

Ordinance Number 2014-12

AN ORDINANCE AMENDING WALTON COUNTY COMPREHENSIVE PLAN POLICY L-1.3.4 SMALL NEIGHBORHOOD (SN), COMPREHENSIVE PLAN POLICY L-1.3.5 TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND), COMPREHENSIVE PLAN POLICY L-1.3.6 COASTAL CENTER (CC) AND COMPREHENSIVE PLAN POLICY L-1.3.7 COASTAL CENTER MIXED USE (CCMU) TO MODIFY THE ACREAGE CRITERIA FOR PROVIDING MIXED USES IN THESE DISTRICTS AND CLARIFYING THE TYPES OF USES REQUIRED; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, establishes the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Chapter 163, Florida Statutes, requires local governments desiring to revise their comprehensive plans to prepare and adopt comprehensive plan amendments; and

WHEREAS, Walton County, to ensure the County's continued orderly growth and development, finds it prudent to amend its Comprehensive Plan to respond to the changing needs and conditions within said County; and

WHEREAS, Walton County desires to further provide flexibility to allow smaller parcels to develop in the Small Neighborhood, Traditional Neighborhood Development, Coastal Center and Coastal Center Mixed Use future land use designations and still meet the intent of the Comprehensive Plan requirements; and

WHEREAS, Walton County afforded opportunity for public comments concerning the subject text amendments to the Comprehensive Plan during public hearings held before the Walton County Planning Commission and Board of County Commissioners; and

WHEREAS, after due public notice, the Walton County Board of County Commissioners held a transmittal hearing on March 11, 2014; and an adoption hearing on May 13, 2014; and

WHEREAS, this ordinance shall be considered a final order as required in Section 10.03.00 of the Walton County Land Development Code as codified in Ordinance 97-28;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners to amend the Walton County Comprehensive Plan to read as follows:

Policy L-1.3.4 Small Neighborhood (SN): The Small Neighborhood Future Land Use Category is intended for areas transitioning from fragmented developments to an area with higher density and a mixed use core that will facilitate neighborhood continuity. Each Small Neighborhood shall provide for

a mixture of uses to encourage economic diversity and sustainability within the area, promote the future viability of the neighborhood, and encourage a walking and bicycle-friendly design to conserve energy and reduce emissions.

(A) **Location criteria:** Requires a minimum of ten (10) and a maximum of forty (40) contiguous acres. An area proposed for SN designation must have existing development on at least one side, be connected, or have direct access, to an arterial or major collector, and include sufficient infrastructure and utilities to support a small community.

(B) **Uses allowed:** A mixture of residential uses, civic and public uses, and limited neighborhood serving commercial uses, subject to Section (E), below.

(C) **Density allowed:** This land use category allows densities ranging from two (2) dwelling units per acre up to ten (10) dwelling units per acre, subject to Section (E), below.

(D) **Intensity allowed:** A maximum FAR of 0.5 (50%) and a maximum ISR of 0.60 (60%).

(E) **Special considerations:**

1. Residential densities are limited as follows:
 - i. Maximum density of two (2) dwelling units per acre if central water and sewer are not available.
 - ii. Maximum density on septic tanks may be increased to three (3) dwelling units per acre if connected to central water.
 - iii. Maximum density with central water may be increased to four (4) dwelling units per acre if 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 the connection is mandatory when available.
 - iv. Maximum density on central water and sewer service may be increased up to ten (10) units per acre, subject to Section (E) 3 Density Bonus Criteria, below.
2. Small Neighborhood projects are also subject to the following requirements:
 - i. Residential units may be constructed over the commercial buildings, and are encouraged for core development at the higher intense areas of the neighborhood;
 - ii. Civic and public uses shall comprise a minimum of one percent (1%) of any project proposed on a SN parcel or designated SN area that is served by central water and sewer;
 - iii. Public uses are required to comprise a minimum of one percent (1%) of each SN;
 - iv. Commercial uses are limited to neighborhood-serving retail and services commercial uses, and shall comprise a minimum of five percent (5%) and a maximum of ten percent (10%) of any area designated SN;
 - v. Neighborhood-serving retail and services commercial uses must be served by central water and sewer; and
 - vi. Workplace is prohibited, except as an extension of an existing use, subject to a detailed plan approved by the County. The detailed plan shall include buffers, interconnections, abutting neighborhood uses, scale and character.
 - vii. For new development projects on existing SN parcels of less than five (5) acres as of (insert effective date of this ordinance), the requirement for a mixture of uses may be waived by conditional use approval. Requests for single use projects (residential,

commercial, civic, public, etc.) on these parcels are conditional uses to be reviewed as major developments subject to public hearings before the Planning Commission and Board of County Commissioners.

