

ORDINANCE NUMBER 2010-02

AN ORDINANCE AMENDING SECTION 2.03.02 OF THE WALTON COUNTY LAND DEVELOPMENT CODE TO ADOPT THE GULF PINES NEIGHBORHOOD PLAN (NP.GP) AS AN OVERLAY DISTRICT; ESTABLISHING A DEFINED BOUNDARY; ESTABLISHING THAT THE INTENT OF THE PLAN IS TO PRESERVE THE RESIDENTIAL CHARACTER OF THE GULF PINES NEIGHBORHOOD AND TO INSURE CONTINUED STABILITY OF THE SUBDIVISION, ESTABLISHING DEVELOPMENT STANDARDS; ESTABLISHING PROVISIONS FOR PERMITTED USES, MINIMUM AND MAXIMUM LOTS SIZES, SETBACKS, BUILD-TO-LINES, LOT COVERAGE, BUILDING HEIGHT, ALLOWABLE DENSITIES AND ACCESSORY STRUCTURES, PROHIBITED USES, PARKING RESTRICTIONS, COMMON AREAS, RECREATION AREAS, AND PARKING FACILITIES; ESTABLISHING RESTRICTIONS ON FURTHER SUBDIVISION OF LOTS, RESTRICTIONS ON ANIMALS, ESTABLISHING PROCEDURES FOR LEGAL NON-CONFORMITIES; PROVIDING FOR THE INCORPORATION OF THE GULF PINES NEIGHBORHOOD PLAN AS APPENDIX NP-3 TO THE WALTON COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Legislature of the State of Florida has, in Chapter 125, F.S. delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizens; and

**WHEREAS**, Sections 163.3201 and 163.3202, Florida Statutes, require local governments to implement the provisions of their comprehensive plans through the adoption of land development regulations; and

**WHEREAS**, Walton County has adopted a Land Development Code in accordance with these statutes to ensure the County's orderly growth and development; and

**WHEREAS**, Walton County, to ensure the County's continued orderly growth and development, finds it prudent to amend its Land Development Code to respond to the changing needs and conditions within said county; and

**WHEREAS**, it is the intent of the Walton County Comprehensive Plan to encourage the preparation of neighborhood plans to guide development within Neighborhood Planning Areas; and

2010-02

**WHEREAS**, it is the further intent of the Walton County Local Comprehensive Plan to actively involve residents of neighborhoods in the preparation of neighborhood plans; and

**WHEREAS**, the Walton County Land Development Code Section 2.03.02 provides a process for citizen based neighborhood planning efforts to create a Neighborhood Plan for adoption as an overlay district by amendment to the Walton County Land Development Code; and

**WHEREAS**, adopting neighborhood plans as part of the Land Development Code as overlay districts will expedite the neighborhood planning process and thereby better promote citizen-based planning; and

**WHEREAS**, the Gulf Pines Neighborhood Planning Group (NPG.GP) has registered with Walton County as Neighborhood Planning Groups in accordance with Walton County Land Development Code Section 2.03.02.B.1., as of October 14, 2008; and

**WHEREAS**, the Gulf Pines Neighborhood Planning Group has expended a significant amount of time and effort toward developing a neighborhood plan consistent with the intent of the procedures contained in Walton County Land Development Code Section 2.03.02; and

**WHEREAS**, the Gulf Pines Neighborhood Planning Group (NPG.GP), in accordance with Walton County Land Development Code Section 2.03.02.E, is a group undertaking a Neighborhood Plan in accordance with the process at LDC Section 2.03.02.B.; and

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WALTON COUNTY, that the Walton County Land Development Code be amended as follows:**

**Section 1: Amendment.**

Section 2.03 of the Walton County Land Development Code is hereby amended as follows:

2.03.05. Gulf Pines Neighborhood Plan (NP.GP).

- A. The Gulf Pines Neighborhood Plan (NP.GP) is an overlay district with specific standards that govern development within the boundary of the Gulf Pines neighborhood.
- B. The boundary of the overlay district includes the following recorded plats in Walton County:

Gulf Pines Subdivision as recorded in Plat Book 2, Page 86, with the exception of the commercially developed lots along U.S. Highway 98 (Blocks 1 and 2), The First Addition to Gulf Pines as recorded in Plat Book 3, Page 2, The Second Addition to Gulf Pines as recorded in Plat Book 3, Page 48, and The Third Addition to Gulf Pines as recorded in Plat Book 3, Page 62.

