

**ORDINANCE
2005-02**

**AN ORDINANCE AMENDING SECTION 5.04 OF THE
WALTON COUNTY LAND DEVELOPMENT CODE
PROVIDING FOR ADDITIONAL FLEXIBILITY IN THE
RIGHT OF WAY WIDTH OF PRIVATE ROADS,
PROVIDING FOR ADDITIONAL FLEXIBILITY IN ROAD
WIDTHS OTHER THAN COLLECTORS AND
ARTERIALS, PROVIDING FOR CONSTRUCTION
STANDARDS FOR SIDEWALKS AND ASSOCIATED
BUYOUT STANDARDS, PROVIDING FOR ADDITIONAL
STANDARDS FOR THE WHITE SAND PROTECTION
AREA; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Board of County Commissioners finds that the safety, health and welfare of the citizens of Walton County would not be compromised by allowing additional flexibility in private road standards;

WHEREAS, the Board of County Commissioners finds that the safety, health and welfare of the citizens of Walton County would not be compromised by allowing additional flexibility in local road standards;

WHEREAS, the Board of County Commissioners finds the need to adopt sidewalk standards to provide consistency;

WHEREAS, the Board of County Commissioners finds the need for additional standards and clarification for the white sand protection area;

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

Section 1. Authority; purpose and intent.

This ordinance is adopted pursuant to Sections 125.01, and 163.3 167, Florida Statutes (2004).

Section 2. Section 5.04 of the Land Development Code is amended to read:

5.04.00. TRANSPORTATION SYSTEMS

5.04.01. General Provisions.

A. *Purpose.* This section establishes minimum requirements applicable to the development transportation system, including public and private streets, bikeways, pedestrian ways, and access control to and from public streets. The standards in this section are intended to minimize the traffic impacts of development, to assure that all developments adequately and safely provide for the storage and movement of vehicles consistent with good engineering and development design practices, to address internal pedestrian and bicycle circulation within projects as well as linkage to other projects and transportation modes, and to promote compact mixed use development to encourage on-auto travel for short trips.

B. **Required Planning.** Review of development proposals and plans for all single family subdivisions, multi-family residential, commercial, office or industrial uses shall include appropriate consideration of potential transportation impacts related to the development through the submission of a circulation, parking and access plan as required in this Code.

5.04.02. Street Classification System.

A. General

- I. Streets in Walton County are classified and mapped according to function served in order to allow for regulation of access, road and right-of-way widths, circulation patterns, and design speed.
2. Private streets and streets that are to be dedicated to the county are classified in a Street hierarchy system with design tailored to function. The street hierarchy system shall be defined by road function and design speed.
3. When a street continues an existing street that previously terminated outside the subdivision, or is a street that will be continued beyond the subdivision or development at some future time, the classification of the street will be based upon the street in its entirety, both within and outside of the subdivision or development.
4. The following street hierarchy is established: local, collector and arterial. All development proposals containing new streets or taking access from existing streets shall conform to the standards and criteria contained in this section.

B. Classification of Streets.

1. **Local Streets.** Local streets are primarily suited to providing direct access to residential development, but may give access to limited nonresidential uses. All local streets should be designed to minimize unnecessary and/or speeding traffic. Alleys, which provide a secondary means of access to lots, are normally on the same level in the hierarchy as a local street. Each local street shall be classified and designed for its entire length to meet the minimum standards. Local streets shall be designed to have a minimum posted speed of not less than 15 mph.
2. **Collector Roads.** Collector roads provide access to nonresidential uses and connect lower-order streets to arterial streets. Design speeds and average daily traffic volumes will be higher than for lower-order streets. Collector roads shall be designed to have a minimum posted speed of not less than 30 mph. Design speed may increase depending on conditions and expected traffic volume.
3. **Arterial Roads.** Arterial roads provide links between communities or to limited-access expressways, limit direct access from abutting properties except for regionally significant uses, and shall be designed for posted speeds up to 55 miles per hour.
 - (i) **Minor Arterial.** These roads link community districts to regional or state highways. They may also give direct access to regionally significant land uses. These roads may take access from other arterials or freeways and may give access to any lower-order nonresidential street type. Minor arterials shall be designed for posted speeds of 45 miles per hour.
 - (ii) **Principal Arterials.** These are major regional highways providing links between communities. These roads may take access from other arterials or freeways and may give access to any lower-order nonresidential street type. These roads shall be designed for posted speeds of 55 miles per hour.

