

ORDINANCE NUMBER 2011-60

AN ORDINANCE ADDING SECTION 2.03.07 TO THE WALTON COUNTY LAND DEVELOPMENT CODE TO ADOPT THE POINT WASHINGTON NEIGHBORHOOD PLAN AS AN OVERLAY DISTRICT; ESTABLISHING A DEFINED BOUNDARY; ESTABLISHING THAT THE INTENT OF THE PLAN IS TO PRESERVE THE UNIQUE HERITAGE OF THE POINT WASHINGTON NEIGHBORHOOD AND TO ENSURE COMPATIBILITY FOR FUTURE DEVELOPMENT; ESTABLISHING DEVELOPMENT STANDARDS; ESTABLISHING PROVISIONS FOR PERMITTED USES, MAXIMUM DENSITY AND INTENSITY, SETBACKS, BUILD-TO-LINES, LOT COVERAGE, ALLOWABLE ACCESSORY STRUCTURES, TREE PROTECTION, SHORT-TERM RENTALS, SIGNAGE, PARKING REQUIREMENTS FOR NEW CONSTRUCTION, AND AN OFF-STREET PARKING REQUIREMENTS CHART; PROVIDING FOR THE INCORPORATION OF THE POINT WASHINGTON NEIGHBORHOOD PLAN AS APPENDIX NP-5 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

**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

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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 Point Washington Neighborhood Planning Group (NPG.PW) has registered with Walton County as a Neighborhood Planning Group in accordance with Walton County Land Development Code Section 2.03.02.B.1., as of March 11, 2010; and

**WHEREAS**, the Point Washington Neighborhood Planning Group (NPG.PW) 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 Point Washington Neighborhood Planning Group (NPG.PW), in accordance with Walton County Land Development Code Section 2.03.02.E, is a group undertaking a Neighborhood Plan prior to the adoption of Ordinance 2008-10 and eligible to begin the process at LDC Section 2.03.02.E.; 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 (additions appear as underlined, deletions appear as ~~strikethrough~~):

2.03.07. Point Washington Neighborhood Plan (NP.PW).

- A. The Point Washington Neighborhood Plan (NP.PW) is an overlay district with specific standards that govern development within the boundary of the Point Washington neighborhood.
- B. The boundary of the overlay district includes the following described area in Walton County:

Beginning at the Southwest corner of the Northeast One Quarter of Section 35, Township 2 South, Range 19 West Walton County Florida, proceed Northerly along the West line of the said Northeast One Quarter of Section 35 a distance of 1985 feet more or less to the South boundary of the TIITF OF STATE OF FLORIDA parcel, as recorded in Official Records book 2159 at page 389; thence proceed Easterly along the said South boundary of the TIITF OF STATE OF FLORIDA parcel a distance of 310 feet more or less to the East boundary of the TIITF OF STATE OF FLORIDA

