



**AGENDA
LOCAL PLANNING AGENCY
THURSDAY, APRIL 28, 2022
5:30 PM
DESTIN CITY HALL ANNEX CHAMBERS**

- 1. CALL TO ORDER**
- 2. ROLL CALL/PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MINUTES**
 - A. Minutes March 24, 2022**
- 4. NEW BUSINESS**
 - A. Formal recommendations to City Council for updates to the City of Destin's Adopted Comprehensive Plan Chapter 2: Transportation Element.**
 - B. Formal recommendations to City Council on the language and direction of the Draft Article 3, for the new Land Development Code of the City of Destin.**
 - C. Formal recommendation to City Council for the City's Wayfinding Master Plan**
 - D. Formal recommendation to City Council on Ordinance 22-06-LC, adding the use of a Night Watchman or Custodian dwelling unit in the Industrial Zone.**
 - E. Formal recommendation to City Council on Ordinance 22-07-LC, clarifying the ratio of non-residential space required for development in the Town Center Mixed Use (TCMU) Zone.**
 - F. 2022 Stormwater Master Plan Project List and Study Areas**
- 5. PUBLIC COMMENTS (Comments from the public on any matters considered at the meeting, or on any matters not on the agenda)**
- 6. DIRECTOR'S REPORT**
- 7. NEXT MEETING DATE: May 5, 2022**

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the City Clerk at (850) 837-4242 at least 48 hours prior to the hearing. If a person decides to appeal any decision made with respect to any matter considered at such meeting, such person will need a record of the proceeding and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. (Sec. 286.0105, Florida Statutes)

**LOCAL PLANNING AGENCY
MEETING MINUTES
MARCH 24, 2022 - 5:30 P.M.
DESTIN CITY HALL BOARDROOM**

1. CALL TO ORDER:

Chairman Wood called the Local Planning Agency Meeting to order on Thursday, March 24, 2022, at 5:30 p.m., in the Destin City Hall Boardroom; with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Members Present

James T. Wood, Jr.
Karen Hudson
Marcie Bell
Todd Buhr
Jason Klosterman

Members Absent

Corey Ledbetter

Staff Members Present

Kim Montgomery City Clerk
Steve O'Connor Principal Planner
Louis Zunguze CD Director
Tunazzina Alam, Planner
Kimberly Kopp City Land Use Attorney

3. APPROVAL OF MINUTES:

February 24, 2021

Motion by Agency member Bell, seconded by Agency member Hudson to approve the February 24, 2021, minutes as written. The motion passed 5-0.

4. NEW BUSINESS: *It was agreed by the Agency members for the Conditional Use request under New Business to be moved up on the agenda to be heard first.*

➤ **2022 Stormwater Master Plan Project List and Study Areas ** This item was not heard****

➤ **Proposed Conditional Use 21-40-CU Destin Smoke Shop, and "Other Miscellaneous Store Retailers" use in the City of Destin Land Development Code**

Ms. Alam presented the request to the Agency members by explaining the request meets the following requirements of the Land Development Code:

1. LAND USE COMPATIBILITY

The proposed Conditional Use meets the intent of the CG zoning district

2. SUFFICIENT SIZE, SITE SPECIFICATIONS, AND INFRASTRUCTURE

The proposed project is compliant with the dimensional requirements listed in Section 7.12.08, as well as Table 7-3, Land Development Code.

3. PROPER USE OF MITIGATIVE TECHNIQUES

There are no additional mitigative techniques will be required. The site currently meets the stormwater requirements per Section 10.03.02, Stormwater Management, Land Development Code.

4. HAZARDOUS WASTE

There is no creation of hazardous waste anticipated with this use.

5. OVER PROLIFRATION OF USE

Smoke shops, or “other miscellaneous store retailers”, are a Conditional Use in the CG zoning district. With there being only one other smoke shop within a one mile radius of this location, the proposal of a smoke shop is compatible with the surrounding uses without an over proliferation of such use.

6. COMPLIANCE WITH APPLICABLE LAWS AND ORDINANCES

As proposed, the project meets the land development standards and regulations outlined in the Comprehensive Plan and Land Development Code.

In conclusion, the Applicant is requesting a Conditional Use (21-40-CU) approval for the location of a smoke shop. The proposed use is a Conditional Use in CG, Section 7.12.00, Land Development Code and is consistent with the following:

1. Comprehensive Plan Policy 1-2: Future Land Use Element.
2. Comprehensive Plan Policy 12-4.1.8: Multi-Modal Transportation District.
3. Land Development standards outlined in Article 7, Land Development Code.
4. Land Development standards outlined in Article 8, Land Development Code.

Based upon these findings, staff recommends approval of Conditional Use 21-40-CU, provided that the applicant provides the city with a copy of the executed shared parking agreement signed by the owner and all current tenants of the existing suites.

Ms. Kopp explained to the Agency members that at this time, the parking agreement is still being reviewed for legal sufficiency before it goes on to Council and as part of that is to verify that there are no overlapping hours for each of the businesses.

Motion by Agency member Bell that the Local Planning Agency recommend City Council approve Conditional Use 21-40-CU with the condition that the applicant provides the City with a copy of the executed shared parking agreement signed by the owner and all current tenants of the existing suites. Agency member Hudson provided the second.

In discussion, Agency member Behr questioned if everyone within the 300-feet of the request has been sufficiently noticed emphasizing on the fact that there is a church within that perimeter.

The LUA asked Mr. O'Connor the following questions:

Were the 300-feet abutters noticed? Yes.

Specifically, do you recall if the church was noticed? Mr. O'Connor answered, he cannot say for certain at this moment if they were however, if they were on the list, they were within the 300-feet and received the abutter letter.

According to Mr. Zunguze, going forward, he will ensure that they will be provided with the proof the notices were sent for any future projects such as this, in their packets.

There was a discussion regarding the notice requirements of different situations and how staff gets those out to the public based on the type of request or public hearing.

With no more discussion, **Chairman Wood called for the vote and the motion passed 5-0.**

5. OLD BUSINESS:

➤ Comprehensive Plan Chapter 1 Update Recommendation

Mr. O'Connor explained that staff has implemented their comments made at the previous meeting and Chapter One is now ready to go forward to City Council for their formal approval for the updates and changes.

Motion by Agency member Bell, seconded by Agency member Hudson, to recommend that the LPA recommend to City Council approval of the suggestions for the policies for Chapter 1 of the City's adopted Comprehensive Plan as presented. Agency member Hudson provided the second for discussion.

There was some discussion in ensuring that the following statement, "PUD submittals shall demonstrate the impact of the project on access to light, impact on airflow dynamics, as well as other visual impacts that may be deleterious to adjacent properties, motorists, pedestrians, or segments of the population." is moved to the language in Policy 1-1.1.1 (a) Building Mass & Scale, and moving it to Policy 1-3.25 (b) Mixed Use Developments, as discussed at their last meeting. Staff verified that action would be taken. Also, in the discussions at the last meeting referring to the Checklists being removed from the LDC and being maintained in the Planning Offices as well as a hyperlink on the city website, which both are already maintained in that format for anyone to access.

Mr. O'Connor clarified that they will only be removing the requirements of Article 7 to have the checklist in the LDC.

Chairman Wood called for the vote and the motion passed 5-0.

NEW BUSINESS CONTINUED:

➤ Comprehensive Plan Chapter 2 Discussion – Transportation Element Implemented Policies & Objections

- **Policy 2-1.7.2: Study Hurricane Evacuation Carrying Capacity**

Within two years of Plan adoption, the City shall conduct a study to identify the carrying capacity of all evacuation routes within the City.

Staff Comments: This has been completed as of January 2022 with updates to the City's 2021 Disaster Preparedness Plan and the County's 2021 Local Mitigation Strategy. Staff recommends a revisit of Objective 2-1.7 – Monitor and Enhance Evacuation Capacity, to ensure there is need and requirement of the Comprehensive Plan being met by this objective and if it is better served in another document, such as the Emergency Operating Plan. A plan that is readily available and better served.

The Agency members agreed.

Partially Completed Policies & Objectives:

- **Policy 2-1.3.14: Promote Water Taxi/Shuttle Service**

Prior to the next EAR, the City shall adopt a process to accept private and public contributions toward the provision of space for water taxi/shuttle docking facilities and multimodal connections to water taxi/shuttle locations, in order to promote water taxi/shuttle service in the City.

Staff Comment: Implemented through LDC Section 8.09.03(A)(9)(d) – Multimodal Transportation Design Standards, Water Taxi Stop (Requirement for water taxi spot and amenities in SHMU). This policy should be carried over and further implemented through the LDC update. In addition, the intent and title need to be reviewed and a new comprehensive program should be looked at in totality.

The Agency members agreed with the statement.

- **Policy 2-1.3.17: Prioritize Community Parking Over On-site Parking**

The City shall continue to prioritize community parking over on-site parking through the City's parking regulations contained within the Land Development Code.

Staff Comments: This policy is partially implemented through 8.06.12. - Reduction of the required number of vehicle parking spaces and also the construction of the parking lots on Zerbe Street. This policy should be carried over and further implemented through the LDC update by developing more comprehensive parking regulations that prioritize multi-use or shared lots and public parking lots.

The Agency members agreed.

Policies & Objectives to be implemented through the LDC

- **Policy 2-1.3.12: Expand and Enhance Transit Coverage and Service**

The City shall continue to coordinate with Okaloosa County and seek to identify additional financial support for Okaloosa County Transit to maintain and enhance service, and to meet adopted transit level of service standards.

Staff Comments: This policy should be carried over and should be implemented through the LDC update.

The Agency members agreed with the statement.

In closing, Mr. O'Connor, these were for discussion purposes only and staff will bring back the update for Policy 2-1.72 and separating out the language about the objective 2-1.7 to make it more clear for their formal recommendation.

Mr. Zunguze spoke up and added that if they feel comfortable with what was discussed they could just forward it on and not bring it back for additional discussions.

Chairman Wood stated that he does feel it needs to be brought back for additional discussion.

In regards to the objective, Agency member Buhr suggested that they make it in two separate paragraphs. One with language telling where it's located and break it out to make it a staff and LPA recommendation.

➤ Draft Land Development Code Article III Discussion/Workshop

Mr. O'Connor stated that just like they previous, staff is bringing before them the annotations from Article 3, which is a brand new article and specifically pulls out nonconformities through out and creates a specific Article just for nonconformities. Adding that this is very common in many Land Development Code.

3.03.02. Uses under Special Exception Provisions

It is recommended that this section be deleted – the Comprehensive Plan directs the LDC to remove nonconforming uses. This process allows unpermitted uses to be established where they are not allowed by Code.

Staff Recommendation: Staff recommends a discussion on the intent of this section. Also want to discuss the expansion of non-conforming uses that are in the public interest.

In an example, the Sheriff's Complex on Stahlman Avenue. If they had to make any major

improvements to the building, they would be required to be at a conforming location. However, to be able to continue to serve the community for safety purposes, they need to stay where they are and still make the major improvements. Staff will work further on the language for this.

3.05. Nonconforming Characteristics of Use or Site

It is recommended a new section be written to specifically address nonconforming elements of a site (for example, parking lot layout, landscaping requirements, etc.). Specific components of this article would be:

1. Modifying nonconforming characteristics to meet current LDC requirements will be linked to change of use/development process.
2. Expansion of any component which would make a characteristic more nonconforming or exacerbate the nonconformity will not be permitted until a nonconforming characteristic is corrected. For example, a restaurant could not be expanded or intensified until a nonconforming parking layout was corrected.

Staff Recommendation: Staff has the same recommendation as 3TP. However, Staff recommends removing the "use" aspect of this and leave it to just elements of the site such as Stormwater, Parking, Landscaping/Open Space, Access (ingress/egress), Lighting, Fences.

There was a brief discussion about nonconforming uses and legal nonconforming structures and how the code will apply to each if someone wants to make changes to them. Mr. O'Connor clarified that all nonconforming issues will be in Article 3 and how anytime someone wants to make a change, the site would have to be brought up to the current code standards.

The Agency members agreed with staff.

3.07. Nonconformities due to Public Agency Action

It is recommended this new section is created to address nonconformities created from City or State processes, such as eminent domain. Any nonconformity created due to City/State action would be considered legally nonconforming, and be allowed to remain, and no further action on the part of the owner would be required. However, the nonconformities created due to City/State action shall not be increased or intensified by the owner, and the appropriate section of this article will apply.

Staff Recommendation: Staff recommends this section to be developed.

The Agency members agreed with staff to add this section.

CONCLUSION: Staff is seeking input from the LPA on the annotations from the Draft LDC Articles III. Based on the discussions tonight, Staff will incorporate LPA input and bring these Articles back to the LPA for formal recommendations to the City Council.

5. ADJOURNMENT:

Having no further discussion at this time, the meeting adjourned at 6:40 p.m.

Adopted and approved this _____ day of _____ 2022.

James Wood, Jr. Chairman

Kim Montgomery, Destin City Clerk

CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: April 28, 2022
BOARD/COMMITTEE: Local Planning Agency
TYPE OF AGENDA ITEM: Action Item
OUTLINE NUMBER: 4.A.

TO: Local Planning Agency

THRU: Lance Johnson, City Manager
Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney

FROM: Steve O'Connor, Principal Planner

DATE: April 11, 2022

SUBJECT: Formal recommendations to City Council for updates to the City of Destin's Adopted Comprehensive Plan Chapter 2: Transportation Element.

I. BACKGROUND:

Over the past three (3) years, the City has diligently and judiciously undertaken the task of updating and aligning the City's Comprehensive Plan with the Future Land Use Map and the Zoning Map. That task is now complete. The City now needs to update and align the City's Land Development Code (LDC) with the recent changes to the Comprehensive Plan. To ensure that the Articles updated in the LDC are consistent with the Comprehensive Plan, a review of the Comprehensive Plan goals, objectives, and policies was necessary.

