

Ordinance Number

2014-20

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS AMENDING SECTIONS 2.01.03.K. COASTAL CENTER (CC) and 2.01.03.L. MIXED USE CENTERS OF THE WALTON COUNTY LAND DEVELOPMENT CODE TO INCREASE THE MAXIMUM NUMBER OF ROOMS ALLOWED AS LIMITED LODGING FROM 75 ROOMS TO 125 ROOMS TO BE CONSISTENT WITH WALTON COUNTY COMPREHENSIVE PLAN GLOSSARY DEFINITION CHANGED IN THE EAR AMENDMENT EFFECTIVE 3/1/2011; 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, 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, Walton County desires to amend the provisions of the Walton County Land Development Code to increase the maximum number of rooms allowed as Limited Lodging from 75 rooms to 125 rooms for consistency with the adopted Walton County Comprehensive Plan Glossary definition for Limited Lodging; and

WHEREAS, Walton County desires to correct scrivener's errors in the outlining within affected sections of Chapter 2 of the Walton County Land Development Code being amended; and

WHEREAS, Walton County afforded opportunity for public comments concerning the subject amendments to the Land Development Code 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 first reading hearing on August 26, 2014, and an adoption hearing on September 9, 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 as amended;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners to amend following sections of the Walton County Land Development Code to read as follows:

Section 2.01.03.

2014-20

K. Coastal Center (CC): This land use district is 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, florist, 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, financial institutions, and the like
- Limited lodging (125rooms 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 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 ten percent and not more than 35 percent 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.

) Drive-through businesses in the Coastal Center land use district are a conditional use [restricted to financial institutions] where the business is located on US 98 or US 331, and are subject to the following restrictions:

(1) Drive through facilities may only be permitted as an accessory use to an existing primary development;

(2) No drive-through facility shall be permitted within 100 feet of either an existing residential use or a vacant lot with a future land use designation that limits the allowable use to single family homes. This setback shall be measured from the outer limit of the drive-through facility to the nearest common property boundary between the financial institution and the residential use;

(3) All drive through facilities must provide a minimum 25-foot landscape buffer between the drive-through and any adjacent residential use;

(4) Drive-through facilities must provide a landscape buffer from the scenic corridor per the Walton County Scenic Corridor Guidelines, as provided in Chapter 13 of this Code, if this buffer has not already been provided;

(5) All drive-through facilities must be accessed from US 98 or US 331, and may not allow access from adjacent residential streets;

(6) All drive-through facilities shall be subject to a compatibility analysis that at a minimum must demonstrate the following:

(a) The proposed non-residential structure must complement the predominant features of the surrounding neighborhood as defined by building orientation, building setbacks, building heights, and general building type and style;

(b) The proposed drive-through is consistent with the extent, design, and location of parking, parking access drives, drive through access drives, service areas, outside storage, landscaping and other site features of the surrounding neighborhood, including but not limited to setbacks, buffers, fences, walls, and open space;

(c) The hours of operation will be compatible with the hours of operation of the surrounding non-residential uses and with adjacent residential development;

(d) The proposed drive-through will not create adverse impacts from noise, smoke, exhaust, emissions, dust, lighting, vibration, or odors that are detrimental to the reasonable use or quiet enjoyment of existing development in the surrounding neighborhood.

(7) For purposes of the required compatibility analysis, "surrounding neighborhood" shall be construed as the subdivisions or other developments within 1/4 mile of the development site, with the strongest consideration given to those subdivisions or other developments that are adjacent to the proposed drive-through.

(8) The county may require that any or all of the following techniques be used in conjunction with a proposed drive-through to wholly or partially mitigate adverse impacts:

- (a) Variable buffers, combining land and landscaping to achieve adequate separation of uses, appropriate open space, reduction of potential noise, light, glare, and/or pollution, and screening of physical features of a proposed development;
- (b) Variable setbacks, based upon number of proposed drive-through lanes, intensity of expected drive-through traffic, intensity, scale, mass, or height;
- (c) Placement and effective screening or shielding of site features such as lights, signs, parking areas, stacking areas, or other features with potential negative impacts;
- (d) Other innovative site design features that effectively achieve compatibility and effectively mitigate potential negative impacts.

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.

2.01.03.L. 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 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 three 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)*:

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

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

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

(3) *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 0.85.

(4) *Setback Requirements:* See Section 5.00.03.

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

(6) *Special Conditions on Development within this District:*

- (a) Maximum height of four stories above ground level.
- (b) The scale and uses at the edge shall be compatible with the abutting land uses.
- (c) A detailed site plan is required for each project.
- (d) Allowed Lodging includes hotels, motels, inns and bed and breakfasts.
- (e) 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.
- (f) 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.
- (g) All development within established corridor boundaries is subject to the additional development conditions provided in Chapter XIII of this Code.
- (h) 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 (VMU):*

(1) *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

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

(3) *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 0.85.

(4) *Setback Requirements:* See Section 5.00.03.