The Gulf Pines Subdivision is located in South Walton County, generally south of US Hwy 98, bordered on the north and west by Sandestin and on the east by Hidden Dunes. It is bordered on the south by the Gulf of Mexico.

**Section 2:** The Gulf Pines Neighborhood Plan (NP.GP), included in this ordinance as Attachment A, is hereby incorporated into the Walton County Land Development Code as Appendix NP-3.

**Section 3. 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 4. Effective Date.**

This ordinance shall take effect as provided by law.

Duly enacted by the Board of County Commissioners of Walton County, Florida, at a regular meeting on the 26 day of Jan, 2010.

BOARD OF COUNTY COMMISSIONERS  
WALTON COUNTY, FLORIDA

Attest:

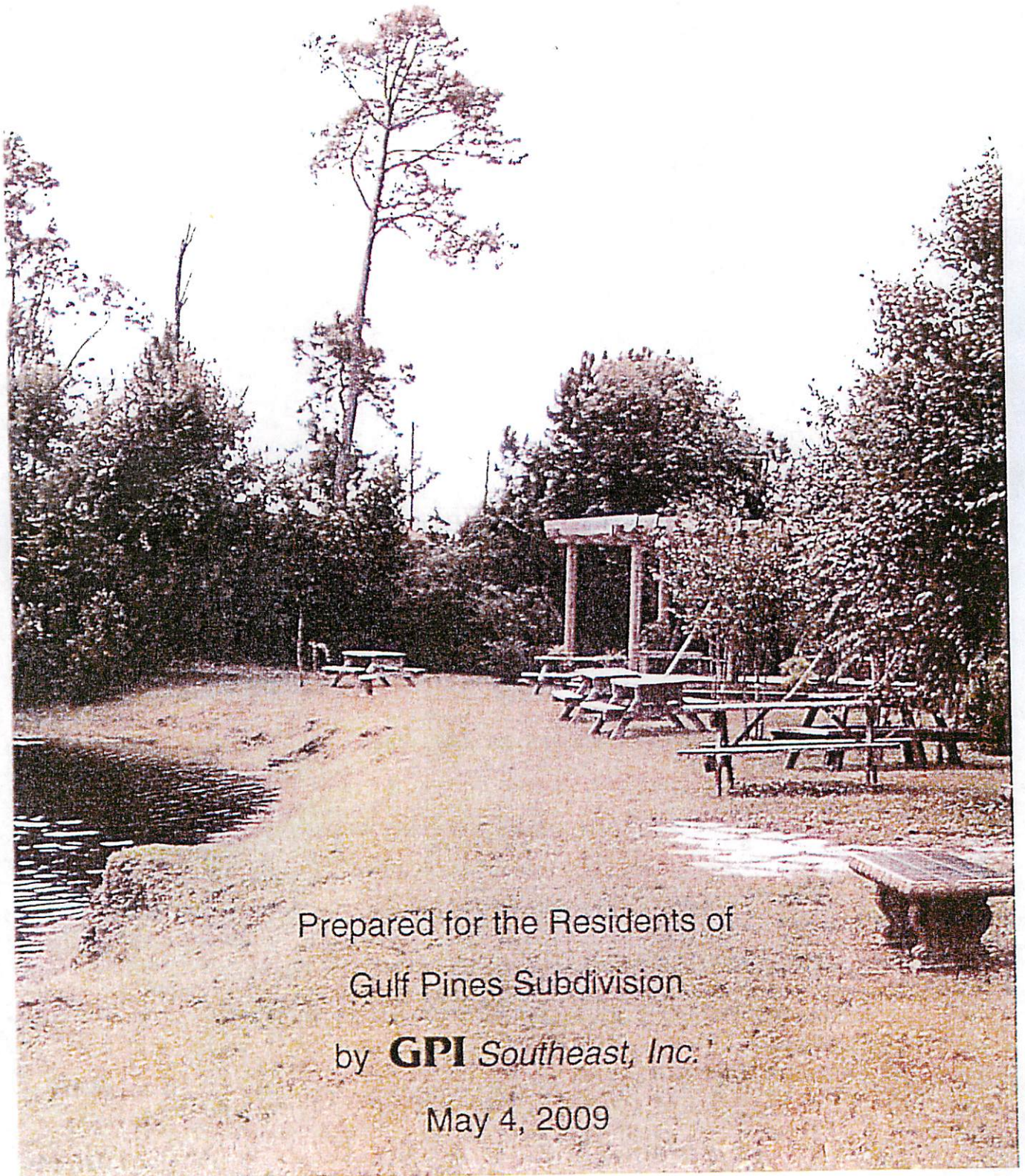
for Kim Wilkins  
Martha Ingle  
Clerk of Court