The initial review was to establish what goals, policies, and objectives have been implemented, in progress of being implemented, and ones that have not been implemented through the LDC. Staff then conducted an internal review of the identified policies and has provided our recommendation. Staff is now seeking a discussion and review by the LPA to review these goals, policies, and objectives to see if they need to be updated, maintained, or removed.

Staff will bring these to the LPA on a Chapter by Chapter basis based on the number of goals, policies, and objectives that require review.

II. DISCUSSION:

Comprehensive Plan Chapter 2: Transportation Element

Implemented Policies & Objectives

Policy 2-1.7.2: Study Hurricane Evacuation Carrying Capacity. Within two years of Plan adoption, the City shall conduct a study to identify the carrying capacity of all evacuation routes within the City. Based on the findings of the carrying capacity study, the City shall identify transportation improvement needs, hurricane preparedness actions, or land use controls to assure timely evacuation of the entire City prior to hurricane landfall. As evacuation routes are also used by residents and visitors within Walton County and Okaloosa County, the City shall request participation from Walton County and Okaloosa County in the preparation of a carrying capacity study for Harbor Boulevard/US Highway 98 East/Emerald Coast Parkway and other evacuation routes leading from coastal areas to the mainland.

LPA Recommendation: Policy 2-1.7.2 has been completed as of January 2022 with updates to the City's 2021 Disaster Preparedness Plan and the County's 2021 Local Mitigation Strategy.

However, the LPA recommends a revisit of the entire Objective 2-1.7 – Monitor and Enhance Evacuation Capacity, to ensure there is need and requirement of the Comprehensive Plan being met by this objective and if it is better severed in another document, such as the Emergency Operating Plan.

Partially Implemented Policies & Objectives

Policy 2-1.3.14: Promote Water Taxi/Shuttle Service. Prior to the next EAR, the City shall adopt a process to accept private and public contributions toward the provision of space for water taxi/shuttle docking facilities and multimodal connections to water taxi/shuttle locations, in order to promote water taxi/shuttle service in the City.

LPA Recommendation: Implemented through LDC Section 8.09.03(A)(9)(d) – *Multimodal Transportation Design Standards, Water Taxi Stop* (Requirement for water taxi spot and amenities in SHMU). This policy should be carried over and further implemented through the LDC update. In addition, the intent and title need to be reviewed and a new comprehensive program should be looked at in totality.

Policy 2-1.3.17: Prioritize Community Parking over On-site Parking. The City shall continue to prioritize community parking over on-site parking through the City's parking regulations contained within the Land Development Code.

LPA Recommendation: This policy is partially implemented through 8.06.12. - *Reduction of the required number of vehicle parking spaces* and also the construction of the parking lots on Zerbe Street. This policy should be carried over and further implemented through the LDC update by developing more comprehensive parking regulations that prioritize multi-use or shared lots and public parking lots.

Policies & Objectives to be implemented through the LDC Update

Policy 2-1.3.12: Expand and Enhance Transit Coverage and Service. The City shall continue to coordinate with Okaloosa County and seek to identify additional financial support for Okaloosa County Transit to maintain and enhance service, and to meet adopted transit level of service standards.

LPA Recommendation: This policy should be carried over and should be implemented through the LDC update.

A. Link to Strategic Goals / Objectives:

- #2. A green and sustainable environment
- #4. Enhanced quality of life and safety for families
- #5. Economic development and revitalization

B. Effect on Budget (EOB): No effect on the budget and any changes that affect the LDC will be covered under the approved LDC Rewrite Project Budget.

C. Level of Service (LOS): Develop and implement processes for consistent and streamlined application of codes and procedures.

III. CONCLUSION: The LPA discussed the **Chapter 2: Transportation Element** policies at the regularly scheduled March 24, 2022 meeting and staff has incorporated the LPA's comments and recommendations into each policy from the March 24, meeting. The LPA must now make a formal recommendation to City Council for their approval.

IV. RECOMMENDED MOTION:

I move that the LPA recommend to City Council approval of the suggestions for the policies for Chapter 2 of the City's adopted Comprehensive Plan as presented.

Attachments:

1. Comprehensive Plan CHAPTER 2 -
TRANSPORTATION_ELEMENT

CHAPTER 2: TRANSPORTATION ELEMENT

Editor's note(s)—Ord. No. 12-13-PC, § 6(Exh. A), adopted November 3, 2014, amended chapter 2 in its entirety to read as herein set out. Former chapter 2, pertained to similar subject matter. See Table of Amendments for complete derivation.

Introduction. The City's 2027 Strategic Vision priorities include Ease of Mobility. The City's 2017 Goal priorities include Improved Mobility and Connectivity. The Transportation Element provides the framework for achieving the optimum, cost-effective transportation system to balance the needs of the City of Destin's (City) residents, workers, tourists, and through traffic. Optimization is achieved through a combination of land use and site design characteristics along with strategies to enhance the availability and use of multiple modes of transportation.

The major topics of this element include:

- Design of the multi-modal system.
- Level of Service Standard (LOS).
- Multi-modal district implementation.
- Airport and multi-modal planning coordination.
- Multi-jurisdiction coordination.

GOAL 2-1: MULTIMODAL TRANSPORTATION SYSTEM. MAINTAIN AND CONTINUE TO IMPROVE UPON AN EFFICIENT, HIGH QUALITY, MULTIMODAL TRANSPORTATION SYSTEM THAT BALANCES COMMUNITY CIRCULATION NEEDS WITH REGIONAL TRAVEL DEMAND.

OBJECTIVE 2-1.1: SYSTEM DESIGN. Continue to provide a safe, convenient, efficient and cost effective multimodal transportation system and roadway network that optimizes access for present and future residents.

Policy 2-1.1.1: Pursue Additional Road Corridor Improvements. The City shall continue to pursue the acquisition of rights-of-way, the design and the construction of multimodal facilities for future and existing corridors that will facilitate the east-west and north-south movement of all modes of transportation as shown on Maps 2-1 and 2-2 of this Transportation Element.

Policy 2-1.1.2: Relieve Congestion. Any new roadway improvement related to Policy 2-1.1.1 shall contribute to automobile congestion relief on Harbor Boulevard/US Highway 98 East/Emerald Coast Parkway and existing north-south corridors by providing alternatives for local traffic.

Policy 2-1.1.3: Maintain New Road Corridor Alignments. The City shall continue to implement the multimodal corridor management plan that identifies alignment opportunities and challenges for all modes of transportation, including parallel facilities for Harbor Boulevard/Emerald Coast Parkway and Main Street shown on Maps 2-1 and 2-2 of this Transportation Element.

Policy 2-1.1.4: Rights-of-Way (ROW) for Additional Access Road. The City shall acquire the necessary ROW east of Azalea Drive/Mountain Drive to complete the east/west route and north-south connections referenced in Policy 2-1.1.1 above. Nothing in this policy shall prohibit the City from accepting or obtaining the necessary rights-of-way in advance of 2020.

Policy 2-1.1.5: Require Dedication of ROW. The City shall require dedication of necessary rights-of-way for multimodal improvements from all property owners or applicants submitting a development proposal, or change of use for properties within or adjoining existing or planned corridors.

Policy 2-1.1.6: New Development Shall Pay for Needed Improvements. The City shall continue to enforce Land Development Code (LDC) regulations that require future development to pay its fair share of needed onsite and offsite transportation improvements constructed to City standards, as determined by a required and City-approved transportation study.

Policy 2-1.1.7: Determination of Fair Share. A development's fair share includes all transportation improvements needed to maintain the adopted LOS as a result of the project impacts to the multimodal transportation system. Offsite improvements may be credited toward required transportation impact fees for the portion of the improvement beyond the minimum level required.

Policy 2-1.1.8: Determination of Project Impacts. The determination of project impacts shall follow the technical methodology for the evaluation of transportation impacts described in the Inter-local Agreement with Okaloosa County and the concurrency section of the Land Development Code.

Policy 2-1.1.9: Capital Improvements Program and Schedule. The City shall continue its practice of maintaining or reconstructing collector roads, local roads and bicycle and pedestrian facilities on an annual basis that shall be scheduled and made part of the adopted Capital Improvement Plan.

Policy 2-1.1.10: Prioritize Transportation Improvements. The City shall prioritize its maintenance, construction and reconstruction activities in the following manner:

- A. First priority shall be assigned to projects within the multimodal transportation districts (MMTDs) to implement multimodal improvements.
- B. Second priority shall be assigned to the renewal and replacement of obsolete or worn out facilities.
- C. Third priority shall be assigned to correcting existing deficiencies in public facilities.
- D. Fourth priority shall be assigned to facilities necessary to accommodate future growth.

Policy 2-1.1.11: Consider Other Analyses. The City may also choose to consider analysis from a cost/benefit, transportation safety, and physical conditions analyses of the transportation systems within the City. Such analyses may be performed by the City or others. If conducted by others an outside agency, the manner and methods of the analyses must be approved by the City during a methodology meeting.

Policy 2-1.1.12: Construct Transportation Facilities to MMTD Standards. All new transportation projects within the City shall be constructed to meet City standards identified in the LDC. Such design standards may include, but not be limited to pedestrian access points, shared access, cross access, new or modified signage, striping of roadways, installation of sidewalks and bicycle lanes, widening of roadways, pedestrian crossing facilities, and sidewalk ramps at intersections. Within the MMTD such standards shall place a priority on non-vehicular access and mobility and a secondary emphasis on vehicular mobility.

Policy 2-1.1.13: Manage Roadway Access. The City shall limit new access points on arterial and collector roadways by continuing to enforce distance requirements for driveways and median cuts as identified in the LDC, and shall restrict access points on all arterial and collector roads by requiring shared access driveways, and cross-access connections/easements for abutting properties. All redevelopment and new development proposals shall also comply with the access management requirements of and the LDC. This policy applies to non-residential and mixed-use projects only.

OBJECTIVE 2-1.2: MAINTAIN LOS STANDARDS FOR PRESENT AND FUTURE RESIDENTS BY IMPLEMENTING MEASURABLE TARGETS.

Policy 2-1.2.1: Maintain Roadway Level of Service (LOS) Standards. The City shall maintain LOS standard "D" for the system of collector roads located outside the Multimodal District boundary.

Policy 2-1.2.2: Multimodal Level of Service (LOS) Standards. The 2006 LOS standard for each mode is based on the initial conditions in the MMTD and shall serve as a baseline to ensure that the LOS mode does not degrade below these levels.

Policy 2-1.2.3: Establish Adopted LOS Standards. Adopted LOS standards are based on the maximum achievable LOS grade, given implementation of multimodal improvements on all arterial and collector roads within the MMTD and pedestrian-oriented urban design. Establishing interim adopted LOS standards reflects the long-term implementation of multimodal improvements and urban design standards.

Policy 2-1.2.4: Transportation LOS Standards. The adopted LOS standards in the MMTD are as follows:

Table 2-1:
Adopted Multimodal Level of Service Standards for Collector Roads

	Bicycle LOS Standard	Pedestrian LOS Standard	Transit LOS Standard
Adopted (2006)	C	E	F
Adopted (2011)	B	C	E
Adopted (2020)	B	B	C

Source: 2011 Biennial MMTD Concurrency Report

Table 2-2:
Adopted Multimodal Level of Service Standards for Harbor Boulevard/US Highway 98 East/Emerald Coast Parkway

	Bicycle LOS Standard	Pedestrian LOS Standard	Transit LOS Standard
Adopted (2006)	E	F	E
Adopted (2011)	D	D	C
Adopted (2020)	C	D	B

Source: 2011 Biennial MMTD Concurrency Report

Policy 2-1.2.5: Collect Traffic Counts. Where annual traffic count data is not available from the Florida Department of Transportation (FDOT) or Okaloosa County, the City shall collect traffic counts for arterials and collectors.

OBJECTIVE 2-1.3: CONTINUE IMPLEMENTATION OF THE MULTIMODAL TRANSPORTATION DISTRICTS (MMTD).

Policy 2-1.3.1: Reduce Automobile Mobility. The MMTD shall emphasize the reduction of automobile mobility and vehicle miles traveled per person, in addition to the reduction of greenhouse gas emissions, while promoting accessibility by all modes through redevelopment of the built environment through improvement of cycling, pedestrian, and transit networks.

Policy 2-1.3.2: Maintain Road Networks. Operations of the existing road network shall be maintained and enhanced with strategic new connections, reconstruction, and widening projects as appropriate.

Investment in sidewalks, cycling facilities, and transit service shall be significantly increased. Urban design standards shall ensure that development is designed to be integrated and accessible, while encouraging increased use of non-auto forms of transportation.

Policy 2-1.3.3: MMTD Boundaries. The boundaries for the MMTD are Kelly and Main Streets, the Destin-Fort Walton Beach Airport, and the City boundary with Okaloosa County along US Highway 98 to the north, the Gulf of Mexico to the south, the City boundary with Walton County to the east and the Marler Bridge to the west. This district is designated on the Multimodal Transportation District Map (Map 2-3) at the end of this chapter and the Future Land Use Map (Map 1-1) at the end of Chapter 1 - Future Land Use Element.

Policy 2-1.3.4: Conditions for Transportation Concurrency in MMTD. Developments proposed in the MMTD that satisfy the following two conditions shall be deemed in compliance with transportation concurrency requirements for vehicular traffic:

- A. Follows urban form and multimodal facility design standards as described in Policy 2-1.3.5; and
- B. Contributes towards achieving the adopted multimodal level of service standards designated through the provision of on-site and off-site improvements necessary to mitigate transportation impacts in the immediate project vicinity. The amount of mitigation required will correspond to the project's impact as calculated through application of the City's transportation impact fee. Eligible capital improvements are those located within the MMTD and are included in the Capital Improvements Element of this Plan.