C. Street Design Standards By Classification.

1. **Minimum Road Surface Width.** All roadways constructed within the County shall provide for roadway surfaces which meet at least the minimum width requirements as provided below.
2. **Minimum Road Surface And Right Of Way Width**
 - a. All private streets shall be dedicated as private on the plat and shall have sufficient right of way for the street and requisite storm water improvements. The developer may dedicate separate utility and drainage easements if desired. However the combined street, utility, and drainage easements shall be sufficient for the proposed development, as determined by the County Engineer or his designee.
 - b. All streets to be dedicated to the County shall have a minimum 50' Right of Way.
 - c. Existing county streets as of July 1, 2004 with lesser right of way or lane widths may be paved if it is determined by the County Engineer or his designee that there is adequate area for storm water treatment, utilities, and the geometric design considerations outlined in the latest edition of the Manual of Uniform Minimum Standards For Design, Construction, and Maintenance for Streets and Highways published by the Florida Department of Transportation are met.
 - d. The driving surface of all collector and arterial streets shall be a minimum of twenty-two (22) feet as measured from edge of paving to edge of paving, not including any curbing. Local streets shall be a minimum of twenty (20) feet as measured from edge of driving surface to edge of driving surface and may include flat, header, or ribbon-type curbing not exceeding twelve (12) inches in width. If there is any question about the classification of a street, the county engineer or his designee shall determine the street classification. A one foot deviation, for lane width may be

considered for private streets if it can be demonstrated to the county engineer or his designee that interconnection of the streets is not a viable option and that the AADT for the street shall not exceed 400 vehicles per day and a minimum 1' curb is proposed.

5.04.03. Street Design Standards.

A. General Design Standards.

1. The street system of the proposed development shall be a network with variations as needed for topographic and environmental design considerations. Particular effort should be directed toward securing the flattest possible grade near intersections.
2. In order to reduce traffic congestion on the arterial and collector roads surrounding the development and to promote a pedestrian environment within the development, streets shall be laid out to:
 - (a) Avoid environmentally sensitive areas;
 - (b) Secure the view to prominent natural vistas;
 - (c) Minimize the area devoted to motor vehicle traffic;
 - (d) Promote pedestrian movement so that it is generally more convenient and pleasant to walk short distances than to drive; and
 - (e) Promote the creation of vista terminations.
3. The street layout in all new development shall be coordinated with and interconnected to the street system of the surrounding area.
4. Streets in proposed subdivisions shall be connected to rights-of-way in adjacent areas to allow for proper inter-neighborhood traffic flow.
5. Residential streets shall be designed to discourage through traffic between nearby local, collector and arterial roads.
6. The street system of proposed development shall, to the greatest extent practicable, conform to the natural topography of the development site, preserving existing hydrological and vegetative patterns, and minimizing both erosion potential and the quantity and velocity of runoff generated.

B. Stub Streets.

1. Residential access and subcollector stub streets may be permitted only within subsections of a phased development for which the proposed street in its entirety has received final site plan approval.
2. Residential collector and higher-order stub streets may be permitted or required by the county provided that the future extension of the street is deemed desirable by the county or conforms to the traffic circulation element of the Walton County Comprehensive Plan.
3. Temporary turnarounds shall be provided for all stub streets providing access to five or more lots or housing units. Where four or fewer units or lots are being served, a sign indicating a dead-end street shall be posted.

