

## **ORDINANCE 2028**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA, AMENDING CHAPTER 6, STANDARDS FOR TRANSPORTATION, ACCESS, PARKING, AND LOADING, IN THE LAND DEVELOPMENT CODE TO AMEND SIDEWALK AND DRIVEWAY STANDARDS ; AND PROVIDING AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA AS FOLLOWS:**

### **Section 1. Authority and Intent**

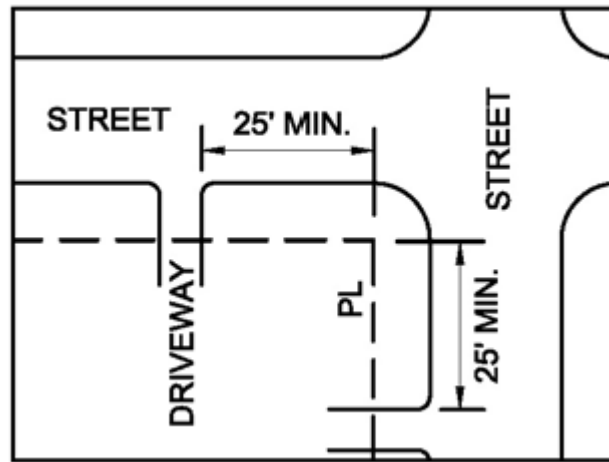
The authority for enactment of this ordinance is contained in Chapter 166.021, 163.3202, and other provisions of the Florida Statutes and Section 2 of the City Charter.

### **Section 2. Amendment of Section 6.01.05 – Street Access and Driveway Design Requirements**

Section 6.01.05 – Street Access and Driveway Design Requirements is hereby amended as follows:

All ingress and egress driveways onto a City street shall be located to allow the greatest degree of safety to both pedestrian and vehicular traffic on a City street. All proposed development shall meet these standards for vehicular access and circulation:

- A. Access points shall be able to accommodate all vehicles entering the site, including delivery vehicles.
- B. Access design shall ensure that an entering standard passenger vehicle will not encroach upon the exit lane of a two-way driveway.
- C. Access design shall ensure that a right-turning exiting vehicle shall be able to use only the first through traffic lane available without encroaching into the adjacent through lane.
- D. There shall be sufficient onsite storage to accommodate queued vehicles waiting to park or exit without using any portion of the street right-of-way or in any other way interfering with street traffic.
- E. Number, location and separation requirements for driveways. Driveways shall be designed to adequately accommodate the volume and normal character of vehicles anticipated to be attracted to the development.
  1. The number of driveways shall be determined by existing site conditions and ensuring safe and efficient access and use for both pedestrian and vehicular traffic on the City street.
  2. Minimum distance of driveway to a street intersection.



**Figure 6.01.05 (E-2).**

Minimum driveway intersection distances

- a. The edge of a driveway for all uses other than a single-family residential dwelling shall be located a minimum of seventy-five (75) feet from the proposed right-of-way line of a street intersection.
  - b. The edge of a driveway for a single-family residential dwelling shall be located a minimum of twenty-five (25) feet from the proposed right-of-way line of a street intersection.
3. Where two (2) or more driveways connect a single development site to any one (1) City street, a minimum clear distance of fifty (50) feet, measured along the curb line of the tangents of the proposed driveway curb radii, shall be provided.
  4. The edge of a driveway for uses other than a single-family residential dwelling shall be located a minimum of twenty-five (25) feet from the proposed property line. Where a property line is the same as the right-of-way line referenced in Section 6.01.05.E(2)(a), the minimum distance shall be the standard in Section 6.01.05.E(2)(a).
  5. Opposing driveway intersections.
    - a. Opposing driveway intersections for uses other than a single-family dwelling shall be located directly across from each other along City streets.
    - b. If conditions prohibit locating a proposed driveway intersection directly opposite an existing or proposed driveway intersection along a City street, the offsets between the existing and proposed intersections shall be a minimum of 150 feet.
  6. Driveways shall be located and designed to ensure that vehicles do not back onto the City right-of-way, except for driveways serving a single-family dwelling in single-family developments and residential zoning districts.
- F. Driveway design.
1. Depressed curbing may be required across driveway openings, in order to promote the continual flow of street stormwater runoff.