Policy 2-1.3.5: Design Development to be Supportive of Multimodal Transportation and Reductions in Vehicle Miles Traveled (VMT). Development within the Bay Resort Mixed Use, Calhoun Mixed Use, Crystal Beach Neighborhood, Crystal Beach Resort, Gulf Resort Mixed Use, High Density Residential, Holiday Isle Mixed Use, North Harbor Mixed Use, South Harbor Mixed Use and Town Center Mixed Use, and land use classifications, as designated in Chapter 1, the Future Land Use Element, shall meet standards of intensity, diversity, design, and connectivity of land uses as defined in the Land Development Code to establish a high concentration and variety of destinations that can be easily accessed by a variety of transportation modes. These standards shall address the following:

- A. The intensity and density of development. The standards shall establish a high concentration of activities and destinations. Residential density up to 40 dwelling units per acre and non-residential intensity up to a 2.50 floor area ratio shall be allowed.
- B. A diversity in land uses to serve multiple functions within a concentrated area. A minimum of two land uses shall be required in mixed-use zoning districts with additional uses encouraged through impact fee credits.
- C. Complementary land uses to increase transportation efficiency.
- D. Maximum front setbacks to improve access between buildings and the multimodal transportation network. Setback requirements shall range from zero to 35 feet depending on the height of the building.
- E. Site design characteristics shall be considered such as building location, parking location, and landscaping to maximize access to the multimodal transportation network.
- F. Building orientation shall be considered to increase accessibility to the public street with a secondary emphasis towards on-site parking.
- G. Façade lines with consideration of significant ground floor transparency to provide a continuous and attractive streetscape.

- H. On-site multimodal transportation infrastructure for the provision of pedestrian and bicycle connections to public sidewalks, cycling facilities, transit stops, buildings, parking, adjacent land uses, and within the development.
- I. Shade trees, lighting, street furniture, and other amenities along sidewalks and at transit stops to improve the design and accessibility of the on-site multimodal transportation infrastructure.
- J. On-site connections within and surrounding the North and South Harbor Areas to facilitate access to and within the North and South Harbor Areas.

Policy 2-1.3.6: Crystal Beach Transition Area. Development within the Crystal Beach sub-area overlay, as designated in Chapter 1, the Future Land Use Element, shall serve as a transition area between the MMTD and areas outside of the MMTD.

Policy 2-1.3.7: Increase Connectivity in the Crystal Beach Area. The City shall focus its efforts in the Crystal Beach sub-area on increasing connectivity and constructing multimodal infrastructure to improve linkages within the sub-area and to surrounding areas of the City and adjacent Counties. Standards shall be developed and shall address, at a minimum, the following:

- A. On-site multimodal transportation infrastructure to provide connections to public sidewalks, cycling facilities, transit stops, buildings, parking, and adjacent land uses.
- B. Shade trees, lighting, street furniture, and other amenities along sidewalks and at transit stops to improve the design and accessibility of the on-site multimodal transportation infrastructure.

Policy 2-1.3.8: Review LDC's Multimodal Design Standards. The City shall continue to review, and revise as necessary, the LDC's multimodal design standards, including requirements and acceptable ranges for each urban design element and incentive programs for enhanced design. These standards shall be distributed as a component of the development review process.

Policy 2-1.3.9: Complete Existing Pedestrian and Cycling Infrastructure. The City shall enhance the existing pedestrian and cycling systems by filling gaps in the network and providing new pedestrian and cycling facilities throughout the City. These facilities shall provide a safe and continuous pedestrian and cycling network between residential areas, the Community Redevelopment Areas (CRAs), major activity zones, and transit connections, particularly within the MMTD. Facilities that have been programmed into the City's Capital Improvements Program are displayed in Table 2-3 and on Map 2-2.

Policy 2-1.3.10: Include Pedestrian and Cycling Facilities with Road Projects. The City shall construct pedestrian and cycling facilities as a component of any publicly-funded road construction or reconstruction project, and developers shall construct pedestrian and cycling facilities as a component of any privately-funded road construction or reconstruction projects that will be dedicated to the City, in accordance with the Land Development Code.

Policy 2-1.3.11: Create Safe Pedestrian and Cycling Roadway Crossings. The City shall create, safe crossings on Harbor Boulevard/Emerald Coast Parkway between the Marler Bridge and the eastern edge of the Town Center CRA, with particular emphasis on strengthening the connection between the Town Center and the Harbor. Crossings shall be evaluated and designed to provide maximum pedestrian visibility, safety, and convenience, consistent with all applicable standards, guidelines, and best current practices. The City shall coordinate with FDOT to ensure adequate crossings are planned and constructed along Harbor Boulevard/Emerald Coast Parkway for safe crossing of that facility.

Policy 2-1.3.12: Expand and Enhance Transit Coverage and Service. The City shall continue to coordinate with Okaloosa County and seek to identify additional financial support for Okaloosa County Transit to maintain and enhance service, and to meet adopted transit level of service standards.

Map 2-10 of the Data Inventory and Analysis shows the transit routes and stops currently serving Destin.

Policy 2-1.3.13: Coordinate with Okaloosa County. The City shall coordinate with Okaloosa County on future updates of the Transit Development Plan to ensure continued enhancement of transit service and facilities within the City, particularly the Multimodal Transportation District, and transit trip generators and attractors. The City shall continue to dedicate or provide right-of-way, for the provision of access to transit facilities. Alternatively, the City may provide financial contributions towards the costs of expanding transit service coverage. The City shall also encourage the implementation of private shuttle services as a component of planned development.

Policy 2-1.3.14: Promote Water Taxi/Shuttle Service. Prior to the next EAR, the City shall adopt a process to accept private and public contributions toward the provision of space for water taxi/shuttle docking facilities and multimodal connections to water taxi/shuttle locations, in order to promote water taxi/shuttle service in the City.

Policy 2-1.3.15: Encourage and Facilitate Expanded Water Taxi/Shuttle Operations. The City shall encourage expanded water taxi/shuttle operations that serve potential patrons along Choctawhatchee Bay, Joe's Bayou, Indian Bayou, and other strategic shoreline access points.

Policy 2-1.3.16: Develop Interconnected Street Network. The City shall continue to develop an interconnected road network providing an alternative to Harbor Boulevard/Emerald Coast Parkway for local traffic. The alternative corridor shall provide a continuous connection from Danny Wuerffel Way in Okaloosa County along Commons Boulevard and through the City to Stahlman Avenue. Additional north-south alternatives east of Main Street shall also be considered to further the creation of a grid network. The recommended network is shown in Map 2-1.

Policy 2-1.3.17: Prioritize Community Parking over On-site Parking. The City shall continue to prioritize community parking over on-site parking through the City's parking regulations contained within the Land Development Code.

Policy 2-1.3.18: Continue to Evaluate the Need and Implement Additional Parking Districts as Conditions Merit. The City may establish parking districts where on-site parking shall be discouraged and the construction and use of off-site community parking structures shall be encouraged as provided in the LDC.

Policy 2-1.3.19: Pursue Parking Solutions and Funding Strategies. The City shall explore parking and parking garage site identification and acquisition through funding options such as tax increment financing, various bond options, and public-private partnerships.

Policy 2-1.3.20: Dedicate Funding to Multimodal Transportation Improvements. The City shall continue the transportation impact fee to enable the funding of multimodal transportation facilities and to support multimodal design standards.

Policy 2-1.3.21: Prioritize Projects. As revenues become available from the Community Redevelopment Area (CRA) tax increments, the City shall prioritize projects that help support the goals of the MMTD.

Policy 2-1.3.22: Monitor Multimodal Transportation District. The City shall continue to produce a MMTD Monitoring Report every two years to meet statutory review requirements. This report shall summarize the City's progress towards achieving the multimodal level of service (MMLOS) standards, and achieving the multimodal objectives and policies described herein.

Policy 2-1.3.23: Use Multimodal Transportation District Performance Measures. The City shall use multimodal performance measures to help evaluate the progress towards implementing the goals of the MMTD.

- A. On a system wide level, the City shall:
 - 1. Calculate the number of new developments and redevelopments that are completed and meet the design standards of the LDC, contributing towards the development of the multimodal transportation system and the creation of a thriving, functional focal point to the City.
 - 2. Calculate the number and length of new multimodal facilities that have been completed or planned.
 - 3. Calculate the transit ridership on all transit services within the City.
 - 4. Report progress on the implementation tasks identified in Objective 2-1.3.
- B. On a corridor level, multimodal performance measures shall include the factors used in the calculation of multimodal level of service: transportation facilities, urban form, accessibility, and connectivity. These include:
 - 1. The corridor multimodal level of service as applied through the ARTPLAN multimodal LOS analysis will be used to monitor the progress towards completing the multimodal network.
 - 2. Urban form shall be evaluated by measuring development use, density, diversity and design based on the MMTD design standards in Policy 2-1.3.3.
 - 3. MMTD accessibility shall be determined by identifying pedestrian barriers that limit access to pedestrian facilities and determining the proportion of population with access to multimodal facilities. The most currently available US Census data will be used for this analysis. MMTD accessibility will also be measured by identifying activity centers and determining the proportion of population with multimodal access to those activity centers.
 - 4. Connectivity for bicycles shall be measured by dividing the number of links in the bicycle facility system by the number of link termini (intersections, cul-de-sacs, and dead-ends). Connectivity for pedestrians shall be measured by computing the number of termini per square mile in the pedestrian facility system. Connectivity for transit is based on the proportion of major activity centers served by fixed route bus service.

Policy 2-1.3.24: Document Existing Conditions. The City shall continue to document the existing conditions on all arterial and collector roads within the City in the Annual Transportation Concurrency Analysis. These data shall be used to monitor the operating conditions on Harbor Boulevard/Emerald Coast Parkway and the collector roads and shall be submitted to the Department of Economic Opportunity, FDOT and adjacent jurisdictions as an informational component of the MMTD monitoring requirements.

Policy 2-1.3.25: Compare Current Traffic Volumes with Baseline Conditions. The City, in coordination with the Department of Transportation, documented the baseline conditions for the three segments of Harbor Boulevard/Emerald Coast Parkway. The baseline conditions were calculated using the average annual daily traffic volume plus committed trips as documented in the 2005 Annual Transportation Concurrency Analysis. Table 2-3 presents the baseline conditions for the roadway segments within the MMTD and the conditions at the time of the most recent Biennial Transportation Concurrency Report (2011). If the data demonstrate that the average annual daily traffic volume plus committed trips on Harbor Boulevard/Emerald Coast Parkway/U.S. Highway 98 is approaching 115% of the baseline

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condition, the City shall initiate meetings with the DOE, the FDOT, the TPO, and adjacent jurisdictions to evaluate progress and discuss regional solutions to address traffic conditions on Harbor Boulevard/Emerald Coast Parkway.

**Table 2-3:
US Highway 98: 2011 to Baseline Comparison**

Roadway Link	2005 AADT + committed trips	Baseline: 2005 +15%	2011 AADT + committed trips	Available AADT capacity	Percent change from 2005
US Highway 98 Segment A					
Marler Bridge to Stahlman Avenue	50,699	58,304	44,115	14,189	-13%
Stahlman Avenue to Benning Drive	51,845	59,621	43,134	16,487	-16.8%
Benning Drive to Beach Drive	56,236	64,672	54,681	9,991	-2.8%
Beach Drive to Main Street	57,439	66,055	54,025	12,030	-5.9%
Main Street to Gulf Shore Drive	59,704	68,660	53,211	15,449	-10.9%
US Highway 98 Segment B					
Gulf Shore Drive to Airport Road	62,444	71,958	55,609	16,349	-10.9%
Airport Road to Scenic Highway 98	65,347	75,294	55,448	19,846	-15.1%
US Highway 98 Segment C					
Scenic Highway 98 to Henderson Beach Road	62,437	71,827	68,962	2,866	10.4%
Henderson Beach Road to Triumph Drive	64,687	74,390	68,452	5,938	5.8%
Triumph Drive to Matthew Blvd.	64,675	74,377	69,672	4,705	7.7%
Matthew Blvd. to Danny Wuerffel Way	65,808	75,679	72,177	3,503	9.7%
Danny Wuerffel Way to Crystal Beach Drive	66,859	76,983	75,884	1,099	13.5%
Crystal Beach Drive to Regatta Bay Blvd.	66,859	76,983	63,684	13,300	-4.7%
Regatta Bay Blvd. to Tequesta Drive	66,859	76,983	64,182	12,802	-4.0%
Tequesta Drive to Walton County Line	66,859	76,983	62,800	14,183	-6.1%

Policy 2-1.3.26: Study and Initiate Steps to Create Additional Capacity. If the data demonstrates that the average annual daily traffic volume plus committed trips for a given road segment of a collector road has reached or exceeded level of service D, the City shall initiate steps to create additional capacity, or demonstrate that creation of additional capacity would be contrary to the success of the multi modal district.

Policy 2-1.3.27: Refine or Revise Methodology. The City may elect to refine or revise this methodology based on experience gleaned through implementation of these procedures.

OBJECTIVE 2-1.4: COORDINATE BETWEEN AIRPORT USES AND MULTIMODAL TRANSPORTATION PLANNING.

Policy 2-1.4.1: Coordinate Operations and Maintenance of Destin Airport. The City shall continue to coordinate the landside operation and maintenance of ground access to Destin Airport with multimodal transportation planning activities and programs. The City shall also ensure all aviation and non-aviation development at the Airport shall be made with proper consideration for the adjacent population, environment and the Future Land Use Element of this Plan.

Policy 2-1.4.2: Ensure Ground Transportation Access. The City will ensure all ground access routes to Destin Airport within its jurisdiction will be properly maintained.

Policy 2-1.4.3: Coordinate for Multimodal Facilities and Service to Airport. The City shall coordinate with Okaloosa County to construct multimodal facilities and to provide transit service to Destin Airport property as needed for consistency with the policies associated with the Multimodal Transportation District.