Scott A. Brannon  
Scott Brannon, Chair

Attachment A – The Gulf Pines Neighborhood Plan (NP.GP)



THE GULF PINES NEIGHBORHOOD PLAN  
Walton County Florida



Prepared for the Residents of  
Gulf Pines Subdivision  
by **GPI** Southeast, Inc.

May 4, 2009

## INTRODUCTION

The residents of the Gulf Pines Subdivision have established this plan in order to preserve the residential character of their neighborhood and to ensure the continued stability of the subdivision. This Neighborhood Plan was developed in accordance with the Walton County Comprehensive Plan and Land Development Code. Walton County encourages the preparation of Neighborhood Plans to guide development within Neighborhood Planning Area (NPA) Future Land Use districts. In 2008 Walton County adopted a Neighborhood Planning Ordinance to allow such plans to be adopted as overlay districts to its Land Development Code, thereby expediting the neighborhood plan approval process and promoting these citizen-based planning efforts. Walton County's requirements for neighborhood plans are contained in Section 2.03.02 of the Walton County Land Development Code.

The Gulf Pines Neighborhood Plan applies to the original 1956 plat of Gulf Pines as well as the First, Second, and Third Additions. However, Blocks 1 and 2 of the original Gulf Pines plat have been developed commercially and are excluded from this Neighborhood Plan. The area included in this Neighborhood Plan is further described below under the Development Standards portion of the Plan and is illustrated in Figure 4. This area is hereinafter referred to simply as "Gulf Pines Neighborhood."

## PAST DEVELOPMENT PATTERNS

The Gulf Pines Subdivision was originally platted in 1956. There were subsequent additions to this plat in 1957, 1960, and 1964, known respectively as the Gulf Pines First, Second, and Third Additions. There were originally 20 lots along U.S. Highway 98 included in the original Gulf Pines Plat and these 20 lots have all been developed commercially. These commercial parcels are not included in this Neighborhood Plan. Please refer to Figure 4 for the boundaries of the Neighborhood Plan.

During the 1980s and 1990s, there was tremendous development along the coast in South Walton County including both sides of the Gulf Pines Neighborhood. A majority of this development was high rise condominium buildings. This development pattern has led to concern among the Gulf Pines residents, as well as other residents of single-family developments along the beach, about pressures to convert existing neighborhoods to high rise, multi-family developments, or other non-compatible uses.

A more recent concern in Gulf Pines was the possibility of the development of a reunion house within the subdivision. Such houses, also commonly known as "monster houses," are relatively large structures that are almost exclusively used for vacation rentals to large groups of 10 or more persons. These rentals are considered by the neighborhood to be incompatible with the character of the community because of their size and the high volume of traffic, noise, and trash generated from these uses.



The lots along the east and west perimeters of the Gulf Pines Neighborhood are dwarfed by high-rise condominiums located outside of the subdivision.

## EXISTING DEVELOPMENT PATTERN

The Gulf Pines Neighborhood contains 136 residential parcels ranging in size from approximately 0.204 to 0.672 of an acre. Of these parcels, 90 contain single-family residences leaving 46 vacant parcels. For tax purposes, several lots in the subdivision have been combined under common tax identification numbers. However, the lots of the original Gulf Pines Plats are still recognized by Walton County as individual buildable lots. Most of the residences in the Gulf Pine Neighborhood contain detached single-family residential houses. There are four lots (Lots 25 and 26 of Block 7 and Lots 9 and 15 of Block 9) located along the beach that contain two-unit condominium or duplex buildings.

Of the 90 residences in the Neighborhood, approximately half are owned by full-time residents. The others are either used by the owners seasonally or are rented as vacation houses.