C. Clear Visibility Triangle. In order to provide a clear view of intersecting streets to the motorist, there shall be a triangular area of clear visibility formed by two intersecting streets or the intersection of a driveway and a Street. The following standards shall be met:

1. Nothing shall be erected, placed, parked, planted, or allowed to grow in such a manner as to materially impede vision between a height of two feet and ten feet above the grade, measured at the centerline of the intersection.
2. The **clear visibility triangle** shall be formed by connecting a point on each street centerline, to be located at the distance from the intersection of the street centerlines indicated below, and a third line connecting the two points. The distances from the intersection of the street centerlines for the various road classifications shall be as follows:

Street Classification	Distance From Intersecting Street Centerline
Driveway or local street	50 feet
Collector	80 feet
Arterial	100 feet

D. Blocks.

1. Where a tract of land is bounded by streets (excluding alleys) forming a block, said block shall have sufficient width to provide for two tiers of lots of appropriate depths.
2. The lengths, widths, and shapes of blocks shall be consistent with adjacent areas. In no case shall block lengths in residential areas exceed 1,500 feet nor be less than 350 feet, unless topographic considerations make conformance with this standard impracticable.

E. Cul-de-sacs.

1. The terminus of every cul-de-sac shall have an unobstructed ten-foot-wide moving lane with a minimum outside turning radius of 40 feet and a minimum right-of-way of 50 feet.

F. Intersections.

1. Streets shall intersect as nearly as possible at right angles and in no case shall the angle of intersection be less than 75 degrees, with the exception of a “Y” intersection of two local streets.

2. New intersections along one side on an existing Street shall, where possible, coincide with existing intersections. Where an offset (jog) is necessary at an intersection, the distance between centerlines of the intersecting streets shall be no less than 150 feet.

3. No two streets may intersect with any other street on the same side at a distance of less than 400 feet measured from centerline to centerline of the intersecting street. When the intersected street is an arterial, the distance between intersecting streets shall be no less than 1,000 feet.

4. Intersections shall be designed to present the flattest possible grade in intersecting roadways near points of intersection.

5. Intersections involving the junction of more than two streets are prohibited, except where they are found to be unavoidable by the County Engineer.

G. Alleys.

1. Alleys shall be at a minimum 10’ wide.

H. Sidewalks.

1. New development (or redevelopment projects) abutting collector or arterial facilities shall provide sidewalks adjacent to these roadways unless a separate sidewalk or bike path already exists. Location of the sidewalks shall be consistent with planned roadway improvements, right-of-way restrictions and scenic corridor guidelines, where applicable.

2. Sidewalks shall be provided on both sides of all residential streets in all new subdivisions (or projects within areas with adopted Neighborhood Plans). Sidewalks shall be a minimum 5’ in width and be constructed with a minimum 2500 psi concrete. Developments for 1 acre or greater residential lots may be exempted from this requirement upon Board of County Commissioners approval.

3. Residential projects adjacent to, or within 1,500 feet of an existing mixed use area containing either commercial, service, office, civic or recreational uses shall, to the greatest extent possible, facilitate the connection of pedestrian access between the residential and other use areas.

4. The county shall implement a sidewalk fund. The County Engineer or his designee shall determine the linear foot cost of sidewalk at the same time each year. A residential subdivision developer may elect to buy out one side only by contributing to the sidewalk fund. Non residential developers may elect to contribute to the sidewalk fund with the Planning and Development department approval and if there are no pedestrian facilities in existence or planned within ¼ mile of the proposed development.

I. Stub Streets.

1. A “T” or “Y” type turn around may be used in place of a cul-de-sac on streets of 300 feet or less in length upon approval of the Board of County Commissioners.

2. The pavement width for a “T” or “Y” type turn around shall not be less than one-half (1/2) the pavement width of the street it serves. This provision is not intended to permit a “T” or “Y” on streets requiring a cul-de-sac and streets that are not planned to connect to future streets outside the project limits.

5.04.04. Access Management.

A. General Standards. All proposed development or redevelopment projects within the County shall meet the following standards for vehicular access and circulation in relation to the development site.