Policy 2-1.4.4: Coordinate for Airport Development Compatibility. The City will coordinate with Okaloosa County on matters relating to development, expansion, and land use compatibility at Destin Airport and development in the surrounding areas, including the protection and conservation of natural resources.

Policy 2-1.4.5: Support Establishment of a Destin Airport Control Tower. The City shall support Okaloosa County and the Okaloosa County Airports system in the establishment and operations of a control tower at Destin Airport.

OBJECTIVE 2-1.5: COORDINATE TRANSPORTATION PLANS WITH OTHER JURISDICTIONS.

Policy 2-1.5.1: Coordinate Processes with Other Agencies. The City shall continually coordinate its decision-making process with the plans and programs of Okaloosa County, Okaloosa-Walton Transportation Planning Organization (TPO), Northwest Florida Regional TPO, and FDOT, to assure consistency in the local, regional and state transportation planning process.

Policy 2-1.5.2: Participate in the TPO. The City shall continue its active participation with the Okaloosa-Walton TPO and the Northwest Florida Regional TPO to insure TPO recommendations and activities are consistent with this plan.

Policy 2-1.5.3: Continue Participation in TPO Cost Feasible Long Range Transportation Plan. The City shall participate and cooperate with the preparation of the TPO Cost Feasible Long Range Transportation Plan and Transportation Improvement Plan (TIP).

Policy 2-1.5.4: Participate in Annual Updates to FDOT Five-Year Work Program. The City shall participate in and review the annual updates of the FDOT Five-Year Work Program to insure the City's programmed and planned multimodal transportation improvements and the Work Program are consistent. The Joint Participation Agreement between the City and FDOT shall be maintained.

Policy 2-1.5.5: Coordinate Road Improvements. Decisions regarding regional road extensions or improvements shall consider recommendations of the TPO Long Range Transportation Plan.

Policy 2-1.5.6: Coordinate with Emergency Management Plans. The City shall review hurricane evacuation plans as they are adopted or amended by the TPO, Okaloosa County, and West Florida Regional Planning Council, to ensure consistency with the City's Transportation Element.

Policy 2-1.5.7: Implement a Unified Transportation Concurrency Management System (UTCMS). The City shall continue to work with Okaloosa County to implement a unified transportation concurrency management system (UTCMS), as described in the Interlocal Agreement approved by the City Council on June 17, 2002. According to this agreement the UTCMS traffic data is used for planning purposes only. The City will pursue full implementation of the unified concurrency management system, whereby the system is used for the purpose of concurrency, within two years of Plan adoption. Pursuant to this Interlocal Agreement, the City shall:

- A. **Provide Monthly Status of Approved Development Orders.** Pursuant to the UTCMS Interlocal Agreement the City shall provide the County (and the County shall provide the City) with monthly updates regarding the status of approved development orders in the UTCMS area.
- B. **Delete the Use of Geographic Limits to Define Traffic Impacts.** Pursuant to the UTCMS Interlocal Agreement, the City will replace the existing geographic based traffic impact area methodology with a methodology based on the magnitude and extent of impact, as described in the Interlocal Agreement.
- C. **De Minimis Impact Projects.** According to the UTCMS Interlocal Agreement, projects deemed to have a de minimis impact pursuant to City definition, shall not be subject to concurrency requirements.
- D. **Development Orders are Valid for One Year.** According to the UTCMS Interlocal Agreement, approved development orders will remain valid for a period of not more than one year from the date of the fully executed Development Order, unless supporting infrastructure is under construction. "Construction of infrastructure" shall be defined as site work, grading or other construction activity (not including land clearing and grubbing) related to installation of roadways, access drives, parking lots, underground utilities, stormwater or drainage facilities, or building foundations.
- E. **Expand Participation in the Unified Transportation Concurrency Management System.** The City will also encourage the City of Ft. Walton Beach and Walton County to participate in the unified transportation concurrency management system and the Interlocal Technical Review Committee.

Policy 2-1.5.8: Ensure Consistency with Destin Airport Master Plan. The City shall ensure multimodal plans are consistent with the Destin Airport Master Plan, to ensure the availability of multimodal transportation access.

Policy 2-1.5.9: Coordinate with FDOT to permit transit stops along US Highway 98. In its ongoing effort to facilitate improved transit service, the City will seek to join with Okaloosa County Transit to seek approval from the Florida Department of Transportation to permit transit stops along all sectors of US Highway 98 wherever transit stops are planned and demand warrants.

OBJECTIVE 2-1.6: FACILITATE NEW TRANSPORTATION TECHNOLOGIES.

Policy 2-1.6.1: Accommodate Highway Rated, Alternative Fuel Vehicles. New transportation technologies such as the all-electric vehicle (EV) and existing alternative technologies such as compressed natural gas (CNG) should be accommodated by the transportation infrastructure of the City.

Policy 2-1.6.2: Facilitate recharge stations in private commercial development. As demand warrants, accommodate or facilitate refueling stations by recognizing the need within the parking and site planning standards for new facilities such as shopping centers, gas stations, and restaurants. Where requested by commercial property owners, assist in adjusting site plan designs to accommodate retrofits of existing facilities to provide refueling facilities as demand warrants.

Policy 2-1.6.3: Evaluate Recharge Feasibility in Public Parking Facilities. Monitor the potential demand for and evaluate the feasibility of providing recharge facilities at public parking facilities.

OBJECTIVE 2-1.7: MONITOR AND ENHANCE EVACUATION CAPACITY.

Policy 2-1.7.1: Analyze Hurricane Evacuation Clearance Time. The City shall annually perform a hurricane clearance time analysis as part of the City's annual transportation concurrency review. As part of the clearance time analysis, the transportation model shall determine when traffic conditions result in unreasonable clearance times. The City shall coordinate the clearance time analysis with the Okaloosa County Emergency Management Division to access modifications for timing of evacuation notices.

Policy 2-1.7.2: Study Hurricane Evacuation Carrying Capacity. Within two years of Plan adoption, the City shall conduct a study to identify the carrying capacity of all evacuation routes within the City. Based on the findings of the carrying capacity study, the City shall identify transportation improvement needs, hurricane preparedness actions, or land use controls to assure timely evacuation of the entire City prior to hurricane landfall. As evacuation routes are also used by residents and visitors within Walton County and Okaloosa County, the City shall request participation from Walton County and Okaloosa County in the preparation of a carrying capacity study for Harbor Boulevard/US Highway 98 East/Emerald Coast Parkway and other evacuation routes leading from coastal areas to the mainland.

Policy 2-1.7.3: Prioritize Road Improvements that Facilitate Public Safety and Emergency Evacuation Needs. Give priority to road improvements within the City that enhance emergency evacuation capacity and encourage regional transportation agencies to prioritize regional transportation facilities that enhance emergency evacuation capacity.

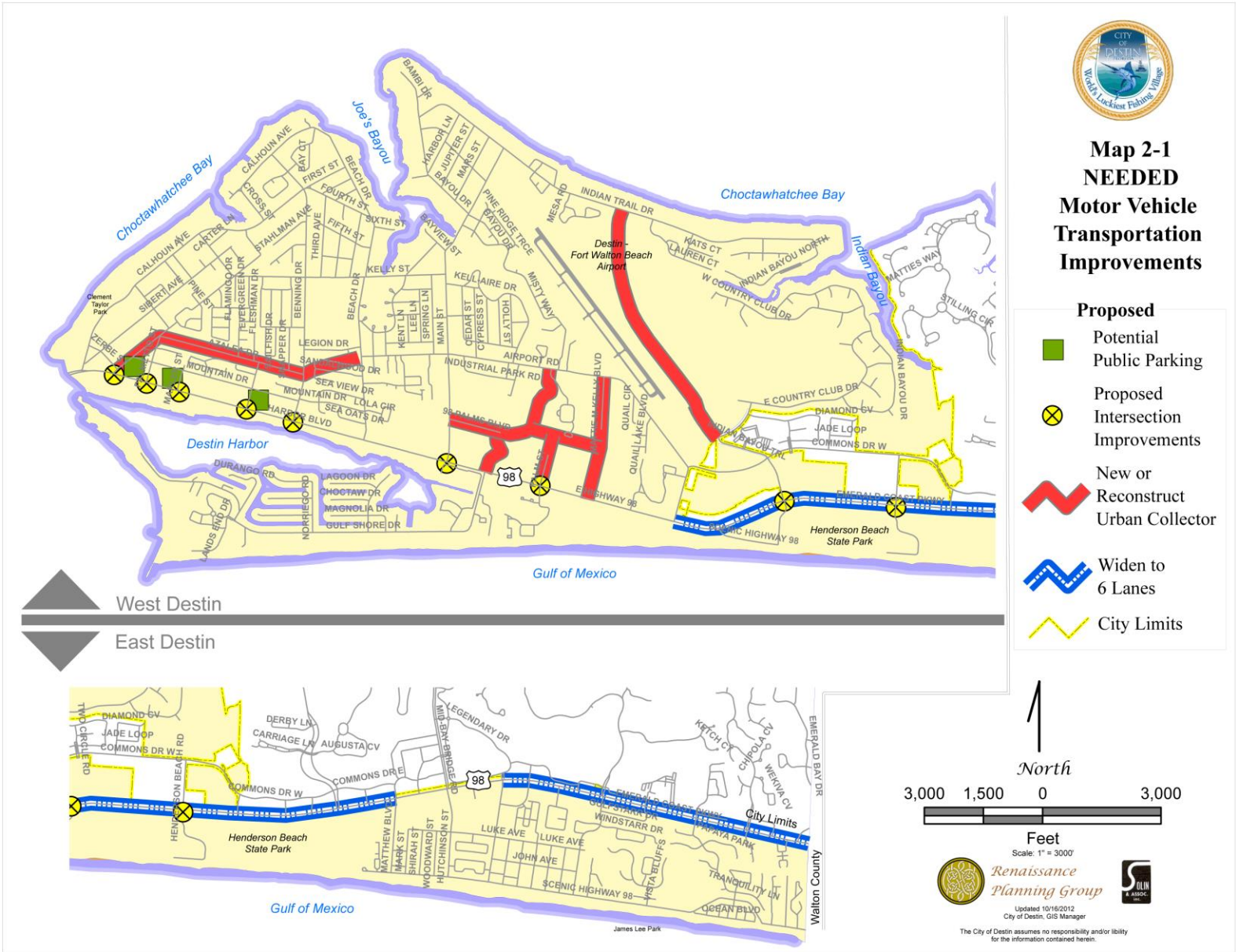
List of Maps:

Map 2-1: Needed Motor Vehicle Transportation Improvements

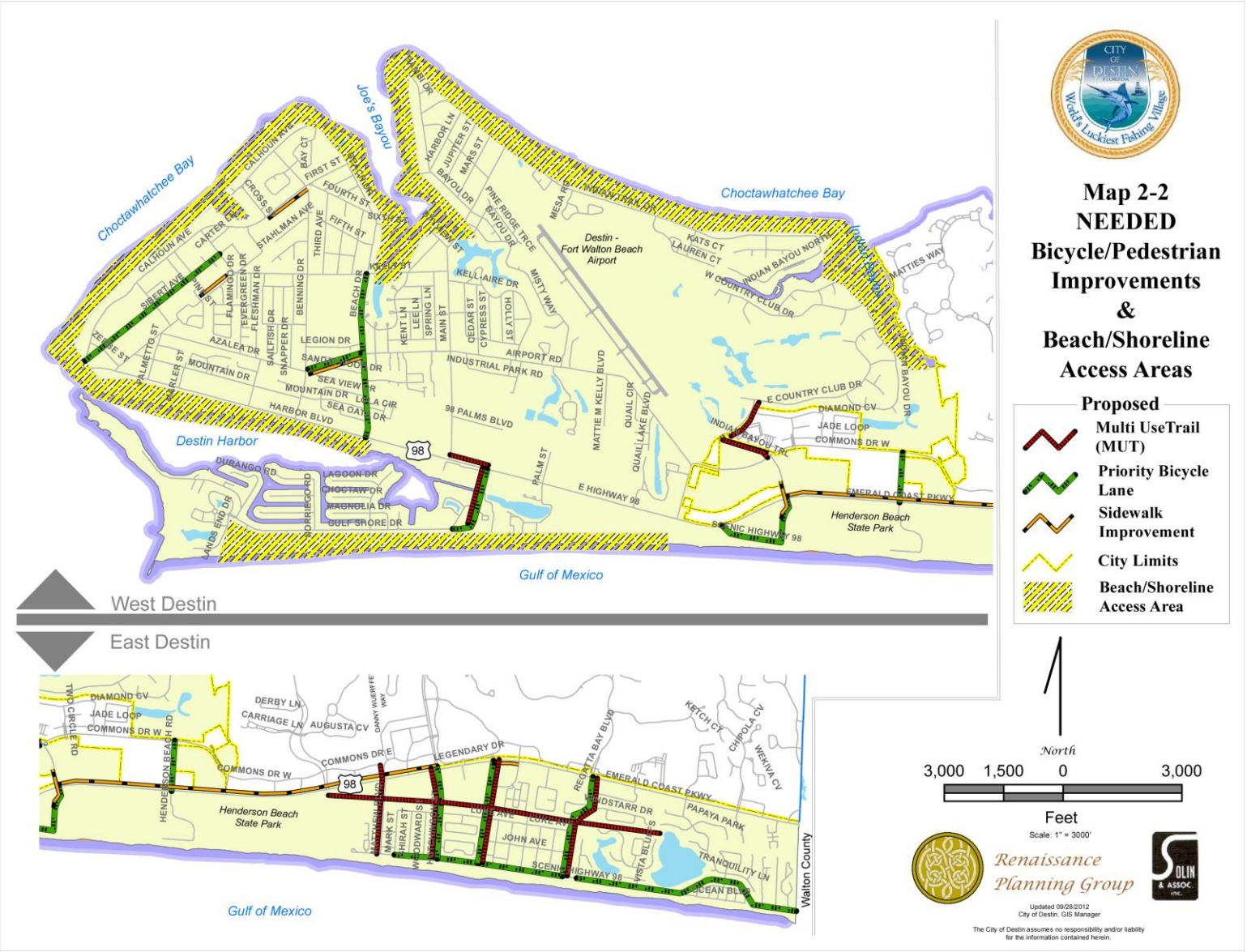
Map 2-2: Needed Bicycle/Pedestrian Improvements & Beach/Shoreline Access Points