parcel and the West boundary of the TIITF RECREATION AND PARKS OF THE STATE OF FLORIDA parcel; thence proceed Northerly along the common boundary line between the TIITF OF STATE OF FLORIDA and TIITF RECREATION AND PARKS OF THE STATE OF FLORIDA parcels a distance of 680 feet more or less to the South Line of Section 26, Township 2 South, Range 19 West, Walton County Florida; thence proceed Northerly along the common boundary line between the TIITF RECREATION AND PARKS OF STATE OF FLORIDA parcel tax ID # 26-2S-19-24000-016-0020 and TIITF RECREATION AND PARKS OF THE STATE OF FLORIDA parcel tax ID # 35-2S-9-24000-002-0020, passing into said Section 26, a distance of 35 feet more or less to a concrete monument; thence continue Easterly along the common boundary line between the TIITF RECREATION AND PARKS OF STATE OF FLORIDA parcel tax ID # 26-2S-19-24000-016-0020 and TIITF RECREATION AND PARKS OF THE STATE OF FLORIDA parcel tax ID # 35-2S-9-24000-002-0020 the following bearings and distances calls: South 89 degrees 37 minutes 45 seconds East a distance of 240.00 feet; thence North 49 degrees 44 minutes 30 seconds East a distance of 209.40 feet; thence North 06 degrees 52 minutes 36 seconds East 215 more or less to the water's edge of Tucker Bayou; thence departing the common boundary line between the TIITF RECREATION AND PARKS OF STATE OF FLORIDA and TIITF RECREATION AND PARKS OF THE STATE OF FLORIDA parcels, meander Easterly along the water's edge of Tucker Bayou as approximated by the following bearing and distance calls: North 87 degrees 31 minutes 12 seconds East 283 feet; thence South 69 degrees 11 minutes 24 seconds East 135 feet; South 24 degrees 16 minutes 12 seconds East 147 feet; thence South 45 degrees 53 minutes 24 seconds East 227 feet; thence North 89 degrees 03 minutes 36 seconds East 139 feet; thence North 81 degrees 37 minutes 12 seconds East 53 feet more or less to the intersection of the centerline of State Road 395 with the water's edge of Tucker Bayou; thence departing the centerline of State Road 395 continue Easterly along the water's edge of Tucker Bayou North 74 degrees 56 minutes 24 seconds East a distance of 80 feet; thence South 77 degrees 20 minutes 24 seconds East a distance of 143 feet more or less to the intersection of the water's edge of Tucker Bayou and the East boundary line of the Robert S. Davis property as recorded in Official Records book 399 at page 348; thence departing the water's edge of Tucker Bayou proceed South along the East boundary line of the Roberts S. Davis property a distance of 100 feet more or less to the South Line of Section 26, Township 2 South, Range 19 West; thence passing the South Line of Section 26, Township 2 South, Range 19 West, proceed South into Section 35 along the West boundary of the Ollie S. Butler and Albert B. Butler property as recorded in Official Records Book 2702 at page 2836 a distance of 302.5 feet; thence continue South a distance of 430 feet more or less to the Southwest corner of the Marvin H. Scott and Jane Scott property as recorded in Official Records Book 1549 at page 247; thence proceed Easterly along the South boundary line of the Marvin H. Scott and Jane Scott property a distance of 99 feet more or less to the Easterly boundary of the Kathryn Green property as recorded in Official Records Book 344 at page 55; thence proceed South 09 degrees 39 minutes 55 seconds East along the Easterly boundary of the Kathryn Green property a distance of 439.62 feet to an iron rod and the North boundary line of the Charles C. Fowler and Anne M. Fowler property as recorded in

Official Records Book 2584 at page 1637; thence proceed North 55 degrees 12 minutes 09 seconds East along the North boundary line of the Charles C. Fowler and Anne M. Fowler property a distance of 138.14 feet; thence proceed South 09 degrees 35 minutes 44 seconds East a distance of 200.00 feet to the curved Northerly right-of-way line of a County maintained road being concave Southerly, having a radius of 176.03 feet; thence proceed Southwesterly along the arc of the curved right-of-way line of the County maintained road a distance of 130.22 feet through a central angle of 42 degrees 23 minutes 14 seconds to a point of tangency; thence departing the curved right -of-way line, continue South 35 degrees 45 minutes 03 seconds West along the Northerly right-of-way line of the County maintained road a distance of 11.58 feet; thence continue South 35 degrees 45 minutes 03 seconds West along the Northerly right-of-way line of the County maintained road a distance of 144 feet more or less to the North right-of-way line of Eden Dr as denoted on the plat of Eden Estates recorded in Plat Book 5 at page 25; thence proceed South 45 degrees 00 minutes 00 seconds West a distance of 102.7 feet more or less to the South right-of-way line of Eden Dr as denoted on the plat of Eden Estates recorded in Plat Book 5 at page 25; thence departing the South right-of-way line of Eden Dr proceed Southwesterly along the West boundary line of the Otis Earl Barrett property, recorded in Official Records Book 2241 at page 24 as approximated by the following bearing and distance calls: South 21 degrees 57 minutes 09 seconds West 78.19 feet, thence South 18 degrees 10 minutes 11 seconds West 201.58 feet, thence South 31 degrees 22 minutes 03 seconds West 98.83 feet , thence South 37 degrees 00 minutes 11 seconds West 116.95 feet, thence South 49 degrees 05 minutes 37 seconds West 174 feet more or less to the Northerly boundary of Stephen Tyron Nunn and Brett Anderson Nunn property as recorded in Official Records Book 2307 at page 676; thence proceed South 41 degrees 44 minutes 00 seconds East along the Northerly boundary of Stephen Tyron Nunn and Brett Anderson Nunn property a distance of 73.45 feet; thence continue along the Northerly boundary of Stephen Tyron Nunn and Brett Anderson Nunn property South 71 degrees 15 minutes 00 seconds a distance of 160.00 feet to the centerline of Tucker Creek; thence proceed Southwesterly along the centerline of Tucker Creek approximated by the following two bearing and distance calls South 32 degrees 56 minutes 11 seconds West a distance of 30.00 feet; thence South 29 degrees 13 minutes 14 seconds West a distance of 145 feet more or less to the North West corner of Lot 3 Block A, Eden Estates as recorded in Plat Book 5 at page 25; thence proceed South 19 degrees 13 minutes 01 seconds West along the Westerly boundary line of Lot 3 Block A Eden Estates as recorded in Plat Book 5 at page 25 a distance of 110.71 feet to the must Southwesterly corner of Lot 3 Block A Eden Estates as recorded in Plat Book 5 at page 25; thence departing the boundary line of Lot 3 Block A Eden Estates meander Southwesterly along the center line of Tucker Creek as approximated by the following bearing and distance calls: thence South 27 degrees 05 minutes 06 seconds West 66.53 feet, thence South 45 degrees 00 minutes 18 seconds West 79.01 feet, thence South 60 degrees 51 minutes 03 seconds West 40.08 feet, thence South 41 degrees 59 minutes 22 seconds West 36.21 feet, thence South 17 degrees 55 minutes 08 seconds 48.0 feet more or less to the South line of the Northeast One Quarter of Section 35, Township 2 South, Range 19 West; thence proceed North 87 degrees 44 minutes 05 Seconds West along the South line of