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

(6) *Special Conditions on Development within this District:*

- (a) Maximum height of four stories above ground level.

(b) Limited lodging means an inn of no more than one hundred twenty-five (125) rooms and can include full services, such as supporting restaurant use.

(c) Entertainment and recreation uses include sports clubs, health clubs, lounges, restaurants with limited outdoor entertainment, small indoor theaters and similar uses.

(d) The scale and uses at the edge shall be compatible with abutting neighborhood uses.

(e) The center shall be interconnected whenever practicable and feasible with abutting uses for car and pedestrian linkage.

(f) A detailed plan is required.

(7) *Workforce/Affordable Housing Density Bonus*: Affordable housing density bonuses are applicable to this land use designation based on the criteria detailed in Section 2.04.00.

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 the master development plan adopted for the area by the County. The master development plan includes the following map series, included as an exhibit to this section:

- Town Center One Exhibit Boundaries
- Town Center One Land Use
- Town Center One Features Overlay
- Town Center One Trails
- Town Center One Traffic Circulation
- Town Center One Storm Water Features
- Town Center One Soils
- Town Center One Wetlands and Flood Zone
- Town Center One Parcel Ownership
- Town Center One GEC Area

(1) *Primary Uses Allowed*: The primary uses allowed within this district shall be in accordance with the uses specified in the adopted master plan as follows:

- (a) Public uses
- (b) Civic and Community uses
- (c) Parks and Recreation
- (d) Professional Service/Office
- (e) Neighborhood Serving Commercial/Retail/Commercial Center
- (f) Single Family Residential
- (g) Multifamily Residential
- (h) Live/Workplace
- (i) Institutional

(2) *Residential Density Allowed*:

This category will allow a base density of four dwelling units per acre with a maximum of ten dwelling units per acre with available density bonus points. In those cases where a residential unit is located in a mixed use development, bonus points may only be applied to either floor area ratio or density requirements. Bonus point allowances may not be applied for both floor area ratio and density, and the applicant may choose which bonus to apply.

(3) *Commercial Intensity Allowed*: The maximum allowable intensity for development in this district is a floor-to-area ratio of 2.0 and an impervious surface ratio of 0.85. Civic, public and institutional development is exempt from F.A.R. requirements. In those cases where a residential unit is located in a mixed use development, bonus points may only be applied to either floor area ratio or density requirements. Bonus point allowances may not be applied for both floor area ratio and density, and the applicant may choose which bonus to apply.

(4) *Setback Requirements*: See Section 5.00.03.

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

(6) *Special Conditions on Development within this District*:

- (a) Development in this district requires a detailed site plan for each project.
- (b) The scale and uses at the boundaries shall be compatible with the abutting land uses.
- (c) The center shall be interconnected with abutting uses for car and pedestrian linkage. Each parcel or lot, except for single family home, 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.
- (d) All development within established corridor boundaries is subject to the additional development conditions provided in Chapter XIII of this code.
- (e) Shared parking will be allowed.
- (f) No drive-through facilities will be allowed.
- (g) The following usage definitions will apply to development within Town Center 1:

Arcade - A continuous walkway or passageway adjacent to a building and parallel to and open to a street or open space, or a passageway within a building, usually covered by a canopy or permanent roofing, and open to public use.

Affordable Housing - Those units targeted for lower income households shall be affordable at a rent that does not exceed 80 percent of area median income. Those units targeted for very-low income households shall be affordable at a rent that does not exceed 50 percent of area median income.

Block - An increment of urban land, typically circumscribed by thoroughfares and/or streets.

Build-To-Line - A line established on a parcel to indicate the placement of the principal structure upon the parcel, parallel to the frontage and/or right-of-way, facing a street or open space. The intent of the build-to-line is to align structures on a street or open space.

Civic Building - A structure whose principal purpose is a public or civic use, such as government offices, school, post office, meeting house, private or public children's recreational or learning center, community center, etc. Entertainment and recreation uses include sports clubs, health clubs, and lounges, restaurants with limited outdoor entertainment, small indoor theaters and similar uses.

Civic/Community Use - Community uses such as meeting halls, libraries, post offices, schools, child care centers, clubhouses, private or public children's recreational or learning center, religious buildings, recreational facilities, higher education, museums, cultural societies, visual and performance arts buildings, municipal buildings, and substantially similar uses, specifically excluding the maintenance & servicing of vehicles and specifically excluding animal boarding facilities.

DBP - Density bonus points

Expression Line - An architectural treatment extending or offset from the surface plane of the building wall, or change of material, color or other treatment. Expression lines typically delineate the transition between floor levels and base-middle-top of a building.

Entertainment and Recreation - uses include sports clubs, health clubs, and lounges, restaurants with limited outdoor entertainment, small indoor theaters and similar uses.

Frontage -The linear dimension along the front and/or side of a lot, bordering a street, public right-of-way, or open space.