Map 2-3: Multimodal Transportation District (MMTD)

(Ord. No. 12-13-PC, § 6(Exh. A), 11-3-14; Ord. No. 17-22-PC, § 6(Exh. 1), 4-2-2018)

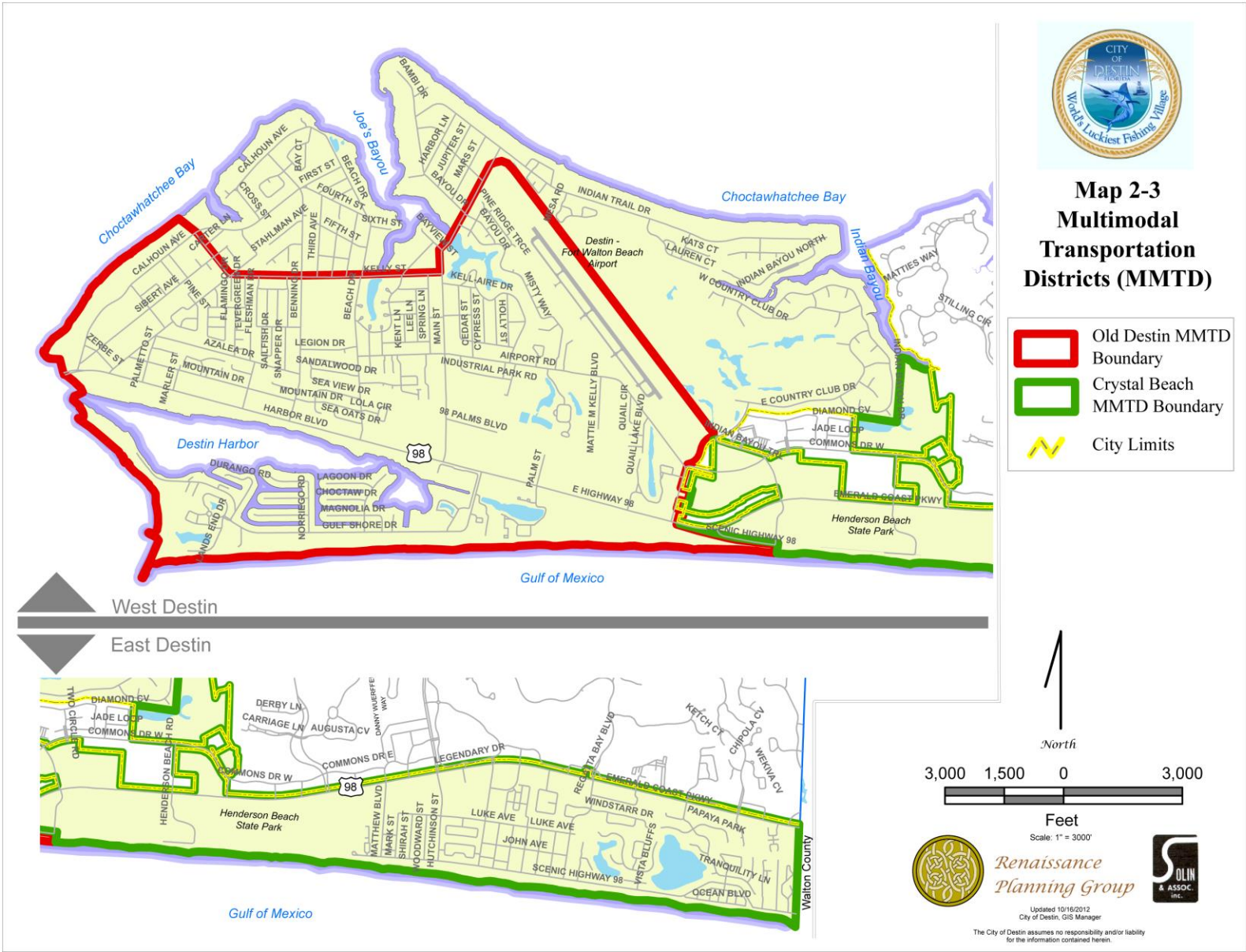


(Ord. No. 07-14-PC, § 4(Exh. 1.G), 10-15-2007; Ord. No. 08-30-PC, § 3, 11-17-2008)



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(Ord. No. 07-14-PC, § 4(Exh. 1.H), 10-15-2007; Ord. No. 08-30-PC, § 3, 11-17-2008)



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(Ord. No. 05-24-PC, § 4, 12-19-2005; Ord. No. 07-14-PC, § 4(Exh. 1.I), 10-15-2007; Ord. No. 08-30-PC, § 3, 11-17-2008)

CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: April 28, 2022
BOARD/COMMITTEE: Local Planning Agency
TYPE OF AGENDA ITEM: Action Item
OUTLINE NUMBER: 4.B.

TO: Local Planning Agency

THRU: Lance Johnson, City Manager
Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney

FROM: Steve O'Connor, Principal Planner

DATE: April 11, 2022

SUBJECT: Formal recommendations to City Council on the language and direction of the Draft Article 3, for the new Land Development Code of the City of Destin.

I. BACKGROUND:

Over the past three (3) years, the City has diligently and judiciously undertaken the task of updating and aligning the City's Comprehensive Plan with the Future Land Use Map and the Zoning Map. That task is now complete. The City now needs to update and align the City's Land Development Code (LDC) with the recent changes to the Comprehensive Plan.

To accomplish this task, on April 5, 2021, Staff brought the Scope of Work and Budget to completely rewrite the Land Development Code for approval by the City Council, both of which were approved unanimously. Since that time, Staff has worked with the consultants of 3TP, to diligently and systematically move forward with the drafting of the new LDC. In order to provide overall context to both the LPA and City Council, regarding the Staff's approach to the LDC rewrite, Staff would like to take this opportunity to provide both a framework, as well as methodology for the LDC update. The discussion tonight seeks input and direction from the LPA on the annotations from 3TP below. Staff intends to incorporate LPA input and bring back these Articles for formal recommendation to the City Council.

Framework:

First, the updated Code will include only the regulations necessary to implement the City's Comprehensive Plan and meet Florida Statutes. As such, all design related requirements will be provided in a "**Design Manual**" to be developed as part of the LDC rewrite.

Second, the regulations will be grouped by zoning district and the Planning Areas will be

the guiding elements of the new regulations.

In addition, the LDC rewrite will involve rearranging the existing language into a new format. The new Articles will be annotated to include notes, actions, and terms that need further input or direction. There are two types of annotations in the articles:

1. Annotations that include proposed text changes, notes and actions based on an analysis of the Comprehensive Plan, Florida Statutes, and current City practices.
2. Annotations that require input or direction from the City Council. The strikethrough and underlined items are necessary text edits.

Methodology:

Article III is attached for your review. The breakdown below provides the methodology behind the format of the Article and the major issues or comments that have been identified as requiring special attention.

Article III: Nonconformities

The Nonconformities Article consists of all the existing language regarding nonconformities collected and consolidated into one standalone article, so that it is much easier to locate. Given the prevalent nature of redevelopment in Destin, this article will be revised to have very clear requirements for all types of nonconformities in Destin.

II. DISCUSSION:

The annotations below, *italicized*, are recommendations from 3TP. However, they were highlighted as important topics for discussion and direction. Staff has discussed the recommendations internally and now seeks discussion and input from the LPA tonight on these annotations:

3.03.02. Uses under Special Exception Provisions - *It is recommended that this section be deleted – the Comprehensive Plan directs the LDC to remove nonconforming uses. This process allows unpermitted uses to be established where they are not allowed by Code*

LPA Recommendation: LPA recommends a larger discussion on the intent of this section and the expansion of non-conforming uses that are in the public interest, such as Law Enforcement, Fire, or other public safety or service uses.

3.05. Nonconforming Characteristics of Use ~~or~~ Site - *It is recommended a new section be written to specifically address nonconforming elements of a site (for example, parking lot layout, landscaping requirements, etc.). Specific components of this article would be:*

1. *Modifying nonconforming characteristics to meet current LDC requirements will be linked to change of use/development process.*
2. *Expansion of any component which would make a characteristic more nonconforming or exacerbate the nonconformity will not be permitted until nonconforming characteristic is corrected. For example, a restaurant could not be expanded or intensified until a nonconforming parking layout was corrected.*

LPA Recommendation: The LPA recommends moving forward as suggested

by 3TP Ventures, LLC. However, the "use" aspect of this should be removed, keeping this new section to just deal with elements of a site or development such as Stormwater, Parking, Landscaping/Open Space, Access (ingress/egress), Lighting, Fences.

3.07. Nonconformities due to Public Agency Action - *It is recommended this new section is created to address nonconformities created from City or State processes, such as eminent domain.*

Any nonconformity created due to City/State action would be considered legally nonconforming, be allowed to remain, and no further action on the part of the owner would be required. However, the nonconformities created due to City/State action shall not be increased or intensified by the owner, and the appropriate section of this article will apply.

LPA Recommendation: The LPA recommends this section to be developed.

A. Link to Strategic Goals / Objectives:

- #2. A green and sustainable environment
- #3. Improve mobility and connectivity
- #4. Enhanced quality of life and safety for families
- #5. Economic development and revitalization
- #6. Effective, efficient, and aesthetically pleasing infrastructure

B. Effect on Budget (EOB):

No effect on the budget and any changes that effect the LDC will be covered under the approved LDC Rewrite Project Budget.

C. Level of Service (LOS):

Develop and implement processes for consistent and streamlined application of codes and procedures.

III. CONCLUSION:

Staff is seeking a formal recommendation to City Council on the annotations from the Draft LDC Article III. Staff incorporated the LPA's input based on the discussions on March 24, 2022.

IV. RECOMMENDED MOTION:

I recommend the LPA forward a positive recommendation to City Council to adopt the recommendations of the LPA on the Annotation for the Draft Article III.

Attachments:

1. 3_Nonconformities

ARTICLE III. NONCONFORMITIES

Section 3.01 Intent

A. Within the districts established by the City, there exist:

1. Lots;
2. Structures;
3. Uses of land; and
4. Characteristics of use;

which were lawful before chapter 21, Code of Ordinances, was enacted, which would be prohibited, regulated or restricted under the terms of this section or future amendments. It is the intent of this section to permit these nonconformities to continue until they are removed, but not to encourage their survival. It is further the intent of this section that nonconformities shall not be enlarged upon, expanded or extended, or be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

B. Nonconforming uses are declared by this section to be incompatible with permitted uses in the districts involved. A nonconforming use of structure and land in combination shall not be extended or enlarged, or [expanded] by the addition of other uses of a nature which would be prohibited generally in the district involved.

- *This section will be revised to reference language from Policies 1-3.6.2 and 1-3.6.3, as well as reference these policies as the foundation of this LDC chapter.*
- *Reference to Chapter 21, Code of Ordinances, will be removed, as this chapter does not exist.*

Section 3.02 Nonconforming Lots

A. In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record in a recorded subdivision or a lot in an unrecorded plat which was the subject of a contract to purchase or article of agreement executed prior to March 11, 1974, the effective date of this provision, notwithstanding limitations imposed by other provisions of this section. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district. Variance of yard requirements shall be obtained only through action of the board of adjustment.

B. No such nonconforming lot may be enlarged or altered in a way which increases its nonconformity, but any lot or portion thereof may be altered to decrease its nonconformity.

- *This section will be revised to replace the "may" statements to stronger language using "shall" statements.*

Section 3.03 Nonconforming Uses

Section 3.03.01 Uses, Generally

A. Uses of land (or land with minor structures only). Where at the time of passage of chapter 21, lawful uses of land exist which would not be permitted by the regulations imposed by this

section, and where such use involves no individual structure with a replacement cost exceeding \$1,000.00, the use may be continued so long as it remains otherwise lawful, provided:

1. No such nonconforming use shall be enlarged or increased nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this provision.
2. No such nonconforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this provision.
3. If any such nonconforming use of land ceases for any reason for a period of more than six months, any subsequent use of such land shall conform to the regulations specified by this section for the district in which such land is located.
4. No additional structure not conforming to the requirements of this section shall be erected in connection with such nonconforming use of land.

- *Remove the following language in Section A:*
 - *"land with minor structures only"*
 - *Reference to Chapter 21 of the Code of Ordinances*
 - *\$1000 replacement cost minimum*

Section 3.03.02. Uses under Special Exception Provisions

- A. If no structural alterations are made, any nonconforming use of a structure, or structure and premises, may as a special exception be changed to another nonconforming use provided that the board of adjustment, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the board of adjustment may require appropriate conditions and safeguards in accordance with the provisions of this section.
- B. Any use which is permitted as a special exception in a district under the terms of this section (other than a change through board of adjustment action from a nonconforming use to another use not generally permitted in the district) shall not be deemed a nonconforming use in such district, but shall without further action be considered a conforming use.

It is recommended that this section be deleted – the Comprehensive Plan directs the LDC to remove nonconforming uses. This process allows unpermitted uses to be established where they are not allowed by Code.

Section 3.04 Nonconforming Structures

Section 3.04.01 Structures, generally

- A. Where a lawful structure exists at the effective date of adoption or amendment of this provision that could not be built under the terms of this section by reason of restrictions of area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:
 1. No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity.