Limiting access to the State Highway System by controlling the number & location of site access driveways & other intersecting roads according to the procedures & standards outlined in Chapters 14-96 & 14-97 F.A.C.;

1. Access points from all local, collector and arterial streets into the site must be sized to accommodate all vehicles which are reasonably anticipated to use the site, including delivery vehicles. All access points shall either be exclusive one-lane, one way drive or minimum two-lane, two way drive. Vehicles must be able to enter a site without encroaching on the exit lane of a two way drive-way.

2. All access points must provide sufficient on-site lane storage to accommodate queued to park or exit without using any portion of the street right of way or interfering with street traffic flow.

B. Number of Access Points.

1. A maximum of one access point shall be permitted to a particular site from each abutting street. When it is determined by the County Engineer to be in the best interest of good traffic circulation in the vicinity of a particular development site, one additional access point along a boundary with a continuous frontage of more than three hundred feet or two additional access points along a boundary with a continuous frontage of more than 600 feet may be allowed.

2. For the purposes of this section, dual one-way access drives will be considered one access point, if they do not conflict with the distance requirements of an intersection or adjacent existing drives.

C. Separation of Access Points.

1. The separation between access points on state-maintained roads shall be in compliance with process and requirements of Chapters 14-96 & 14-97, F.A.C., as administered by the Florida Dept. of Transportation.

2. On streets which are not maintained by the State, the separation between access points onto arterial and collector roadways, or between an access point and an intersection of an arterial or collector with another road shall meet at least the minimum distances provided in the following table:

Street Classification Distance Between Access Points

Major Arterial	175 feet
Minor Arterial	100 feet
Collector	50 feet

3. The distance between access points shall be measured from the centerline of the proposed driveway or roadway to the centerline of the nearest adjacent driveway or roadway.

D. Service Roads, Joint Access, Shared Access.

1. Joint use driveways and cross access easements shall be established wherever feasible along arterial and collector streets.

2. A Unified Access and Circulation System plan between adjacent properties on these streets will be required for all new development and redevelopment proposals which abut or load directly onto arterial and/or collector streets. These plans should include coordinated access facilities and shared parking areas wherever feasible.

3. Wherever possible, projects located on both major and minor arterials are encouraged to utilize parallel service roads in their access and circulation plans to optimize the number of site access driveways and intersecting roads loading onto these high capacity roadway systems.

5.04.05. Standards for Private Streets.

Private streets may be allowed within developments that will remain under common ownership, provided that they are constructed to the county's minimum standards and provided that the developer makes the following commitments at the time of receipt of a final development permit for any such project:

A. Form a property owner's association that will be perpetually responsible for the maintenance of all streets, drainage infrastructure, sidewalks and bike paths and other common areas which are created through platting of the development.

B. Record on the plat and each deed the following statement: "All roads and drainage within ___ subdivision as recorded in plat book ___ page ___ are not County maintained and are not eligible for maintenance by the County."

C. Street signs shall incorporate the words "Private Street". These signs and lettering shall be of the same size and style as other county approved street signs except that the lettering shall be black and the background color shall be yellow.

D. Individual lot surveys shall indicate that streets and drainage are private.

5.04.06. Right-Of-Way Protection.

A. *Purpose.* The purpose and intent of this section is to protect the right-of-way needed for future transportation improvements and provide a minimum width or area to be protected when an easement or right of way may exist that is less than the minimum width or area required by this article.

B. Right-of-Way Setback Requirement

1. *Limitation on Structures.* It shall be unlawful to construct, erect, or establish or maintain any building or other structure within the following designated distances or areas of the centerlines of either side of the following described classes of roadways, as such roadways are designated on the road classification map (on file in the office

of the Planning and Development Department of Walton County, Florida).

2. **Determination of Applicable Setback.** The provisions of this section shall apply to all streets appropriately marked on the road classification map as referred to in this section and to all classes of streets proposed for construction within the County. The minimum setback for a structure, except as described in paragraph 4. below, is specified in Article 5.00.03 and shall be measured from the greater of the limit of the right of way, right of way protection area (when the existing easement or right of way is less than the minimum specified herein), or the property line.