2. Driveways shall intersect the City street at an angle as near 90 degrees as site conditions permit, and in no case shall be less than 75 degrees.
  3. All driveway aprons shall be paved from the existing or proposed edge of pavement back to the existing or proposed right-of-way line. Paving within this area shall comply with the City's paving specifications as set forth in the Engineering Standards Manual for Fort Walton Beach. Additional paving or a reinforced concrete driveway may be required, depending upon the type and amount of expected vehicular traffic.
  4. All driveways shall be fully maintained by the property owners served by the driveways.
- G. Driveways located within a State or County right-of-way shall be designed in accordance with State or County standards.

**Section 3. Amendment to Section 6.02.03 – Sidewalks**

Section 6.02.03 – Sidewalks is hereby amended as follows:

- A. The purpose of this section is to require sidewalks to be constructed in conjunction with all new development and redevelopment.
- B. Sidewalks are required along the street frontage of all lots where new development, redevelopment, subdivisions, or change of use is proposed.
- C. Where a sidewalk is already provided, but the sidewalk is in disrepair and/or does not meet current standards for sidewalk location, width, and construction, such sidewalk shall be brought up to current standards as part of the development or redevelopment of the lot.
- D. Where no sidewalks exist ~~within the block~~, the developer will be required to include the addition of sidewalks as part of the proposed development, redevelopment, subdivision, or change of use.~~may be allowed to pay a fee in lieu of construction. The amount of fee shall be equal to the costs of design and construction of the required sidewalk. The City will construct the sidewalk.~~
- E. Sidewalks shall be designed and constructed in compliance with the standards set forth in the Engineering Standards Manual for Fort Walton Beach.
- F. Sidewalks located within a State or County right-of-way shall be designed in accordance with State or County standards.
- G. ~~F~~ Sidewalk width requirements are set forth in Table 6.02.03.

**Table 6.02.03. Minimum Sidewalk Widths.**

Location	Minimum width (feet)
Arterial streets (major or minor)	8
Collector streets	6
All other streets, except where the sidewalk is not abutting the curb	5
All other streets, where the sidewalk is abutting the curb	6

- H. G Location. All sidewalks shall be constructed along the width of yards fronting upon a street right-of-way. Corner lots at street intersections shall have sidewalks constructed to, extended to, and ramped to the street pavement in compliance with Federal and State ADA requirements. Sidewalks shall be constructed in the street right-of-way with the rear edge on the front property line, and shall be constructed in compliance with the standards set forth in the Engineering Standards Manual for Fort Walton Beach.
- I. I Internal sidewalks: Nonresidential and multifamily residential developments shall be responsible for providing an internal (on-site) sidewalk network. The internal sidewalk network shall connect buildings, parking areas and common open spaces to public sidewalks. Internal sidewalks shall be at least four (4) feet in width and may be located within landscape buffer areas to achieve connectivity.
- J. H Maintenance of sidewalks. It shall be the duty of all owners of real property in the City that abuts any constructed public sidewalks to keep and maintain those sidewalks in good repair at all times, including the proper maintenance of vegetative materials such as trees, grass, hedges and shrubs, to keep such materials from encroaching on the sidewalks. The City may require reconstruction or implement special assessments to ensure that sidewalks are maintained in good condition.
- K. Waiver: Sidewalk construction may be waived at the discretion of the Development Administrator or their designee, based upon the review and approval recommendation of the Development Review Team if it determined that the waiver request meets at least one (1) of the following criteria:
1. There are physical constraints which would make the construction of a sidewalk impossible or impractical. Such constraints shall include, but not be limited to, insufficient right-of-way, extreme grade problems, and when construction would have a significant negative impact on the natural environment.
  2. There are roadway improvements scheduled within the upcoming year of the City's capital improvement plan which would result in construction activities that would destroy a significant portion of the sidewalk constructed by the developer.

#### **Section 4. Findings**

The City Council of the City of Fort Walton Beach, Florida, finds that:

The Local Planning Agency reviewed and recommended approval of Ordinance No. 2028 on June 4, 2020.

The proposed ordinance is consistent with the goals, objectives, and policies of the City's Comprehensive Plan.

All notice requirements for enactment of the ordinance have been met in accordance with the Florida Statutes and the City's Land Development Code.

#### **Section 5. Effective Date**

This Ordinance shall take effect immediately upon approval on second reading by City Council and signature of the Mayor.

Adopted: June 23, 2020

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Richard A. Rynearson, Mayor

Attest:

Approved for form, legal sufficiency

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Kim M. Barnes, City Clerk

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Hayward Dykes, Jr., City Attorney

Additions are underlined; deletions are stricken.