2. Should such nonconforming structure or nonconforming portion of structure be destroyed by any means to an extent of more than 50 percent of its replacement cost at time of destruction, it shall not be reconstructed except in the exact dimensions as it existed on the date of its destruction with due diligence. However, if and when the principal place of residence of a citizen of the city is destroyed by accidental fire, hurricane, tornado or other act of God, said homeowner may rebuild said residence to original type and size of structure; or said homeowner or mobile home owner may rebuild or replace with a superior type of material; provided the new construction conforms to dimensions previously existing.
3. Should such structure be moved for any reason to any district whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

- *This section will be revised to replace the "may" statements to stronger language using "shall" statements.*

Section 3.04.02 Manufactured Homes

- A. Where, at the time of passage of this provision, lawful use of land existed which would not be permitted by the regulations imposed by this section and where such use involves mobile homes, the use may be continued so long as it remains otherwise lawful, provided:
 1. No additional mobile homes shall be located on any parcel in excess of the number of trailer sites, consisting of the appropriate slabs and utility connections which were in existence at the effective date of adoption or amendment of this provision.
 2. If any individual mobile homes located on any individually owned parcel or lot of record shall be moved for more than a period of six months, any subsequent use of such land shall conform to the regulations specified by this section for the district in which such land is located.
 3. These regulations are not intended to prohibit the continued operation of existing trailer parks as of the effective date of adoption or amendment of this provision and such trailer parks are expressly permitted to continue operation in the manner conducted prior to the effective date of adoption or amendment of this chapter.
 4. If any individual mobile home located on any parcel of property on the effective date of adoption of this section shall be bounded by a fence or other boundary mutually agreed to by the adjoining land owners or occupants, and provided said lots abut a city street or public right-of-way, said lots may be sold or otherwise conveyed by metes and bounds description and such use continued so long as not abandoned pursuant to section 7.13.03 of this Code.

This language will be revised to change "mobile homes" to "manufactured homes". Additionally, the glossary will include definitions for mobile homes and manufactured homes.

Section 3.04.03 Uses of Structures and Premises in Combination

- A. If lawful use involving individual structures with a replacement cost of \$1,000.00 or more, or of structures and premises in combination, exists at the effective date of adoption or amendment of this provision, that would not be allowed in the district under the terms of this section, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this section in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
2. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this provision, but no such use shall be extended to occupy any land outside such building.
3. When a nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for six consecutive months (except when government action impeded access to the premises), the structure, or structure and premises in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.
4. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land. Destruction for the purpose of this subsection is defined as damage to an extent of more than 50 percent of the replacement cost at the time of destruction.

It is recommended that this section be deleted, as the requirements are adequately addressed in Nonconforming Uses and Nonconforming Structures.

Section 3.05 Nonconforming Characteristics of Use or Site

It is recommended a new section be written to specifically address nonconforming elements of a site (for example, parking lot layout, landscaping requirements, etc.). Specific components of this article would be:

- 1. Modifying nonconforming characteristics to meet current LDC requirements will be linked to change of use/development process.***
- 2. Expansion of any component which would make a characteristic more nonconforming or exacerbate the nonconformity will not be permitted until nonconforming characteristic is corrected. For example, a restaurant could not be expanded or intensified until a nonconforming parking layout was corrected.***

Section 3.06 Nonconforming Signs

- A. Definition. Any sign within the City on the effective date of this Code which is prohibited by, or does not conform to the requirements of, this Code. Signs that are within ten percent of the height and size limitations of this Code, and that in all other respects conform to the requirements of this Code, are not non-conforming signs.

Definition will be moved to the Glossary section of the LDC. The 10% allowance will be removed.

- B. All nonconforming signs shall be subject to the following restrictions:
1. A nonconforming sign shall not change substantially from its condition on the date it became non-conforming. For more information on "substantial changes to a nonconforming sign" please refer to B.3 below. Accordingly, no nonconforming sign may be enlarged or altered in a way which increases its nonconformity, but any sign or portion

thereof may be altered to decrease its nonconformity, or for ordinary repair and maintenance as provided for herein.

2. Ordinary repair and maintenance of nonconforming signs is permitted as follows:
 - a. Ordinary repair and maintenance shall mean the work necessary to keep the sign in good state of repair provided, however, ordinary repair and maintenance shall not include replacement of structural materials.
 - b. Structural materials, as used in this section shall mean those materials comprising the load-bearing components of the sign including vertical supports, horizontal stringers, braces, bracing wires, brackets and catwalks. Structural materials do not include the sign face, any skirt, any electrical service or electric lighting, except in cases where such items have been incorporated into the load-bearing parts of the sign.
 - c. Examples of changes, modifications or work which do not constitute ordinary repair and maintenance, but which would constitute substantial changes to a nonconforming sign, include, but are not limited to:
 - i. Modification that changes the structure of, or the type of structure of, the sign, such as conversion of back to back sign to a V-type or conversion of a wooden sign structure to a metal structure.
 - ii. Modification that changes the sign face area or the height of the sign.
 - iii. Modification that enhances the visibility of the sign's message or the period of time the sign's message is visible.
 - iv. Modification that adds automatic or electronic changeable faces, or copy.
 - v. Modification that adds artificial lighting, or changes the existing lighting, such that elimination of the sign face is substantially increased.
 - d. Should a nonconforming sign be destroyed by any means to an extent of more than 50 percent of its value at the time of destruction as reflected on the personal property tax return filed by the owner, it shall not be reconstructed except in compliance with these regulations.
 - e. Modifications to a nonconforming sign that have the effect of enhancing the sign's message, the visibility of the message, or the period of time the message is visible in the case of electronic message boards are prohibited.
 - f. A nonconforming sign may not be disassembled and re-erected at the same location.
 - g. A nonconforming sign may not be relocated.
 - h. A nonconforming sign which has become structurally unstable or constitutes an imminent threat to public safety must be removed. Any replacement sign must conform to the provisions of section 16.04.00. Permitted signs.
 - i. Nothing in this section shall be construed so as to constitute a violation of § 70.20, Florida Statutes (2002).

Include a specific subsection for billboards. Please provide the two ordinances related to billboard prohibition to 3TP staff.

Section 3.07 Nonconformities due to Public Agency Action

City of Destin, FL - Land Development Code

It is recommended this new section is created to address nonconformities created from City or State processes, such as eminent domain.

Any nonconformity created due to City/State action would be considered legally nonconforming, be allowed to remain, and no further action on the part of the owner would be required. However, the nonconformities created due to City/State action shall not be increased or intensified by the owner, and the appropriate section of this article will apply.

Section 3.08 Development and/or Change of Use Requests Involving Nonconforming Uses, Structures and/or Sites

This is a new section which will describe the relationship between nonconformities and development/change of use applications. The development process and change of use process will be the tool to require alterations to nonconforming properties. To fully implement Policies 1-3.6.2 and 1-3.6.3 of the Comprehensive Plan, all development or changes to nonconforming structures or sites should incorporate alterations which bring the nonconforming elements into compliance to the greatest and reasonable extent.

Section 3.09 Repairs and Maintenance

- A. On a nonconforming structure or portion of a structure containing a nonconforming use, work may be done in any period of 12 consecutive months on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring or plumbing, to an extent not exceeding 25 percent of the current replacement cost of the nonconforming structure or nonconforming portion of the structure as the case may be, provided that the cubic content existing when it became nonconforming shall not be increased.
- B. If a nonconforming structure or portion of a structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance, and is declared by any duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired or rebuilt except in conformity with the regulations of the district in which it is located.
- C. Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

No recommended revisions for this section.

CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: April 28, 2022
BOARD/COMMITTEE: Local Planning Agency
TYPE OF AGENDA ITEM: Action Item
OUTLINE NUMBER: 4.C.

TO: Local Planning Agency

THRU: Lance Johnson, City Manager
Kimberly Kopp, Land Use Attorney

FROM: Steve O'Connor, Principal Planner
Daniel Butler, Senior Planner

DATE: April 19, 2022

SUBJECT: Formal recommendation to City Council for the City's Wayfinding Master Plan

I. BACKGROUND: As part of the Vision 2035, City Council has identified the development and implementation of a Wayfinding Program as one of its priority objectives. To implement this objective, Staff proposed the creation and implementation of a Wayfinding Master Plan to create consistency and a brand for the City of Destin. The City Council approved the Wayfinding Master Plan on September 8, 2020. To that end, Staff, in collaboration with the City Manager, have decided to incorporate this item into the overall Branding Strategy for the City.

As such, one of the goals of the City's Wayfinding Plan is: *To promote tourism and enhance visitor experience, while also enhancing urban design.* This can be achieved through various components, such as gateway and area identification, vehicular wayfinding, street identification, pedestrian wayfinding, and informational kiosks. The Wayfinding Master Plan is geared toward achieving that goal.

II. DISCUSSION:

Staff has identified areas of significance that are recommended to be showcased through our Wayfinding Program. Additionally, the Okaloosa County Tourist Development Council (TDC) provided Staff with a map of locations that they recommend being showcased. The areas are listed below, and illustrated in the '**Wayfinding Initiative**' graphic provided.

Main Thoroughfares (These 4 locations were also recommended by the TDC):

- Scenic Hwy 98 at Crystal Beach
- Highway 98 / Emerald Coast Parkway (eastern end of City limits, coming and going)
- Marler Bridge (eastern side of bridge, coming and going)
- Danny Wuerffel Way (southern corner of US Hwy 98/Hutchinson St.)

City Parks*

- Clement Taylor Park (this area was also recommended by the TDC)
- Norriego Point Beach Access & Park (this area was also recommended by the TDC)
- Captain Royal Melvin Park
- Nancy Weidenhammer Dog Park
- Harbor View Park
- The Shores at Crystal Beach Park (this area was also recommended by the TDC)
- June White Decker Park (this area was also recommended by the TDC)
- (Future) Gulf Power Linear Park
- James Lee Park (this area was also recommended by the TDC)
- Joe's Bayou Boat Launch
- Captain Leonard Destin Park

**Based on feedback from the boards and committees, it is recommended to only sign Joe's Bayou within The Village. The other parks within The Village were requested to remain as unadvertised as possible to keep the traffic down and mainly consisting of locals.*

Other Areas of Significance:

- Destin Public Library
- Destin Community Center
- Destin Fishing Museum
- City Owned Public Parking Lots
- Destin City Hall
- Destin City Hall Annex

TDC Recommended Locations:

- World's Luckiest Fishing Village Sign
- Foot of Marler Bridge
- O'Steen Beach Access
- Holiday Isle Welcome Sign
- Holiday Isle Main Entrance
- Calhoun Beach Trail

- Silver Shells Beach Access
- Shirah St. Beach Trail
- Crystal Beach Trail
- Barricuda St. Beach Trail
- Pompano St. Beach Trail
- Tarpon St. Beach Trail
- Emergency Vehicle Location
- Lifeguard Station Location

A. Link to Strategic Goals / Objectives: 1. Improve mobility and connectivity
2. Enhanced quality of life and safety for families
3. Effective, efficient, and aesthetically pleasing infrastructure.

B. Effect on Budget (EOB): This program already exists within the City's budget, as well as both CRA budgets. City Staff is also working to partner with the Okaloosa County Tourism Development Council to find other funding sources.

C. Level of Service (LOS): With clear and consistent signage, Staff anticipates an increase in the LOS for directional wayfinding for locals and tourists to get around town.

III. CONCLUSION: Given the high priority of this project to City Council, Staff is seeking guidance from the Local Planning Agency (LPA) regarding proceeding forward with the Wayfinding Master Plan and the proposed sign locations.

Once final recommendations are received from LPA, Staff will appear before City Council to seek a recommendation for final approval. Following City Council approval, Staff will then collaborate internally with the Finance Department and the City's Public Information Officer to execute the Wayfinding Program, which would include public notification and locating/budgeting expenses.

IV. RECOMMENDED MOTION: I move that the Local Planning Agency (LPA) support the proposed Wayfinding Master Plan and ask Staff to continue to work towards implementation.

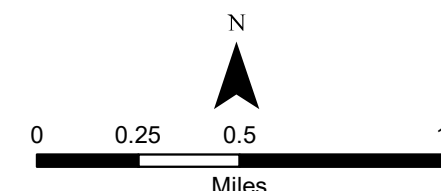
Attachments:

1. WayfindingInitiative with TDC



Wayfinding Initiative

- ★ City of Destin Wayfinding Desirable Locations
- TDC Wayfinding Desirable Locations
- * Mutual Interest Locations
- City Owned Parking Lots



CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: April 28, 2022
BOARD/COMMITTEE: Local Planning Agency
TYPE OF AGENDA ITEM: Action Item
OUTLINE NUMBER: 4.D.

TO: Local Planning Agency

THRU: Lance Johnson, City Manager
Kimberly Kopp, Land Use Attorney

FROM: Steve O'Connor, Principal Planner

DATE: April 12, 2022

SUBJECT: Formal recommendation to City Council on Ordinance 22-06-LC, adding the use of a Night Watchman or Custodian dwelling unit in the Industrial Zone.

I. BACKGROUND: Comprehensive Plan Objective 1-2.5 establishes the purpose and intent of the Industrial zone within the City of Destin. The supporting Policy 1-2.5-1, does not consider residential development within the zone. However, the policy clearly states this does not prohibit a dwelling for a night watchman or custodian for security purposes. Currently though, a night watchman or custodian dwelling is not a permitted or conditional use in the Industrial Zone in the Land Development Code.

II. DISCUSSION:

The proposed Ordinance 22-06-LC, will complete the intent of the Comprehensive Plan Policy 1-2.5.1 by adding “Custodian or night watchman dwelling” as a permitted use in the Industrial Zone. This item was reviewed by City Council on April 18, 2022, and is before the LPA for a Formal Recommendation before the scheduled Second Reading on May 2, 2022.