All of the roads within the Gulf Pines Neighborhood are currently County-owned, paved roadways. These roadways do not include curb and gutters or sidewalks. The Neighborhood is served by South Walton Utilities Water and Sewer Service.

The Gulf Pines Neighborhood includes two common/open space areas available to the residents of the subdivision for passive recreation. These areas are identified as common areas and parks on the Neighborhood Plan Map (Figure 4). Bruno Boettcher Park is a centrally located area along Morrison Lake that includes several picnic tables. The Gulf Pines Taj Mahal is the subdivision's primary common beach access which includes a boardwalk and gazebo. These two common areas are owned and maintained by the Gulf Pines Associates, Inc.



## **DESCRIPTION OF COMMUNITY INVOLVEMENT**

The neighborhood planning process in Gulf Pines began in 2008 with an informal meeting of approximately 60 residents. These residents, in response to a past attempt to construct a reunion house in the subdivision and concerns about other incompatible developments in the subdivision, initiated the Neighborhood Planning process by mailing a letter to all property owners in the subdivision informing them of their concerns and requesting that they support the process. On December 2, 2008, ballots were sent to all property owners by certified mail asking if they were in favor of further investigating the idea of creating a neighborhood plan. Of the 70 ballots mailed from this initial mailing, 66 voted in favor of pursuing the neighborhood plan.

On February 28, 2009 a neighborhood meeting was held to identify issues of concern that should be included in the Neighborhood Plan. This meeting was attended by approximately 45 residents. The issues identified at this meeting were used to develop the initial draft of the Neighborhood Plan.

The first draft of the Neighborhood Plan Development Standards was presented to the property owners at their annual meeting on April 11, 2009. This meeting was attended by approximately 45 residents. Input from this meeting was used in the establishment of the Community Goals and Development Standards contained in this Neighborhood Plan.

## COMMUNITY GOALS

The primary goals of this plan are to preserve the existing residential character of the community and to ensure the continued stability of the neighborhood. In order to achieve these goals, this plan establishes the Neighborhood Plan Map shown as Figure 4 and the Development Standards listed below.

## DEVELOPMENT STANDARDS OF THE GULF PINES NEIGHBORHOOD PLAN

The Standards and Requirements of the Gulf Pines Neighborhood Plan apply to the following areas:

1. The Gulf Pines Subdivision as recorded in Plat Book 2, Page 86 with the exception of the lots along U.S. Highway 98 (Blocks 1 and 2);
2. The First Addition to Gulf Pines as recorded in Plat Book 3, Page 2;
3. The Second Addition to Gulf Pines as recorded in Plat Book 3, Page 48; and
4. The Third Addition to Gulf Pines as recorded in Plat Book 3, Page 62.

The area subject to the standards below is shown as the Neighborhood Plan Map, Figure 4 of this Plan. This map establishes three primary land use districts within Gulf Pines - The single-family detached district, parks/recreation, and the residential condominium parcel.

