into more than two parcels but ~~less~~ fewer than twenty parcels;
2. Development of multi-family residential project of ~~less~~ fewer than 30 dwelling units ~~which that~~ does not involve platting;
3. Development of a non-residential project of less than 5,000 square feet of floor area;
4. Approval of technical plans for an affordable housing project that has been approved conceptually by the Walton County Board of County Commissioners.

11.01.03 Special Provisions for Affordable Housing.

- A. *Submittal Requirements.* Workforce/affordable housing projects may initially be submitted as conceptual plans, to be reviewed and approved by the Walton County Board of County Commissioners. The county shall provide a special application for workforce/affordable housing projects. The conceptual plan must include and illustrate the following information:
1. the type and location of the proposed units
 2. a statement of income levels targeted;

3. a letter of intent to dedicate property or encumber property or units to any entity with a mission to provide workforce/affordable housing to the citizens of Walton County approved by the Walton County Board of County Commissioners and recommended by the Walton County SHIP committee;
4. a statement of length of time that the units will be dedicated as affordable and at what level
5. a statement of occupant/owner/tenant monthly housing cost
6. any federal, state, or local workforce/affordable housing program that the units qualify for
7. the amount of density bonus points requested by the developer and a calculation of the allowable density bonus points for the project
8. homeowners documents
9. proposed rental or lease agreements (if applicable);
10. An agreement to construct all units according to the same plans and specification: ensuring that workforce/affordable housing units will be substantially similar in amenities and features as market rate units within the same development is required.
11. For residential rental developments, to help insure the workforce/affordable units remain affordable throughout the encumbrance period, a statement from the developer that any proposed change of ownership or other transfer of physical assets of the rental development shall require Walton County approval during the term of the workforce/affordable housing encumbrance period.
12. An agreement to submit to reporting requirements is required. In order to receive the benefits of these incentives the developer has taken advantage of an agreement to report to the Walton County SHIP committee will be required. This agreement is to comply with periodic (not less than annual) reporting requirements established by

Walton County regarding compliance with the Workforce/Affordable Housing Program.

13. The developer must also agree that during the term of the agreement the owner shall not: demolish any part of the project necessary for the operation thereof for its intended purposes or substantially subtract from any real or personal property of the project, or permit the use of the dwelling accommodations of the project for any purpose except residences.

 14. The developer and the county approved workforce/affordable housing entity must agree to the following restriction concerning rents. The developer must be permitted to increase rents as Area Median income increases as determined by 1-IUD. The Board of County Commissioners or their designee and owner agree that rents may increase as median incomes increase as published by the U.S. HUD or in order to bring rents up to the limits set. Any other adjustments to rents will be made only if the Board of County Commissioners or their designee finds any adjustment is necessary to support the continued financial viability of the project and only by an amount that the agency determines is necessary to maintain continued financial viability of the project. The owner will provide documentation to justify the rate increase not attributable to the median income increase , within thirty (30) days of receipt of documentation, the agency will approve or deny. as the case may be, all or a portion of the rental increase in excess in median annual income. In the event any portion is denied, the Board of County Commissioners or their designee will state specifically the reasons therefore. In no event, however, will any increase directly proportional to an increase in the Median Family Income be denied for any reason.

 15. Any additional information requested by the Director of Planning and Development Services.
- B. The Walton County Board of County Commissioners and the Walton County SHIP committee shall review the information submitted concerning the workforce/affordable housing project, and make a determination whether the project is a bona fide workforce/affordable housing project that will serve the county's workforce/affordable housing needs. If the plan is approved by the Board of County

Commissioners and the Walton County SHIP committee, it will then proceed as a minor development plan under §2.06.01, following the process of a planned unit development.

C. Proposed workforce/affordable housing project applications will be managed by an workforce/affordable housing specialist within the planning department. The Walton County SHIP committee will review and determine the validity of the proposed project. The Walton County Ship Committee will provide a report detailing the acceptance of the project as meeting the workforce/affordable housing criteria to the technical review committee, planning commission, and/or Board of County Commissioners or any other government entity.

D. Expedited Processing of Permits. All permit requests for workforce/affordable housing projects, ~~as designated by the County,~~ shall be processed in an expedited manner. The County shall give preference to the review of applications for permit approval for development of affordable housing projects over all other projects requiring the development review process. The Walton County SHIP committee will facilitate the expedited review of any potential workforce/affordable housing project.

~~B. *Assessment of Impact on the Cost of Housing.* Any policy, procedure, ordinance, resolution, or plan revision, which applies to the provision of affordable housing, will be reviewed by the County prior to adoption to assess the impact, if any, on the cost of housing. The results of such assessment shall be recorded and filed by the County.~~

11.03.00 -- PLATTING

11.03.01 Applicability.

A. **Generally.** Where proposed minor or major development includes a subdivision of land, the final approval of the development plan and issuance of any development order shall be made contingent upon approval of a plat conforming to the development plan and the provisions of this Code.

B. **Exceptions.** A proposed plan for development may receive final approval without the requirement for separate approval of a plat as provided in this Section, only where:

1. The development will involve only a division of land received directly by inheritance, either by testate or intestate, provided that such division is not accomplished through recorded plats; or

2. The development will involve only division of land received by deed of gift, given without valuable consideration to any members of the donor's immediate family, provided that such division is not accomplished through recorded plats.