the Northeast One Quarter of Section 35, Township 2 South, Range 19 West a distance 1464.0 feet more or less to the Southwest corner of the Northeast One Quarter of Section 35, Township 2 South, Range 19 West Walton County Florida and the Point of Beginning of the area herein described; Less and Except: COM AT SW/C OF NE4 OF SEC 35 THENCE RUN S 89DEG38'27"E A DIST OF 111.90 FT TO POB AND RUN N 0DEG34'10"E A DIST OF 39.87 FT THENCE N 65DEG14'56"E A DIST OF 44.25 FT THENCE S 00 DEG34'10"W A DIST OF 33.65 FT THENCE S 89DEG38'27"E A DIST OF 620.00 FT THENCE S 0DEG22' 38"W A DIST OF 25.00 FT THENCE N89DEG38'27"W A DIST OF 660.09 FT TO POB, containing approximately 111.6 acres more or less and as depicted in the map included in the Point Washington Neighborhood Plan.

- C. The Point Washington Neighborhood Plan (NP.PW) included in the adopting ordinance as Attachment A, is hereby incorporated into the Walton County Land Development Code as Appendix NP-5.

**Section 2:** The Point Washington Neighborhood Plan (NP.PW), included in this ordinance as Attachment A, is hereby incorporated into the Walton County Land Development Code as Appendix NP-5.

**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.

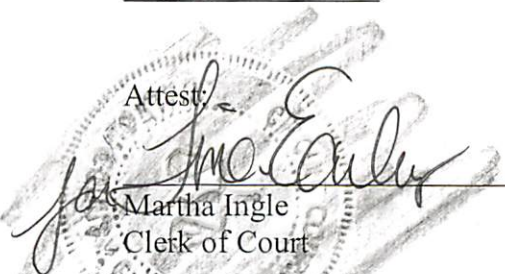
**Section 4. Effective Date.**

This ordinance shall take effect as provided by law.

PASSED AND DULY ADOPTED in regular session, by the BOARD OF COUNTY COMMISSIONERS OF WALTON COUNTY, FLORIDA, this 14<sup>th</sup> day of June, 2011.

BOARD OF COUNTY COMMISSIONERS  
WALTON COUNTY, FLORIDA

Attest:

  
Martha Ingle  
Clerk of Court

  
Larry Jones, Chair

Attachment A – The Point Washington Neighborhood Plan (NP.PW)



## POINT WASHINGTON NEIGHBORHOOD PLAN

### I. INTRODUCTION

The primary purpose of this Neighborhood Plan is to preserve the unique heritage of Point Washington, Florida, one of the oldest settlements in Walton County (circa 1880). The Neighborhood Planning Group aims to gather, preserve and share accurate historical information about the community and to insure compatibility for future development. In order to achieve this purpose the Neighborhood Plan has established the development standards contained within this document. See boundary map attached as Exhibit 1.