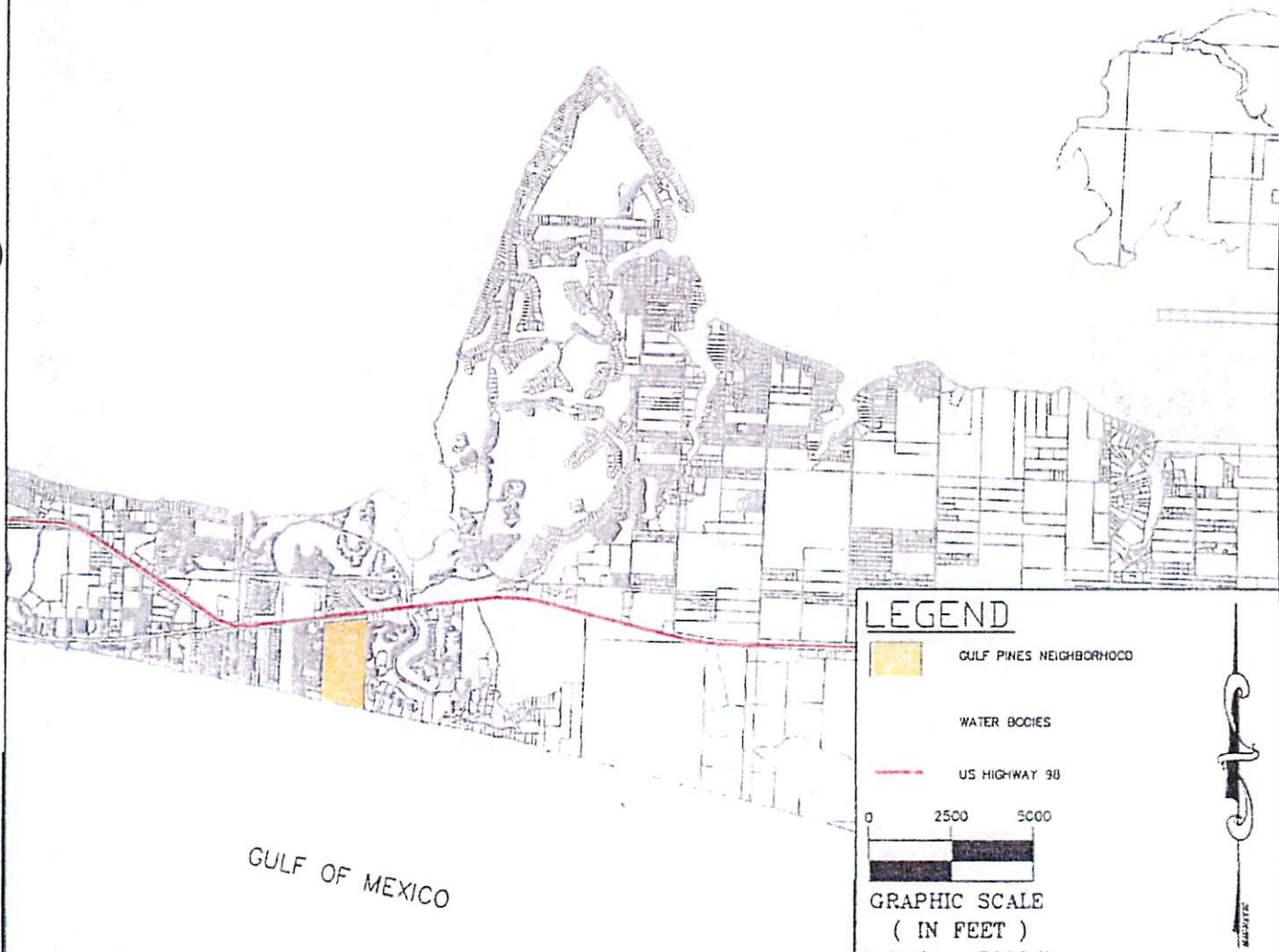
**The Gulf Pines Neighborhood is subject to the following Development Standards:**

1. Permitted Uses	Single-Family Detached Residences.  Recreation Facilities as restricted in paragraph #20 below.  Accessory Apartments as defined in the Walton County Land Development Code.
2. Minimum Lot Size	None
3. Maximum Lot Size	None
4. Minimum Front Setback	20 feet
5. Minimum Side Setback	10 feet
6. Minimum Rear Setback	15 feet
7. Minimum Corner	7.5 feet
8. Build-To-Lines	None
9. Maximum Lot Coverage	None
10. Maximum Building Height	Four stories or 50 feet, which ever is less. Building height shall be measured as defined in the Walton County Land Development Code.
11. Minimum Residential Unit Size	1,700 square feet excluding carports, patios, porches, and garages.
12. Maximum Residential Unit Size	6,000 square feet of heated and cooled area.
13. Maximum Number of Bedrooms Per Residential Unit	6
14. Street Width and Blocks	NIA
15. Parking Requirements	Subject to the standards of Section 5.02.00 of the Walton County Land Development Code.
16. Landscape and Architectural Control	NIA


17. **Multi-Family Residential and Non-Residential Uses.** Multi-family residential and non-residential uses (including but not limited to civic uses and bed & breakfasts) are prohibited.
18. **Parking.** No more than six cars shall be parked overnight on any single parcel. No cars shall be parked overnight in any right-of-way or subdivision common area.