3. **Measurement of Setback** The distance shall be measured in a straight line from the centerline of any right of way to the foundation of any vertical structure on either edge of the right of way. The required width for each applicable street classification is provided below:

Street Classification	ROW Width
Local	40 feet
Collector	50 feet
Minor Arterial (State)	75 feet
Major Arterial (U.S.)	100 feet

NOTE: The old section of Highway 98 is hereby designated a collector roadway.

4. **Exceptions To Setback Requirements.**

(i) **Advertising Signs Permitted.** The owner or occupant of any land or building affected by the setback specified above is hereby permitted to construct a sign advertising of such land or building by the owner or occupant, as temporary structure to be removed at the request of Walton County and at no expense to Walton County whenever the area provided in such setback is needed for transportation improvements.

(ii) **Fence permitted.** The owner or occupant of any land affected by the setback specified above is hereby permitted to erect a fence three feet from his property line or ditch, whichever is greater, subject to Scenic Corridor guidelines from Chapter XIII and any other applicable code provision related to fences.

(iii) **Existing buildings.** The provisions of this section shall not apply to any buildings or structures now constructed or standing upon such designated distances or areas as above set forth on the above-described roadways, in their present size and dimensions, and shall not apply to a second or subsequent story or any building or structure where the second story or subsequent story is erected as above set forth not less than ten feet above the roadway level of the above-described roadways. Any reconstruction shall meet Land Development Code requirements for setbacks.

5. **Right-of-Way Centerline Disagreement**

(i.) When the property owner affected by the right-of-way location disagrees with the established centerline, the property owner may conduct a realignment study with appropriate traffic analysis, roadway and property surveys, and cost estimates including, but not limited to, economic effects and traffic considerations of possible alternatives, and may present his findings to the county engineer for review.

(ii.) The county engineer shall submit his findings along with his recommendations to the Board of County Commissioners and the Board shall act upon the information presented and its findings shall be final.

6. **Right-of-Way Agreement**

(i.) A right of way agreement shall be required for any proposed structure, construction, landscaping, fence, or other appurtenance proposed in the county right of way, approved by the County Engineer and the Board of County Commissioners. If work is done in a county right of way, without an executed right of way agreement, the county may require the removal of materials at the expense of the persons doing the work in the county right of way. Materials placed in the right of way without a county executed right of way agreement may become the property of the county.

5.04.07. **Construction Standards.**

A. **Roadways.**

1. **Paving.** All streets (public and private) shall be paved in accordance with the requirements of this section, except for the following:

(a) A subdivision may have one or more streets totaling up to four thousand (4,000) feet in length and serving NO more than twenty (20) lots that is not required to be paved. However, such unpaved streets cannot be extended outside the boundaries of the subdivision or into any other phases of the subdivision. Such streets must comply with the engineering requirements of this Section, except for the actual paved surface. Such streets must comply with the requirements of Article 5.04.05 A-C. Unpaved streets shall be platted as private streets and comply with Article

5.04.05 requirements.

(b) Division of land divided so that no lot is less than four (4) acres shall be exempt from paving, however, no unpaved roads may be dedicated to the County for maintenance.

(c) No unpaved road shall be eligible for dedications to the county.

2. **Road Base.**

(a) **Generally.** The road base shall be constructed of sand-clay asphalt, hot mix, soil cement (at the option of the county engineer for special applications), limerock, limerock stabilized base, or shell stabilized base according to the specifications shown below. Upon approval of construction plans by the County Engineer, construction may begin, with testing of a six-inch minimum thickness, for all bases except sand asphalt hot mix, which shall have a four-inch minimum thickness. All road base material shall be compacted to a minimum of 98% and subgrade material shall be stabilized a minimum of 12" and have a minimum LBR of 40. Additional stabilized subgrade, base and / or asphalt may be required by the county engineer based on Geotechnical Report recommendations.

(b) **Tests.** Tests for subgrade and base bearing capacity and compaction shall be made by a commercial testing lab at intervals of no more than 200 feet, staggered to the left, right, and on the centerline. Thickness of base shall be measured by the county engineer at intervals of not less than 200 feet by means of holes drilled in the base, or at the time of test coring the surface course.