3. Subdivisions in the Agriculture and Rural districts divided so that no lot is less than 4 acres and the roads are kept private.

4. Division of tracts of rural land into parcels of 10 acres or more involving no more than 20 parcels.

C Workforce/Affordable Housing Projects. Where developments utilize the density bonus points system, each lot, unit, structure, apartment, condominium, house, or dwelling dedicated, designated, or established as workforce/affordable per the Walton County Land Development Code must be illustrated on the plat and dedicated in all relevant notes of the recorded plat and/or condominium or home owner documents to the receiving entity, community housing development organization, land trust, or community development corporation, recommended by the Walton County SHIP committee and approved by the Walton County Board of County Commissioners.

11.03.02 Nature of Approval Required.

A. Generally; Approval by the Board of County Commissioners. All proposed plats other than those involving only a minor replat or lot split (as defined below) must receive approval of the Board of County Commissioners prior the final approval of the related development plan and order which would include such subdivided real property.

B. Minor Replats and Lot Splits; Approval by the Director. A proposed plat may receive final approval by the Director of the department of planning and zoning, without the requirement for separate approval by the Board of County Commissioners, where the plat conforms to the development plan and the provisions of this Code and involves only a minor replat or lot split. For purposes of this Section, the following shall constitute a minor replat or lot split: where one (1) single parcel of land is being divided into only two (2) separate lots or parcels that conform to the requirements of this Section; or where two (2) parcels of land are being fused into one (1) single lot or parcel that conforms to the requirements of this Section.

11.03.03 Required Dedication of Recreation Lands. In all plat proposals other than those involving only a minor replat or lot split, the subdivider shall dedicate a minimum of five percent of the gross area of the subdivision for public recreation purposes. Alternatively, the developer may pay cash in an amount equal to five percent of the gross value of the subdivision, said value to be estimated on a basis of platted land without improvements.

11.03.04 Application for Plat Approval.

A. Generally. After receiving a plat-contingent final development plan approval or, alternatively, at any point in the development plan review process, the developer shall submit to the department of planning and zoning a plat conforming to the development plan, the requirements of this Code, and the requirements of Chapter 177, Florida Statutes.

B. Minor Replats and Lot Splits. A developer or owner requesting a minor replat or lot split shall submit the following materials with an application form provided by the department of planning and zoning, along with the required application fee:

1. Three (3) paper copies of the proposed minor replat or lot split;
2. A statement indicating whether water and/or sanitary sewer service is available to the property; and

3. Land descriptions, and a statement of acreage or square footage, of the original and proposed lots, along with a scaled drawing showing the intended division, all prepared by a professional land surveyor registered in the State of Florida; and

4. In the event a lot contains any principal or accessory structures, a survey showing the structures on the lot, prepared by a professional land surveyor registered in the State of Florida.

11.03.05 Review Of Proposed Plats; Procedure and Standards.

A. Generally.

1. Director's Review. Within fourteen (14) days of receiving a plat for review (other than a plat involving only a minor replat or lot split), the Director of the department of planning and zoning, by and through his/her staff and with assistance of the department of public works, shall determine whether the plat conforms to the approved development plan, the requirements of this Code, and the requirements of Chapter 177, Florida Statutes. If the Director determines that the plat is in conformance, s/he shall place the plat on the next available agenda of the Board of County Commissioners for its consideration. If the plat is not in conformance, the Director shall inform the applicant, in writing and by regular mail within three (3) working days of making such determination, of each deficiency in the plat. A developer may thereafter submit a corrected plat, addressing each deficiency noted by the Director, for review by the Director and, if in conformance with all requirements, consideration by the Board of County Commissioners.

2. Board of County Commissioners' Review. The Board of County Commissioners' review of a submitted plat shall be strictly limited to whether the plat conforms to the requirements of this Code and Chapter 177, Florida Statutes. A conforming plat shall be approved by the Board of County Commissioners, and the Board or the Director (as appropriate to the type of approval requested and required for the particular development) shall forthwith issue the development order allowing development to proceed. The Board of County Commissioners shall return any nonconforming plat to the developer, by regular mail within five (5) working days after completion of review of the proposed plat, with a written explanation of each deficiency in the plat and a notice that a corrected plat may be resubmitted to the Director of the department of public works for review and possible approval.

Section 6. AUTHORITY AND PURPOSE. This ordinance is adopted pursuant to the authority granted to counties by Chapter 125, Florida Statutes. Its purpose is to clarify the regulations pertaining to Notice for Public Hearings.

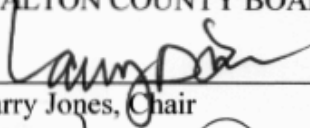
Section 7. CONFLICT. Those portions of ordinance whose subject matter is the Land Development Code and/or the Comprehensive Plan which are in conflict are hereby repealed.

Section 8. SEVERABILITY. Should any word, phrase, sentence or section of this ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable or unconstitutional then such shall be severed from this ordinance and the remainder of the ordinance shall remain in full force and effect.

Section 9. EFFECTIVE DATE. This ordinance shall take effect as provided by law.

ADOPTED in an advertised public hearing of the Board of County Commissioners this
11th day of December, 2007

WALTON COUNTY BOARD OF COUNTY COMMISSIONERS



Larry Jones, Chair

ATTEST:



CLERK