19. **Common Areas, Recreation Areas, and Parking Facilities.** No parcels, other than those identified as such on the Gulf Pines Neighborhood Map, shall be developed or used for parking or recreation except as an accessory use to an existing single-family residence on the same or on an adjacent parcel. Additional recreation facilities may be developed as primary uses only upon agreement of a majority of property owners in the subdivision and only if such facilities are for the sole use by the residents and guests of the Gulf Pines property owners.
20. **Further Subdivisions.** No further subdivision of lots in the Gulf Pines Neighborhood shall be permitted. Lots may be joined together into single tracts or parcels, and lot lines may be reconfigured as long as the number of proposed lots, as shown by the lot numbers identified on Figure 4 of this plan, does not increase. Lots created before January 1, 1992 shall be considered legally existing lots.
21. **Animals.** No animals other than household pets may be kept within the Gulf Pines Neighborhood. No such animals may be bred, raised, or boarded for commercial purposes within the subdivision.
22. **Legal Non-Conformities.** Uses, structures, lots, or signs legally established prior to this Neighborhood Plan, which do not comply with the standards of this Plan, may continue as long as they remain otherwise lawful. A nonconforming use which is discontinued for more than six months may not be re-established unless in conformance with this Neighborhood Plan. In the event that any nonconforming structure or use is destroyed by any means to the extent of more than 50 percent of the fair market value of the structure before the calamity, such structure or use shall not be restored, rebuilt, or reoccupied for any purpose unless it shall thereafter conform to all regulations of the Neighborhood Plan and the Walton County Land Development Code. When such a structure or use is damaged or destroyed to the extent of 50 percent or less of the fair market value, no repairs or rebuilding shall be permitted except in conformity with this Neighborhood Plan and the Walton County Land Development Code.


CHOCTAWHATCHEE BAY

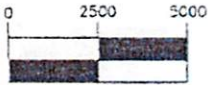


**LEGEND**

 GULF PINES NEIGHBORHOOD

 WATER BODIES

 US HIGHWAY 98



GRAPHIC SCALE  
( IN FEET )

1 inch = 5000 ft.




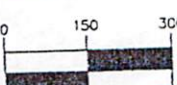
PURPOSE:  
  
GULF PINES  
NEIGHBORHOOD  
LOCATION MAP


EXHIBIT PREPARATION BY:



**LEGEND**

 GULF PINES NEIGHBORHOOD

  
 GRAPHIC SCALE  
 ( IN FEET )  
 1 inch = 300 ft.



SOURCE: WALTON COUNTY GIS

PURPOSE:

GULF PINES SUBDIVISION

SITE AERIAL

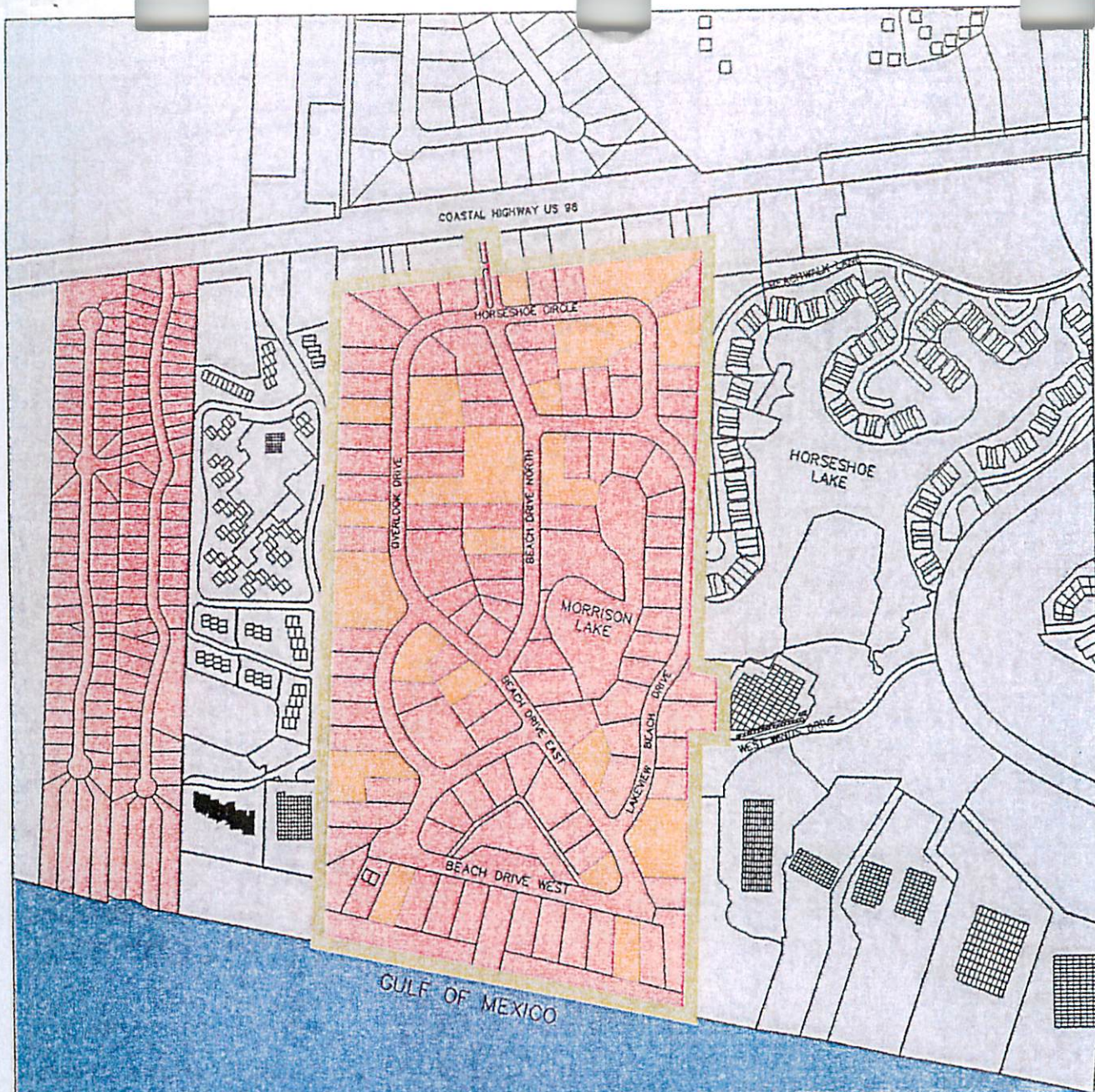
EXHIBIT PREPARATION BY:

**GPI** SOUTHEAST, INC.  
 3555 TIMBERLANE SCHOOL ROAD  
 TALLAHASSEE, FLORIDA 32312

LOCATED IN : SECTION 27 & 34 TOWNSHIP 25  
 RANGE 29W

COUNTY : WALTON  
 STATE : FLORIDA  
 APPLICATION BY : GULF PINES HOMEOWNERS  
 ASSOCIATION  
 GPI SOUTHEAST PROJECT NO. : FLX0083692.01

FIGURE: 2 OF 4  
 DATE : APRIL 16, 2009



**LEGEND**

- GULF PINES NEIGHBORHOOD
- RESIDENTIAL PRESERVATION
- COASTAL CENTER
- VACANT LAND
- GULF OF MEXICO

SOURCE: WALTON COUNTY GIS



PURPOSE:

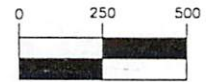
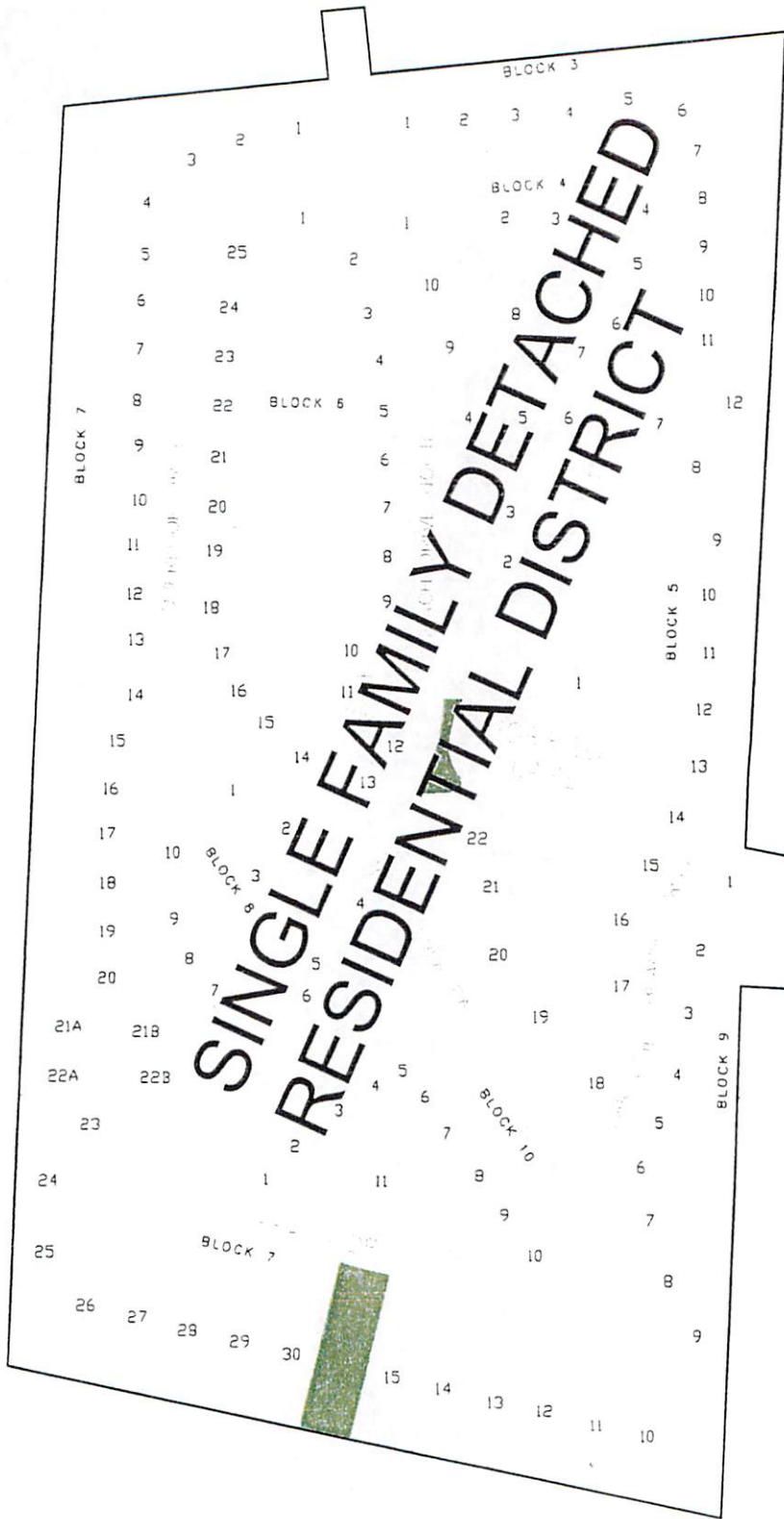
GULF PINES NEIGHBORHOOD  
EXISTING LAND USE

EXHIBIT PREPARATION BY:

**GPI** SOUTHEAST, INC.  
3555 TIMBERLANE SCHOOL ROAD  
TALLAHASSEE, FLORIDA 32312

LOCATED IN : SECTION 27 & 34 TOWNSHIP 2S  
RANGE 29W  
COUNTY : WALTON  
STATE : FLORIDA  
APPLICATION BY : GULF PINES HOMEOWNERS ASSOCIATION  
GPI SOUTHEAST PROJECT NO. : FLX0083692.01

FIGURE: 3 OF 4  
DATE : APRIL 16, 2009



GRAPHIC SCALE  
( IN FEET )  
1 inch = 500 ft.

**LEGEND**

-  SINGLE-FAMILY DETACHED RESIDENTIAL
-  PARK/RECREATION



PURPOSE:

GULF PINES  
NEIGHBORHOOD PLAN

EXHIBIT PREPARATION BY:

● ● ● SOUTHEAST, INC.  
3555 TIMBERLANE SCHOOL ROAD  
TALLAHASSEE, FLORIDA 32312

LOCATED IN : SECTION 27 & 34 TOWNSHIP 2S  
RANGE 29W

COUNTY : WALTON

STATE : FLORIDA

APPLICATION BY : GULF PINES HOMEOWNERS  
ASSOCIATION

GPI SOUTHEAST PROJECT NO. : FLX0083692.01

FIGURE: 4 OF 4

DATE : JANUARY 19, 2010