### II. EXISTING DEVELOPMENT PATTERN

The neighborhood consists of approximately 112 acres and includes approximately 62 parcels. Twenty of those parcels have historic significance dating back to the 1880's (See Exhibit 1). Most parcels consist of 1/2 acre lots with single family homes. This area also includes Eden State Park, two churches, a cemetery, three schools with preschool facilities, and a few businesses.

### III. DEVELOPMENT STANDARDS

The Point Washington Neighborhood Planning Area in Historic Point Washington is a mixed use district focusing on preserving the historical character of the Eden Gardens State Park and the surrounding community. The Neighborhood Planning Area for Point Washington consists primarily of approved development projects that are vested or built out, or lots less than 1/4 acre in existence prior to acceptance of the Neighborhood Plan.

**A. Density and Intensity** - Unless specified otherwise on a previously approved plat or development order, the residential density within the Neighborhood Planning Area shall be no more than the density allowed by the Walton County Comprehensive Plan and individual parcel Future Land Use Map designations existing on the date of adoption of this plan by the Walton County Board of County Commissioners, providing allowances for infrastructure needs, and for the clustering of lots for the purpose of tree preservation. Residential units shall be designed to meet the setback requirements of the Walton County Land Development Code. Accessory structures and home occupations are allowed and must meet requirements in accordance with the Land Development Code.

Neighborhood commercial, live/work units and/or public uses are allowed in this plan as permissible within future land use categories. Live/work units should be designed to fit within the scale of the land and be compatible with adjacent neighborhood uses and the overall Point Washington historical character. Neighborhood commercial is intended to promote alternative forms of pedestrian and vehicular mobility by permitting a limited type of business and neighborhood commercial use in the Point Washington Neighborhood Planning Area, while minimizing the impact on residential areas. The Neighborhood commercial use and live/work unit intensity shall not exceed a floor area ratio of 0.50 and impervious surface ratio of 0.60 of the total land area of the parcel(s) proposed for development as Walton County Land Development Code. All parking for neighborhood commercial and live/work units must be located within the property boundaries and must be contained off of road right of ways or easements.

**B. Tree Protection** - No property owner, builder, contractor, landscaper, business, firm or other

legal entity shall remove, destroy, or damage a protected tree located in the Point Washington Neighborhood Plan area without first obtaining a clearing permit from Walton County Planning and Development Services. The following requirements shall apply to the removal of protected trees:

1. **Protected Trees** - A “protected tree” is any Live Oak (*Quercus virginiana*), Southern Magnolia (*Magnolia grandiflora*) or Long Leaf Pine (*Pinus palustris*) with a diameter at breast height of eighteen (18) inches or more.
2. **Exemptions** - Tree protection requirements shall not apply under the following circumstances and conditions:
  - a. **Single-Family Dwellings** - The construction, location, or placement of single-family dwellings and customary accessory uses when protected trees are located within ten (10) feet of the actual building or structure “footprint”.
  - b. **Development** - The intended allowable use of the site cannot be reasonably developed in accordance with the Land Development Code because protected trees are located within areas necessary for any structure or infrastructure purposes.
  - c. **Utility Operations** - Excavation, tree pruning and removals by duly constituted communication, water, sewer, electrical or other utility companies or federal, state, or county agencies, or engineers or surveyors working under a contract with such utility companies or agencies shall be exempt, provided the activity is limited to those areas necessary for maintenance of existing lines or facilities or for construction of new lines or facilities in furtherance of providing utility service to its customers, and provided further that the activity is conducted so as to avoid unnecessary removal. Specifically for CHELCO overhead power lines, clearing from ground to sky, 10 foot on either side of the pole line is required for maintenance of existing lines or facilities or for construction of new lines or facilities. All pruning and trimming shall be done in accordance with National Arborist Association Standards. Written notice of the areas where authorized work is anticipated shall be provided to Planning and Development Services prior to the work, except that when the work is needed to restore interrupted service under emergency conditions, no prior notice is required.
  - d. **Rights of Way** - The clearing of a path for existing or new roadway rights of way, provided that the rights of way are for existing roadways that are built in conformance with County standards or for new roadways that will be built in conformance with County standards. The width of the path shall not exceed the right of way width standards for each type of roadway established in this Code.
  - e. **Nuisance Trees** - All trees listed on the Florida Exotic Pest Plant Council’s List of Invasive Species or the Florida Department of Agriculture and Consumer Services, “Noxious Weeds” rule in Section 5B-57, F.A.C.
  - f. The tree is diseased, insect ridden, or weakened by age, abuse, storm or fire and is likely to cause injury or damage to people, buildings or other improvements.
3. **Reparations** – Protected trees that are removed without obtaining a clearing permit or meeting the exemptions in subsection 2 above shall be replaced at the expense of the developer or property owner. Removed protected trees shall be replaced with the same species of trees and having a total combined caliper the same as that of the removed tree(s).