- A. Link to Strategic Goals / Objectives:** #5. Economic development and revitalization
- B. Effect on Budget (EOB):** Not applicable
- C. Level of Service (LOS):** Not applicable

III. CONCLUSION:

By approving Ordinance 22-06-LC the City will close a gap in compliance with the Comprehensive Plan. It will also allow Industrial Property owners the ability to include one dwelling for a custodian or night watchman, adding a level of security to their property,

further protecting their investment(s).

IV. RECOMMENDED MOTION:

I move the LPA recommend approval of Ordinance 22-06-LC to City Council, as presented.

Attachments:

1. Night Watchman Ordinance

ORDINANCE NO. 22-06-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA CHANGING THE LIST OF PERMITTED USES IN THE INDUSTRIAL ZONING DISTRICT TO ALLOW ONE CUSTODIAN OR NIGHT WATCHMAN DWELLING PER INDUSTRIAL SITE; AMENDING TABLE 7-2 “TABLE OF ALLOWABLE USES”; ESTABLISHING A MAXIMUM SQUARE FOOTAGE FOR CUSTODIAN OR NIGHT WATCHMAN DWELLING IN THE INDUSTRIAL ZONING DISTRICT; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. AUTHORITY.

The authority for enactment of this Ordinance is Article 1, Section 1.01 (b) of the City Charter, Section 166.021, Florida Statutes and Chapter 163, Part II, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, Policy 1-2.5.1 of the Comprehensive Plan provides:

Policy 1-2.5.1: Industrial (IN). The Industrial (IN) designation is designed to accommodate arrangements of industrial and limited commercial development types, with the intent to promote natural resource enhancement and to promote open spaces around buildings. Density is not provided within this FLUM designation, and therefore, residential uses are prohibited, including short-term residential uses. This provision shall not prohibit residences for night watchmen or custodians whose presence on industrial sites is necessary for security purposes. . . ; and

WHEREAS, the City Council in providing for the health, safety and welfare of its citizens finds that the City should allow one custodian or night watchman residence on sites located in the Industrial zoning district in order to obtain consistency with the City’s Comprehensive Plan; and

WHEREAS, the City Council has determined that this ordinance is consistent with the adopted comprehensive plan and is in the best interests of the City and its citizens; and

WHEREAS, a public hearing has been conducted after due public notice by the Local Planning Agency and its recommendations reported to the City Council; and

WHEREAS, a public hearing has been conducted by the City Council after due public notice.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:

NOTE: Language in all sections of this ordinance that is ~~strike-thru~~ is language proposed to be deleted, underline language is language to be added, language that is not in strike-thru or underlined is not to be changed. The symbol *** represents sections of the Land Development Code that have been skipped and remain unchanged.

SECTION 3. AMENDMENT OF LAND DEVELOPMENT CODE TABLE 7-2:

Table 7-2: Table of Allowable Uses contains all of the allowed uses within the City and in what zoning districts those uses are allowed. Uses not listed as permitted, conditional, or accessory uses in Table 7-2 are prohibited uses. The North American Industry Classification System (NAICS), 2002 Edition shall be used to provide definitions of each use or use groupings listed in Table 7-2. All sub-uses listed under a use in the NAICS, which use is permitted in the zoning designation in question, shall be considered as a permitted use.

	TABLE 7-2: TABLE OF ALLOWABLE USES																														
	B E	L D R- V	L D R- HI	L D R- H	M D R- V	M D R- HI	H D R	C B N	C L	C G	C T S	R O I- G D	R O I- T D	R O I- V R	R O I- C B R	C B R	T C M U	C M U	C M U	C M U - V	S H M U	N H M U	G R M U	H I M U	B R M U	I N	A S T	I N	R E C	C O N	
Custodian or night- watchman dwelling											P																	<u>P</u> (21)			
	Footnotes																														
	P = Permitted Use, C = Conditional Use, and A = Accessory Use																														
	¹ Guest houses are permitted only if the owner of the subject property occupies the primary dwelling as his/her main residence. However, guest houses shall not be rented out																														

	separately from the main residence and (refer to section 7.12.04.M).
	² May accommodate shopping centers with grocery stores, drug store/pharmacy, specialty shops, and similar tenants with no single business entity having more than 60,000 sq. ft.
	³ Is allowed but must be integrated in a planned unit development designed to support the surrounding residential neighborhoods.
	⁴ Neighborhood retail commercial goods and services shall not exceed 5,500 square feet and shall be designed primarily to serve the needs of the Crystal Beach resort area.
	⁵ Only allowed on properties that have direct or secondary access to Harbor Boulevard.
	⁶ Neighborhood retail commercial goods and services shall not exceed 5,500 square feet and shall be designed primarily to serve the needs of the adjacent "Old Destin" area.
	⁷ Must meet minimum distance separation requirements, see section 7.16.00 of the Land Development Code.
	⁸ Must meet minimum distance separation requirements, refer to the definition of the use in question in article 3 of the Land Development Code.
	⁹ Office space associated with this use shall not exceed 25 percent of the total square footage of the building.
	¹⁰ Zoos are only allowed in the Industrial zoning district.
	¹¹ Passive recreation includes the following as accessory uses: beach accessways, such as dune walkovers, parking lots, docks, and restroom facilities.
	¹² Commercial transient living accommodations.
	¹³ Used merchandise stores are restricted to only those that are classified as a nonprofit business.
	¹⁴ Can only provide said services free of charge, refer to section 7.09.02B(11) for further information.
	¹⁵ Telecommunication towers are an allowable use in this zoning district subject to a hierarchy of eligibility per Section 7.19.04.A.

	¹⁶ Refer to Section 7.09.02(B)12 for further information.
	¹⁷ Reserved.
	¹⁸ Land Use 7132 Gambling Industries and 72112 Casino Hotels shall be prohibited in all districts.
	¹⁹ No sexually oriented business shall be located on any Industrial (IN) zoned parcel within the Town Center CRA with a boundary within 330' south of the southern right-of-way boundary of Airport Road or within 330' east of the eastern right-of-way boundary of Main Street. The measurement of the minimum separation distance shall be a line perpendicular to the right-of-way of Airport Road or Main Street, as the case may be, to the nearest point of the property line of the parcel on which the Sexually Oriented Business is proposed to be located.
	²⁰ No Medical Marijuana Dispensary shall be located on any Industrial (IN) zoned parcel within the Town Center CRA with a boundary within 330' south of the southern right-of-way boundary of Airport Road or within 330' east of the eastern right-of-way boundary of Main Street. The measurement of the minimum separation distance shall be a line perpendicular to the right-of-way or Airport Road or Main Street, as the case may be, to the nearest point of the property line of the parcel on which the Medical Marijuana Dispensary is proposed to be located. Cultivating or processing Medical Marijuana shall be prohibited within the City.
	<u>²¹ Only one custodian or night watchman residence is permitted per industrial site with a maximum size of 1,200 square feet.</u>

SECTION 4. INCORPORATION INTO LAND DEVELOPMENT CODE. This ordinance shall be incorporated into the City of Destin's Land Development Code and any section or paragraph number, or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 5. CONFLICTING PROVISIONS. Special Acts of the Florida Legislature applicable to the incorporated area of the City of Destin, City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superseded by this ordinance to the extent of such conflict.

SECTION 6. SEVERABILITY. If any section, phase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such

portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

ADOPTED THIS ____ DAY OF _____, 2022.

By: _____
Gary Jarvis, Mayor

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Land Use Attorney for the City of Destin, only.

Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: _____
Second Reading: _____

CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: April 28, 2022
BOARD/COMMITTEE: Local Planning Agency
TYPE OF AGENDA ITEM: Ordinance
OUTLINE NUMBER: 4.E.

TO: Local Planning Agency

THRU: Lance Johnson, City Manager
Kimberly Kopp, Land Use Attorney

FROM: Steve O'Connor, Principal Planner

DATE: April 12, 2022

SUBJECT: Formal recommendation to City Council on Ordinance 22-07-LC, clarifying the ratio of non-residential space required for development in the Town Center Mixed Use (TCMU) Zone.

I. BACKGROUND: On April 15, 2019, City Council approved Ordinance NO 19-07-LC which clarified the purpose and intent of the Town Center Mixed Use (TCMU) district “to encourage multi-family developments to include appropriate non-residential components in furtherance of the mixed-use nature of the zoning district.” On April 4, 2022, City Council directed Staff to bring an Ordinance to City Council with an appropriate development ratio of non-residential space to residential space for development in the TCMU district.

II. DISCUSSION: Staff conducted research of various developments, Urban research firms, and other municipalities Land Development Codes, and has the following recommendations:

For properties in the TCMU zone that directly abut or are directly accessed or primarily accessed from Highway 98/Harbor Blvd, a minimum of 20% of the gross floor area of a site or development should consist of non-residential leasable space.

For properties in the TCMU zone that do not directly abut or only have secondary access from Highway 98/Harbor Blvd, a minimum of 10% of the gross floor area of a site or development should consist of non-residential leasable space.

This range is appropriate as it remains flexible enough for developers to respond to the market demands of the region while also implementing the intent of the Comprehensive Plan Designation and Zoning District. Developers would have the ability to provide more

non-residential leasable space.

- A. **Link to Strategic Goals / Objectives:** #5. Economic development and revitalization
- B. **Effect on Budget (EOB):** Not applicable
- C. **Level of Service (LOS):** Not applicable

III. CONCLUSION:

By approving Ordinance 22-07-LC, the City will further LDC compliance with the Comprehensive Plan and Ord. No 19-07-LC. Approval will also provide developers with a clear standard for required land use minimums in the Town Center Mixed Use zone and the City will continue to take steps to establish the Town Center District as the City's mixed-use and commercial corridor.

IV. RECOMMENDED MOTION: I move the LPA recommend approval of Ordinance 22-06-LC to City Council, as presented.

Attachments:

1. TCMU 2022 07 LC

ORDINANCE NO. 22-07-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AMENDMENTS TO ARTICLE 7 OF THE LAND DEVELOPMENT CODE TO PROVIDE MINIMUM REQUIREMENTS FOR NONRESIDENTIAL COMPONENTS IN THE TOWN CENTER MIXED USE ZONING DISTRICT; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. AUTHORITY.

The authority for enactment of this Ordinance is Article 1, Section 1.01 (b) of the City Charter, Section 166.021, Florida Statutes and Chapter 163, Part II, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, Chapter 13 of the City's Comprehensive Plan provides the following definition of "mixed use": "*[I]n land use and transit planning, [mixed use] generally refers to different compatible land uses located within a single structure or in proximity to each other;*" and

WHEREAS, the purpose of the Town Center Mixed Use zoning district is to provide a mixed-use area that encourages commercial uses along U.S. Highway 98; and

WHEREAS, the City Council desires to encourage that multi-family residential development in the zoning district include nonresidential components; and

WHEREAS, on April 15, 2019, the City Council adopted Ordinance 19-07-LC, acknowledging the intent to include nonresidential components to proposed multi-family developments to be located within the district; and

WHEREAS, Section 7.12.06 of the Land Development Code currently provides that the intent of the TCMU zoning district is to encourage multi-family developments to include appropriate non-residential components in furtherance of the mixed-use nature of the zoning district; and

WHEREAS, the City Council has determined that Section 7.12.06 of the Land Development Code should be clarified to include minimum requirements for such nonresidential components in furtherance of this underlying intent; and

WHEREAS, the City Council has determined that this ordinance is in the best interests of the City and its citizens; and

WHEREAS, two public hearings have been conducted by the City Council after due public notice.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:

NOTE: Language in all sections of this ordinance that is ~~strike-thru~~ is language proposed to be deleted, underline language is language to be added, language that is not in strike-thru or underlined is not to be changed. The symbol * represents sections of the Code of Ordinances that have been skipped and remain unchanged.**

Article 7 - LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS

Section 7.12.06 of the Land Development Code is hereby amended as follows:

Q. *Town Center Mixed Use (TCMU)*. The Town Center Mixed Use zoning district implements Future Land Use Element Policy 1-2.4.3(1), Town Center Mixed Use of the Comprehensive Plan.

1.Purpose and intent. The Town Center Mixed Use zoning district shall apply to areas developed, redeveloped and/or maintained and conserved as areas that accommodate permanent multi-family attached residential dwelling units; retail; service; restaurant; office; and similar commercial uses. It is the intent of the TCMU zoning district to specifically not allow permanent or seasonal single-family residential uses. It is also the intent of the TCMU zoning district to encourage multi-family developments to include appropriate non-residential components in furtherance of the mixed-use nature of the zoning district. All multi-family developments within the TCMU zoning district shall contain a minimum nonresidential square footage of ten percent (10%) of the total square footage per structure or square footage of all structures located in proximity to each other within the site or development; except that for any property that has direct access to, is primarily accessed from, or directly abuts either Harbor Boulevard/U.S. 98, or Main Street, all such multi-family developments shall contain a minimum nonresidential square footage of twenty percent (20%) of the total square footage per structure or square footage of all structures located in proximity to each other within the site or development. Commercial hotel, motel, bed and breakfast establishments and other commercial transient living accommodations and seasonal multi-family attached residential dwelling units are only allowed on properties that have direct or secondary access to Harbor Boulevard/U.S. Highway 98. It is intended that the TCMU zoning district provide for increased buffering and setbacks from nearby residential and mixed use developments.

SECTION 4. INCORPORATION INTO CITY LAND DEVELOPMENT CODE. This ordinance shall be incorporated into the City of Destin's Land Development Code and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 5. CONFLICTING PROVISIONS. Special Acts of the Florida Legislature applicable to the incorporated area of the City of Destin, City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superseded by this ordinance to the extent of such conflict.

SECTION 6. SEVERABILITY. If any section, phase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

ADOPTED this ____ day of _____, 2022.

Gary Jarvis, Mayor

ATTEST:

Rey Bailey, City Clerk

The form and legal sufficiency of the foregoing
has been reviewed and approved by the City Land
Use Attorney, for the City of Destin, only.