3. Density Bonus Criteria:

For the purpose of approval of up to ten (10) dwelling units per acre, implementation of bonus density points is intended as a mechanism to allow higher density within a SN development by encouraging innovative design for the purpose of creating walkable communities which support the town and village concept, reduce traffic generation by creating more interests within walking distance, and reduce emissions by discouraging urban sprawl. The acreage utilized to secure one type of density bonus credit shall not be utilized to secure any additional density bonus credits for that same acreage (e.g. an acre above the minimum required preservation may not be used for calculation of density bonus credits in both Habitat Protection and Greenway Corridor).

- i. Primary Category: Certain types of design criteria are acceptable as a primary category for which bonus density points are allotted to a development. This primary category includes:
 - a) Habitat Protection or Habitat Enhancement which exceeds the minimum standards may gain a up to: 3 points for protecting or maintaining a known wildlife corridor and 2 points for an innovative mitigation, protection or enhancement measure.
 - b) Right-of-Way Dedication (Arterial or Major Collector) which exceeds the minimum standards required by the Code may gain up to 2 points for every 1/5 acre platted or deeded to Walton County.
 - c) Greenway Corridors developed and dedicated to Walton County, exceeding the five percent (5%) minimum development requirements, may gain up to 1 point for every 1/5 acre provided.
 - d) Scenic Corridors: Design standards which exceed the minimum requirements of the corridor guidelines and are innovative aesthetically pleasing measures to enhance the corridors may gain up to 3 points. This requires DRB approval and recommendation to the Board of County Commissioners for acceptance.
 - e) Affordable Housing:- For developments that provide bona-fide affordable housing, the following points may be awarded: 10% of project = 10 points; 10-20% of project = 4 points (for increment); 20-30% of project = 3 points (for increment); 30-40% of project = 2 points (for increment); so that for each additional 10% = 1 point to a maximum of 25 points total.
 - f) Pervious Surface Coverage:- For developments that provide an increased pervious area exceeding those provisions of this policy, the following points may be awarded: 25% of paved area = 3 points; 50% of paved area = 5 points; 75% of paved area = 10 points.
 - g) Energy Efficiency: 2 points for site planning to maximize solar orientation; for exceeding the Florida BEERS Rating Guide and System minimum standards, or other similar rating system or certification program, the following points may be awarded: 3 points for improving the average efficiency by 15%; 5 points for improving the average efficiency by 25%.
 - h) Beach Access/Parking: 10 points for exceeding the required minimum beach access and reserved parking spaces, with dedication of such access to Walton County.

- ii. Secondary Categories: Certain types of design criteria are acceptable as a secondary category for which bonus density points are allotted to a SN development. No points may be awarded to a development which does not include at least two (2) primary category density bonus items. This secondary category includes:
 - a) Civic Use, Open Space: must exceed both the required and the primary density bonus categories. For the purpose of density bonus criteria, the following points may be awarded: 1 point per 1/2 acre; maximum of 5 points.
 - b) Vertical Mixed Use 3 points.
 - c) Water Conservation, 2 points - Use of retention water for irrigation.
 - d) On-street parking (pervious) · 2 points.
 - e) Community Garden · 1 point.
 - f) Community Compost Area · 1 point.