Frontage Coverage - The percentage of a block occupied by building facades. The frontage coverage is calculated as the sum of the length of the building facades divided by the block length.

Frontage Façade - The front facade of a built structure parallel to a street or public right-of-way and coinciding with the build-to-line.

Frontage Street - The street bordering on a property toward which the front facade and main entrance are oriented.

Green Building - Development consistent with maximum energy efficiency of buildings using environmentally sound building materials, energy/ water conservation systems, preservation or restoration of any on-site natural features i.e. wetlands, riparian corridors, watersheds, steep slopes, significant grasslands, etc., use of local vegetation on site to minimize impact on local habitats to minimize water consumption and an established recycling program with tenants.

Institutional - This district includes land designated for major public and semi-public uses not included as allowed uses within public facilities district.

Limited Lodging - An inn of no more than one hundred twenty-five (125) rooms and can include full services, such as supporting restaurant use.

Live/Workplace - Buildings with vertical mixed use, with neighborhood serving commercial/retail on the ground floor and residential above.

Master Plan - The South Walton New Town Master Plan of Development.

Mixed-Use Building - A structure consisting of multiple uses, whose ground floor use is typically, but not limited to, retail, restaurant or similar service business, with residential, office or other uses on upper floors.

Neighborhood Serving Commercial/Retail - Buildings of neighborhood scale or character primarily for business uses. This group of uses includes but is not limited to retail and personal service uses which support residential areas as follows:

- Community centers and fraternal lodges
- Commercial or trade schools such as dance and martial arts studios
- Retail sales stores, such as: shoe stores, clothing stores, pharmacies, florists, and bookstores.
- Garden supply
- Financial institutions
- Food marts
- Grocery stores, supermarkets, and specialty food stores (such as meat markets, delicatessens and bakeries)

- Restaurants
- Temporary seasonal roadside produce stands
- Service businesses such as blueprint, printing, catering, tailoring, travel agencies, upholstery shops, laundries/dry cleaners, and light mechanical repair stores (such as camera, TV, or bicycle repair shops)
- Child care center

Open Space - May include, but is not limited to, lawns, decorative planting, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, wooded areas, nature trails and watercourses.

Parks & Recreation - These uses include facilities for recreational activities such as picnicking, jogging, cycling, hiking, ball fields, outdoor ball courts, outdoor swimming pools, private or public children's recreational or learning center, nature trails and similar recreational facilities.

Public Use - Includes streets, squares, parks, playgrounds, and substantially similar uses.

Professional Service/Office - This group of uses includes business and professional offices, medical offices or clinics, government offices, financial institutions, and personal service businesses where the service is performed on an individual-to-individual basis as opposed to services which are performed on objects or personal property. Examples of personal service businesses are beauty shops, barbershops, and photography studios. This group of uses may include: a dispatching, communications/office center for the distribution of goods, but specifically excludes the warehousing or actual distribution of goods.

Signature Building - A structure whose location in relationship to the public realm, such as a position on a street or open space, requires significant attention to its architectural design because of its prominent location.

Single Houses - Buildings for residential uses, including single family houses, duplexes and other compatible residential uses on individual lots.

Small Apartment Buildings & Townhouses - Buildings for residential uses including triplexes, townhouses and small apartment buildings. These buildings for residential use may have limited office and retail use, cafes, limited lodging & artisanal uses.

Storefront - The facade or portion of a building's front facade (typically the ground level only) with business or retail uses, typically aligned along the frontage line with the entrance to the business or retail use at sidewalk grade.

Town Center Design Committee - an organization composed of Walton County staff and voluntary Town Center property owners and other designated stakeholders appointed by the Board of County Commissioners who shall meet regularly, on an "on-call" basis to provide oversight of design, nature trails, wetland buffers and common areas for purposes of maintaining the overall intent of the TC-1 master plan.

Town Center - The area designated on the Walton County Future Land Use Map as TC-1 and the overlay district adopted as part of the Land Development Code.

Vista - A view framed by buildings, structures or the landscape.

Vista Terminus - A building, site structure, or significant element of a building that terminates or punctuates the framed view. Civic buildings, sculptural pieces and special building elements serve as the most appropriate view terminators.

Workforce Housing - Those households whose members collectively earn between 60% to 120% of area median income, adjusted for family size, that are able to make housing payments of 30% or less of gross monthly income.

(7) Town Center One Master Plan Density Bonus Points

(a) The following items, following review and approval by the Design Review Board and if approved as part of a development order, will allow a developer to increase the density available on their parcel:

[NOTE: The density bonus point table and Town Center Maps that follow the above text in this section of the Land Development Code are not being amended and are not displayed herein for convenience. They are not intended to be removed from this section of the Land Development Code by this ordinance. This note is for explanation only and is not intended to be part of this amendment or ordinance.]

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 28th day of October, 2014.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA

By: _____
Cindy Meadows, Chair



Alex Alford, Clerk of Court

Reviewed for form and sufficiency:

Mark Davis, County Attorney