(c) **Sand Clay Base.** The material and construction shall conform to the Florida DOT specifications as shown in sections 240 and 912 of "Standard Specifications for Road and Bridge Construction."

(d) **Sand Asphalt Hot Mix Base.** The material and construction shall conform to Florida DOT specifications as shown in section 335 of "Standard Specifications for Road and Bridge Construction."

(e) **Soil Cement Base.** The material and construction shall conform to Florida DOT specifications as shown in section 270 of "Standard Specifications for Road and Bridge Construction."

(f) **Compacted Limerock Base.** The material and construction shall conform to Florida DOT specifications as shown in sections 200 and 911 of "Standard Specifications for Road and Bridge Construction."

(g) **Shell Stabilized Base.** The material and construction shall conform to Florida DOT specifications as shown in sections 200 and 911 of "Standard Specifications for Road and Bridge Construction."

(h) **White Sand Protection Restrictions.** The restriction shall apply to the area located south of U.S. Highway 98 eastward from Okaloosa County line to County Road 30A, thence south of County Road 30A eastward to the juncture of U.S. Highway 98 and the Bay County line. The restricted area shall also include any lakes and adjoining land surrounding said lake, when said lake abuts County Road 30A.

In the restricted area, there shall be no use of construction material, which is subject to wind or water transport that permanently discolors the white beach sands. Such construction materials include, but are not limited to, red or yellow clay or sand. Any material prohibited above may be used if recommended by the County Engineer and approved by the Board of County Commissioners.

Violations of this restriction shall constitute a misdemeanor. Each day of violation shall constitute a separate and distinct offense and shall be subject to a fine of up to \$500 per day. The building inspector shall be notified of any construction where said violation occurs and material in violation of this restriction is removed. Upon the violation all red clay or discoloring material in violation of this restriction shall be removed within ten (10) days of the violation.

Should the County Engineer recommend use of prohibited materials and the Board of County Commissioners approves its use, AND the use of prohibited material results in discoloring the white sand beaches, the contractor shall be considered in violation of this restriction. After the discoloring material in violation is removed as required by this restriction, the contractor shall restore the affected areas to their original condition in both topography and color.

After restoration of the affected area, the County Engineer shall inspect for compliance.

3. **Surface Course.** Surface course for flexible pavements shall be an asphaltic concrete surface, with a minimum thickness of 1 1/2 inches. This asphaltic concrete surface shall be type SI. Alternative pavements may be utilized if approved by the county engineer. Conditions may be required for alternative pavements. Testing of the surface course shall be conducted by a certified testing lab. Test cores shall be taken no more than 200 feet apart and staggered to the right, left, and centerline.

4. Required Inspection.

(a) Inspection of the following phases of street construction must be conducted by the County Engineer in addition to the testing procedures noted above.

- (i) Stabilized grade
- (ii) Curb and concrete
- (iii) Subgrade
- (iv) Roadway base
- (v) Surface course
- (vi) Drainage system

(b) It is the developer's responsibility to notify the County Engineer to arrange for an inspection. The developer shall pay for the cost of all inspections provided by the County Engineer. Payment shall be made to the Board of County Commissioners before the final development order is approved. It is the developer's responsibility to notify the County Engineer 24 hours before any of the above-noted phases of construction are to be ready for inspection.

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.

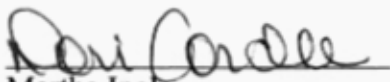
Section 4. Effective Date

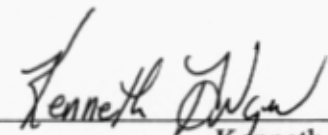
This ordinance shall take effect as provided by law.

Duly enacted by the Board of County Commissioners of Walton County, Florida, at a regular meeting, on the 4th day of January 2005

BOARD OF COUNTY COMMISSIONERS

Attest:

for 
Martha Ingle

By: 
Kenneth Pridgen, Chair