Bonus Point Worksheet

Density based on availability of central water and sewer:		4 units per acre
Density based on bonus points	10 points or more	5 units per acre
	15 points or more	6 units per acre
	25 points or more	7 units per acre
	35 points or more	8 units per acre
	50 points or more	10 units per acre

Policy L-1.3.5 Traditional Neighborhood Development (TND): The Traditional Neighborhood Development Future Land Use category is intended to provide for flexibility in design that will create vibrant walkable, accessible, and distinctive neighborhoods with densities and intensities that can support transit-oriented development and multimodal transportation alternatives to conserve energy. This category allows a broad range of design alternatives from traditional neighborhood design to a mix of conventional subdivision design centered around town centers and public squares. The intent of the category is to allow compact development with varying residential types, lot sizes, and lot dimensions with supporting neighborhood and general commercial uses, civic uses, and public uses. The Traditional Neighborhood Development Future Land Use Category is based upon the six principles of Smart Development utilizing Transect-based planning principles to ensure internal and external compatibility. The primary goal of the category is to support creation of places people desire to live and visit.

- (A) **Location criteria:** TND areas delineated on the Future Land Use Map are areas with existing approved master plan communities with controlling urban codes or areas that are planned to develop into Traditional Neighborhood Developments in the next planning horizon. TND Future Land Use Category has been mapped where full use of urban services can be achieved to conserve energy. New designations of TND on the Future Land Use Map must have a minimum of forty (40) acres of developable land and urban services available to the development site.
- (B) **Uses Allowed:** A full range of residential uses are allowed. The range of uses includes single family, single family attached, multi-family, live/work units, accessory and guest units. Neighborhood and general commercial uses are allowed including neighborhood services and neighborhood retail. Civic and public uses are allowed that support and promote a sense of place for the TND development. TND developments shall incorporate three types of land uses. The

percentages cited are flexible and different percentages may be approved as part of the development approval process. The first use is a mixed use center consisting of public, civic, ~~retail, and service~~ commercial, and multifamily uses. The center typically comprises ten percent (10%) of the project. The second use is residential neighborhoods or series of neighborhoods consisting of single family and multifamily residential. The residential neighborhoods typically comprise seventy to eighty percent (70%-80 %) of the development. The third land use that must be included is public and civic uses such as parks, open space, plaza, or public square and a greenbelt. This land use type typically results in ten to twenty percent (10%-20%). For new development projects on existing TND parcels of less than five (5) acres as of _____ (insert effective date of this ordinance), the requirement for a mixture of uses may be waived by conditional use approval. Requests for single use projects (residential, commercial, civic, public, etc.) on these parcels are conditional uses to be reviewed as major developments subject to public hearings before the Planning Commission and Board of County Commissioners.

(C) **Density allowed:** Maximum of ten (10) dwelling units per acre.

(D) **Intensity allowed:** A maximum FAR of 0.85 (85%), and a maximum ISR of 0.85 (85%).

(E) **Special Considerations:** The following elements of smart development must be utilized in design of TND developments:

1. Efficient use of land resources with protection of environmentally significant areas.
2. Full use of urban services.
3. Mixed-use buildings, mixed-use neighborhoods, and walkable commercial and civic/public areas.
4. Transportation options and alternatives for multimodal streets, transit, bike, and pedestrian connectivity, and transit-oriented development patterns.
5. Detailed, human-scale design including pedestrian friendly streetscapes in residential and commercial areas.
6. Implementing TND master plans supported by urban codes.

Policy L-1.3.6 Coastal Center (CC): The Coastal Center Future Land Use Category is intended to be primarily residential with supporting commercial uses. Its purpose is to promote the development of interconnected, walkable medium density mixed use centers, and to prevent strip commercial development along major roadway frontages.

(A) **Location criteria:** New designations of Coastal Center shall be limited to the U.S. Highway 98 & U.S. Highway 331 Scenic Corridor in areas where connected to a public water and sewer system, encompassing large concentrations of seasonal and permanent residential uses.

(B) **Uses Allowed:**

1. Single family, duplexes, and multi-family;
2. Notwithstanding the definition in the glossary, Public uses in the Coastal Center Future Land Use Category are limited to squares, parks, playgrounds.
3. Civic uses;
4. Workplace uses limited to offices and artisanal uses without outdoor storage of materials and equipment; and

5. Commercial uses shall be for retail, entertainment, restaurant, services and lodging.

(C) **Density allowed:** A maximum density of eight (8) dwelling units per acre.