**C. Short Term Rentals** - Are permitted but must operate in a manner that respects the quiet enjoyment of the surrounding residential areas. All parking must be off of right of ways and road easements, and parked to the rear the building when possible.

**D. Signage** - Signs within the Point Washington Neighborhood Plan area shall conform to Walton County Land Development Code Chapter VII and Chapter XIII, the Route 30-A Scenic Corridor.

**E. Parking Requirements for New Construction -**

1. In addition to meeting the requirements of the Walton County Land Development Code, all residential construction in the Point Washington Neighborhood Plan authorized by building permits dated after the date of the adoption of this ordinance shall comply with the off-street parking requirements established and incorporated herein by the Point Washington Neighborhood Plan Off-street Parking Requirements Chart.
2. Parking requirements imposed for residential construction shall be met completely within the property boundary lines where the structure is located.
3. Project Specific Waiver of General Requirements. Where the Planning Director determines, upon request of an applicant and review of supporting data provided by the applicant, that the number of spaces generally required by this section is excessive for a specific proposed project, the owner or agent may substitute landscaping in lieu of paving provided said areas are reserved and available for conversion to parking area in the future should the County find those spaces are needed, and further provided:
  - a. The owner of the land upon which such parking is being reserved shall enter into a written parking agreement with the County, ensuring that the reserved parking area shall never be encroached upon, used, sold, leased, or conveyed, for any purpose except in conjunction with the building or use which the reserved parking area serves so long as the off-street parking facilities are required.
  - b. This parking agreement shall be in a form acceptable to the County and shall be recorded in the Public Records of Walton County at the expense of the benefiting owner.

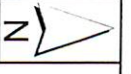
**F. Point Washington Neighborhood Plan Off-street Parking Requirements Chart**

Residential Structures	Square footage requirements indicated herein shall be determined by the heated and/or cooled space of the structure, exclusive of porches, decks and patios.
Up to 1500 sq. feet	2 parking spaces
1501--2000 sq. feet	3 parking spaces
2001--2500 sq. feet	4 parking spaces
2501--3000 sq. feet	5 parking spaces
3001--3500 sq. feet	6 parking spaces
3501--4000 sq. feet	7 parking spaces
4001--4500 sq. feet	8 parking spaces
4501 sq. feet or more	2 additional parking spaces for each 500 sq. ft. above 4501 sq. ft.

**Note:** In calculating the required parking spaces for a structure, each application for a building permit shall be accompanied by a written certification by a licensed architect or other qualified professional that establishes the exact square footage of the building being permitted.

Commercial Structures	
Restaurant	One (1) space for every three (3) seats at booths and tables, plus one (1) space for each two (2) counter seats, plus one (1) space for each two (2) employees on the largest shift. This applies to all indoor and outdoor seating.

**Exhibit 1 – Point Washington Neighborhood Planning Area Map**



# Point Washington Neighborhood Plan Area EXHIBIT 1

-  Streets
-  Pt Washington NPA (Proposed)
-  Parcels

- Points of Interest
1. Bay Elementary  
est. 1938
  2. Post Office  
ca. 1940's
  3. Strickland House  
ca. 1890's
  4. Eden State Gardens  
ca. 1890
  5. W.H. Butler House  
ca. 1920
  6. Bullard & Butler Store  
ca. 1920's
  7. Bert Butler House  
ca. 1920
  8. Board & Batten Lean-to  
Honey Co-op
  9. Aaron House  
ca. 1935
  11. Bullard House  
ca. 1880's
  12. Hill/Michener House  
ca. 1900
  13. School Well
  14. Burlison House
  15. Ferry Landing  
Wise House  
ca. 1880's
  17. Well House  
ca. 1930's
  18. Methodist Church  
ca. 1894
  19. Old Post Office  
abandon ca. 1940's
  20. Cornerstone Church  
ca. 1943



Walton County Planning/Development Services  
This GIS data is not a legal representation of  
the features depicted; any assumption of the  
legal status of this data is hereby disclaimed.  
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