(D) **Intensity allowed:** A maximum FAR of 1.5 (150%) with a maximum ISR of 0.75 (75%).

(E) **Special Considerations:**

1. Development projects of forty (40) acres or more shall be required to include a minimum mix of three of the uses identified in Section (B) of this policy. For such a project, the mix shall include no less than ten percent (10%) or not more than thirty-five percent (35%) of nonresidential uses.
2. New development projects less than forty (40) acres but greater than five (5) acres shall be required to have a minimum mix of two (2) of the uses identified in Section (B) of this policy, one of which shall be residential, with a maximum residential use of seventy percent (70%) of the proposed development project.
3. For new development projects on existing CC parcels of less than five (5) acres as of (insert effective date of this ordinance), the requirement for a mixture of uses may be waived by conditional use approval. Requests for single use projects (residential, commercial, civic, public, etc.) on these parcels are conditional uses to be reviewed as major developments subject to public hearings before the Planning Commission and Board of County Commissioners.
34. Each parcel or lot, except single family, within 400 feet of and abutting US Highway 98 shall provide vehicular connections to abutting lots to limit access impacts on US Highway 98.
45. Within the portions of the Coastal Center Future Land Use Category located to the north of Seaside and Seagrove, and to the east of Deer Lake, 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 Hill and Deer Lake sites by the State of Florida, and adopted by the Court in the Consent Amended Final Judgment, Topsail and Deer Lake, in Case No. 94-923-CA, which is attached to this Plan as Attachment A, and hereby incorporated by reference. The provisions of this Plan, including but not limited to the provisions of the Coastal Center category, shall not apply to the areas described above to the extent that these provisions would be inconsistent with the above referenced agreement and judgment.

Policy L-1.3.7 Coastal Center Mixed Use (CCMU): The intent of Coastal Center Mixed Use Future Land Use Category is to support economic development by providing a specific, defined location where multiple opportunities may occur for working, shopping, entertainment, lodging and living.

(A) **Location criteria:** Located in areas ~~located~~ west of the intersection of US Highway 98 and Scenic Gulf Drive, and fronting on US Highway 98, as depicted on the FLUM. The Coastal Center Mixed Use Future Land Use Category shall not exceed a total of two hundred (200) contiguous acres.

(B) **Uses allowed:**

1. Civic and public uses;
2. Workplace, except warehousing;
3. General Commercial;

4. Entertainment and recreation uses including arcades, fitness centers, sports clubs, nightclubs, indoor movie theaters, dinner clubs, small indoor theaters and restaurants with outdoor entertainment.
5. Limited Lodging (One Hundred Twenty-five (125) rooms or less); and
6. Single and Multi-family Housing.

(C) **Density and intensity allowed:** This land use category allows densities ranging from four (4) dwelling units per acre up to twelve (12) dwelling units per acre, subject to Section (E) below, with a maximum density of twelve (12) dwelling units per acre is allowed, so long as the units are integrated with compatible nonresidential uses to create a mixed use.

(D) **Intensity allowed:** A maximum FAR of 0.75 (75%) and a maximum ISR of 0.85 (85%).

(E) **Special considerations:**

1. The scale and uses at the edge shall be compatible with the abutting Coastal Center uses.
2. A detailed site plan is required.
3. Lodging means hotels and motels. Inns and bed and breakfasts can also be included.
4. Each parcel or lot, except for single family, shall provide vehicular connections to abutting lots as a way of limiting traffic congestion.

5. Density Bonus Criteria:

For the purpose of approval of up to twelve (12) dwelling units per acre, implementation of bonus density points is intended as a mechanism to allow higher density within a CCMU development by encouraging innovative design for the purpose of creating walkable communities which reduce traffic generation by creating more interests within walking distance and reduce emissions by discouraging urban sprawl. The acreage utilized to secure one type of density bonus credit shall not be utilized to secure any additional density bonus credits for that same acreage (e.g., an acre above the minimum required preservation may not be used for calculation of density bonus credits in both Habitat Protection and Greenway Corridor). In addition to the bonus points below, the maximum density of twelve (12) units per acre requires that residential units be integrated with compatible nonresidential uses to create a mixed use.

i. Primary Category: Certain types of design criteria are acceptable as a primary category for which bonus density points are allotted to a development. This primary category includes:

(aa) Habitat Protection or Habitat Enhancement which exceeds the minimum standards may gain up to: 3 points for protecting or maintaining a known wildlife corridor and 2 points for an innovative mitigation, protection or enhancement measure

(bb) Right-of-Way Dedication (Arterial or Collector) which exceeds the minimum standards required by this Code may gain up to 2 points for every 1/5 acre platted or deeded to County.

(cc) Greenway Corridors developed and dedicated to Walton County, exceeding the five percent (5%) minimum development requirements, may gain up to 1 point for every 1/5 acre provided.

(dd) Scenic Corridors: design standards which exceed the minimum requirements of the corridor guidelines and are innovative aesthetically pleasing measures to enhance

- the corridors may gain up to 3 points. This requires DRB approval and recommendation to the Board of County Commissioners for acceptance.
- (ee) Affordable Housing. For developments that provide bona-fide affordable housing, the following points may be awarded: 10% of project = 10 points; 10-20% of project = 4 points (for increment); 20-30% of project = 3 points (for increment); 30-40% of project = 2 points (for increment); so that for each additional 10% = 1 point to a maximum of 25 points total.
 - (ff) Pervious Surface Coverage. For developments that provide an increased pervious area exceeding those provisions of this policy, the following points may be awarded: 25% of paved area = 3 points; 50% of paved area = 5 points; 75% of paved area = 10 points.
 - (gg) Energy Efficiency: 2 points for site planning to maximize solar orientation; for exceeding the Florida BEERS Rating Guide and System minimum standards; or other similar rating system or certification program, the following points may be awarded: 3 points for improving the average efficiency by 15%; 5 points for improving the average efficiency by 25%.
 - (hh) Beach Access/Parking: 10 points for exceeding the required minimum beach access and reserved parking spaces, with dedication of such access to Walton County.
- ii. Secondary Categories: Certain types of design criteria are acceptable as a secondary category for which bonus density points are allotted to a CCMU development. No points may be awarded to a development which does not include at least two (2) primary category density bonus items. This secondary category includes:
- (aa) Civic Use, Open Space: must exceed both the required and the primary density bonus categories. For the purpose of density bonus criteria, the following points may be awarded: 1 point per ½ acre; maximum of 5 points.
 - (bb) Vertical Mixed Use - 3 points
 - (cc) Water Conservation, 2 points - Use of retention water for irrigation.
 - (dd) On-street parking (pervious) - 2 points
 - (ee) Community Garden - 1 point
 - (ff) Community Compost Area - 1 point

Bonus Points Worksheet

<u>Density based on bonus points:</u>	<u>10 points or more</u>	<u>6 units per acre</u>
	<u>15 points or more</u>	<u>7 units per acre</u>
	<u>25 points or more</u>	<u>8 units per acre</u>
	<u>35 points or more</u>	<u>9 units per acre</u>
	<u>50 points or more</u>	<u>12 units per acre</u>

Section 2. Severability

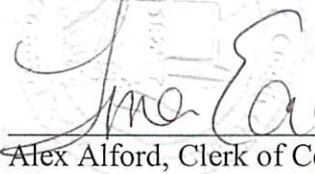
Should any word, phrase, sentence, or section of this ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then such shall be severed from this ordinance, and the remainder of the ordinance shall remain in full force and effect.


Section 3. 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 13th day of May, 2014.

ATTEST:



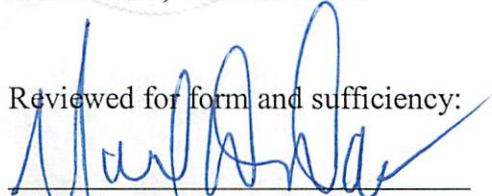


Alex Alford, Clerk of Court

BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA

By: 

W.N. "Bill" Chapman, Chair

Reviewed for form and sufficiency:


Mark Davis, County Attorney



Deletions are ~~stricken~~; additions are underlined.