Kimberly Romano Kopp, City Land Use Attorney

CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: April 28, 2022
BOARD/COMMITTEE: Local Planning Agency
TYPE OF AGENDA ITEM: Action Item
OUTLINE NUMBER: 4.F.

TO: Local Planning Agency

THRU: Lance Johnson, City Manager
Kimberly Kopp, Land Use Attorney

FROM: Joe Bodi, Engineering Asst. II

DATE: March 30, 2022

SUBJECT: 2022 Stormwater Master Plan Project List and Study Areas

I. BACKGROUND:

The City's Stormwater Master Plan (SWMP) is a long-range planning tool. The primary purpose of the SWMP is to identify drainage improvement projects that prevent localized flooding and protect water quality.

On September 7, 2021, City Council approved the SWMP and directed staff to bring the prioritized project list before City Boards and Committees for review and comment. Comments from Committees and Boards will be compiled and presented to the City Council.

The 2022 SWMP update was prepared by Jenkins Engineering and its objectives include:

- Creating sub-drainage basins using LiDAR
- **Establish updated list of priority projects and mitigation strategies**
- Recommend policy and code revisions to ensure consistency between the Comprehensive Plan and the Land Development Code.

II. DISCUSSION:

The update identified three (3) study areas, and thirteen (13) drainage projects. The projects were prioritized based upon the Level of Service (LOS) established under the 2004 SWMP (see attachments).

In addition, to the prioritized list of projects, the SWMP proposes a City-wide Swale

Initiative. The City-wide Swale Initiative will identify additional public right of way and re-establish existing roadside swales (i.e., 3:1 slope) to further improve the MS4 and City LOS for drainage. Furthermore, private stormwater facilities, approved through the Development Order process, will also be part of the City-wide initiative. However, the reestablishment and maintenance responsibility will fall upon the respective Homeowners Association or Property Management Company.

Below is the list of study areas and identified projects, listed in priority, based upon the 2004 LOS.

STUDY AREAS

Indian Bayou/Indian Lakes
Kelly Addition Subdivision
Destin Harbor

PRIORITY PROJECTS LIST

Diamond Lake (Mattie Kelly Arts)
First and Second Street
Four Prong Lake
Restaurant Row
Zerbe Street
Eagles Landing
Main Street and Indian Trail
Cross Street
Scenic 98 and Matthew Boulevard
Reddin Brunson
Burning Tree
Main Street & 98 Palms
Heritage Run

A. Link to Strategic Goals / Objectives:

Implement prioritized Stormwater Improvements based upon the Stormwater Master Plan.

B. Effect on Budget (EOB): TBD

C. Level of Service (LOS): Improve Drainage LOS and NPDES Permit Compliance

III. CONCLUSION:

The SWMP update identified thirteen (13) drainage improvement projects. The projects were prioritized based upon the 2004 Level of Service criteria. City staff requests the Local Planning Agency make a formal recommendation to the City Council for approval of Priority Projects List and Study Areas.

IV. RECOMMENDED MOTION:

I move that the Local Planning Agency recommend approval to City Council of the list of prioritized drainage projects as presented by staff.

ALTERNATIVE MOTION:

I move that the Local Planning Agency recommend approval to the City Council of the list of prioritized drainage projects with the following changes:

(List of LPA recommendations)

Attachments:

ITEM # 2022-5138

1. City of Destin SWMP Update 2022_
FINAL
2. Stormwater Masterplan Update
Map_FINAL
3. SWMP Executive Summary_ FINAL
2022

STORMWATER MASTER PLAN UPDATE

FOR



PREPARED BY



**73 Eglin Parkway N.E., Suite 203
Fort Walton Beach, Florida 32548
(850) 837 – 2448**

FEBRUARY 2022

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EXECUTIVE SUMMARY

The City of Destin is unique in the fact that the city is only 7.2 square miles with over 27 miles of shoreline, not including inland lakes and wetlands. Destin's economy – Tourism and Fishing – rely on the clean, clear surface waters. Protecting water quality is important to the City's world class vision. The 2004 Citywide Stormwater Master Plan was the first of such plans for the city and its goal was concentrated on water quantity (i.e., flooding) issues throughout the city. Staff implemented the recommended projects to a degree of success that the city no longer sees the repetitive structural flooding it had experienced previously. The Citywide Stormwater Master Plan Update is a transition from a water quantity plan to ultimately a water quality plan.

The City of Destin tasked Jenkins Engineering Inc. with updating the Citywide Stormwater Master Plan (SWMP) prepared in 2004 by Jones Edmunds & Associates Inc. The SWMP is a living guideline document providing a current snapshot of the city's stormwater health and future actions needed based on the data provided. The goal and objective of the SWMP is to provide a framework for flood mitigation, water quality improvement projects and recommending policy changes to achieve stated goals and objectives by addressing water quality and water quantity issues within the city. The SWMP Update further reinforces the City's commitment and compliance with the Florida Department of Protection (FDEP) National Pollution Discharge Elimination System (NPDES) General Permit Program.

STORMWATER MASTER PLAN UPDATE OBJECTIVES:

- Identify the City's changing needs regarding storm water runoff, from quantity to quality.
- Identify flood mitigation and water quality improvement projects and study areas.
- Provide policy recommendations to provide clear expectations and address deficiencies in the Comprehensive Plan and Land Development Code.
- Provide an avenue for a dedicated funding source for stormwater facilities maintenance and repairs to continue compliance with the State of Florida's National Pollutant Discharge Elimination System (NPDES).

The Stormwater Master Plan Update identified three (3) study areas and thirteen (13) drainage projects listed below:

STUDY AREA

Indian Bayou
Kelly Addition Subdivision
Destin Harbor

PRIORITY PROJECT LIST

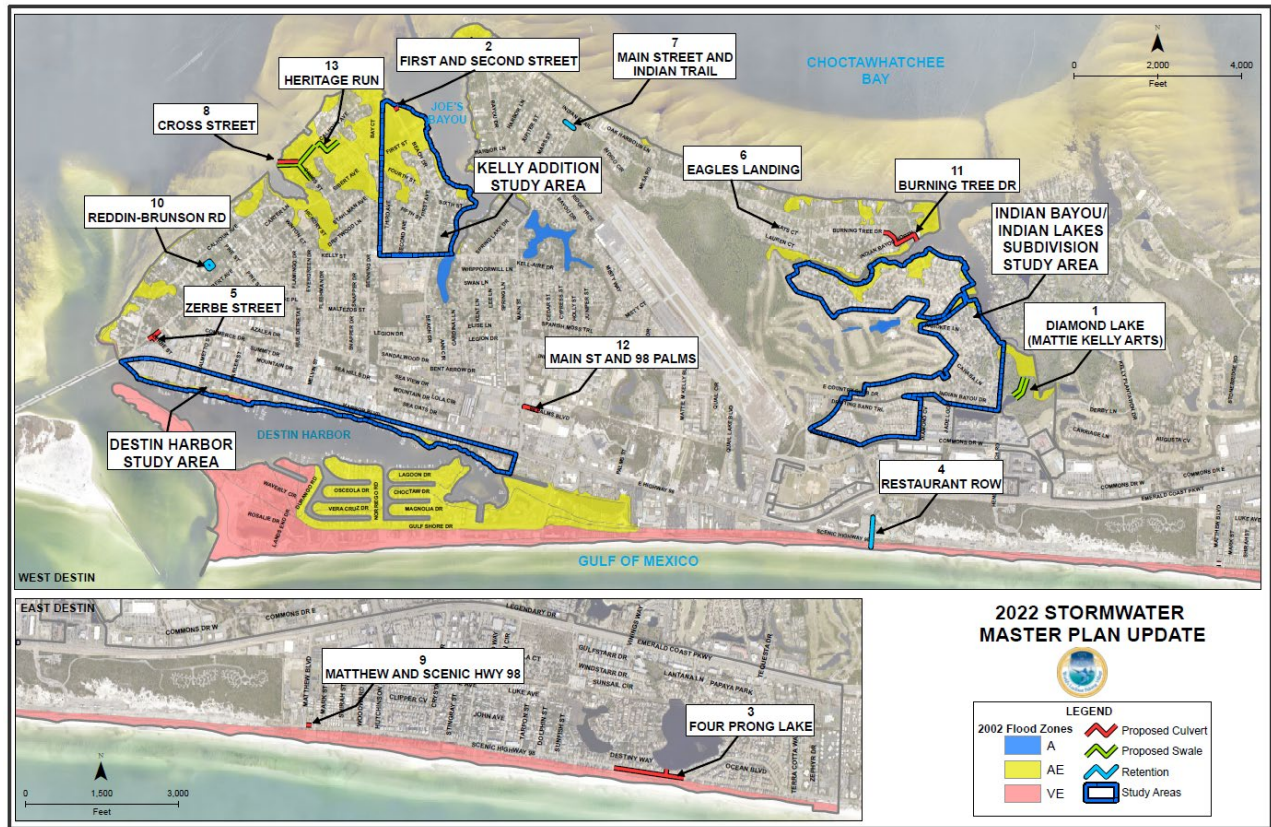
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Main Street & 98 Palms
Heritage Run

PROPOSED POLICY AND CODE RECOMENDATIONS:

- Aligning conflicts between the Comprehensive Plan and Land Development Code.
- Provide greater retention requirements for floodplain and flood prone areas.
- Align Stormwater codes with Floodplain codes.
- Create stormwater compliance codes geared toward redevelopment.
- Provide thresholds for compliance of existing non-conforming projects.

CONCLUSION:

- The SWMP builds upon the original plan by;
- Further delineating existing drainage basins into smaller high-resolution catchments to determine peak flow rates.
- Identifies priority drainage projects and study areas
- Identifies Comprehensive Plan and Land Development Code policy alignment and proposed code changes to provide a better level of service related to drainage and water quality.



1 – INTRODUCTION

The City of Destin contracted Jenkins Engineering, Inc. to update the existing City of Destin Stormwater Master Plan developed by Jones, Edmunds and Associates, Inc. in May of 2004. The Stormwater Master Plan is a document created to assist the City of Destin with addressing stormwater runoff and flooding issues in flood prone areas throughout the City. This document should be used as a tool to assist City staff and elected officials with development and policy evaluation and prioritization of future capital improvement projects associated with stormwater management, flood control, and water quality improvement projects.

To maintain consistency with the 2004 Stormwater Master Plan, the previously delineated drainage basins were utilized in this updated evaluation. The existing Master Plan included eighteen (18) areas identified as areas which are subject to flooding issues. Of these eighteen locations, sixteen have been addressed through capital improvements since the creation of the plan in 2004. The previously established ranking criteria was used to create an updated list of thirteen additional locations which are addressed in this Stormwater Master Plan update.

A primary consideration associated with stormwater design is treatment for pollutant loadings and the potential impact on receiving water bodies. The Environmental Protection Agency (EPA) instituted Section 303(d) of the Clean Water Act in 1972. This regulation is the primary law regulating pollution which is discharged into waterways. The Clean Water Act establishes a list of impaired waters and is used to develop Total Maximum Daily Loads (TMDLs) for listed impaired waterbodies. Waterbodies within the vicinity of the City of Destin which are listed as not attaining current water quality standards for their intended use include East Pass, Choctawhatchee Bay, Destin Harbor and Henderson Beach. Water quality contaminants typically include bacteria, nitrogen and phosphorous. The City of Destin participates in water quality monitoring programs both internally with City staff and with the Choctawhatchee Basin Alliance.

The City of Destin addresses stormwater runoff attenuation and water quality treatment in Section 10.03.00 of their Land Development Code. The adopted level of service for drainage associated with new development / re-development within the City of Destin is to retain the first inch of rainfall on-site; and post-development runoff shall not exceed predevelopment runoff rates for a 25-year storm event,

up to and including an event with a 24-hour distribution using Florida Department of Transportation storm distributions.

CITY OF DESTIN OVERVIEW

The City of Destin is a peninsula consisting of approximately 7.7 square miles (4,900 acres) which is located between the Choctawhatchee Bay and the Gulf of Mexico. Elevations range from sea level to a maximum elevation of approximately 50 feet above sea level. The general topography of the area is moderately sloped with rolling dunes, bluff areas adjacent to the harbor and flatter coastal plains situated more inland of the shoreline.

The climate associated with the City of Destin can be considered semi-tropical with average rainfall totaling approximately 62 inches of precipitation each year. The city is unique in the aspect that it is surrounded by tidally influenced water bodies which impact existing tributaries, bayous, and wetland troughs throughout the city limits. A common issue with stormwater management within the City is undersized or overall lack of conveyance to the eventual receiving water bodies.

The City of Destin has a population which exceeds 10,000 residents requiring participation in the Florida Department of Environmental Protection (FDEP) NPDES (National Pollutant Discharge Elimination System) MS4 Phase II Program. A municipal separate storm sewer system (MS4) is a publicly owned conveyance of system of conveyances such as ditches, curbs, pipes, culverts, etc. designed or used for collecting or conveying stormwater and that discharges to surface waters of the state. Operators of a regulated MS4 such as the City of Destin are required to reduce the discharge of pollutants to the maximum extent practicable, protect water quality, and satisfy the water quality requirement of the Clean Water Act.

2 – DRAINAGE BASIN DELINEATION

As noted previously, the City of Destin was divided into 326 individual drainage basins in the 2004 Stormwater Master Plan. To maintain consistency with the original document, the drainage basins were unaltered. However, sub-catchments were identified within each drainage basin and were modeled using the Soils Conservation Service (SCS) method to estimate peak runoff rates. The stormwater modeling software ICPR version 4.03.02 was utilized to estimate peak runoff rates and stage results for the delineated sub-catchments.

The individual drainage basins were divided into 1,057 sub-catchments to provide detailed flow direction and peak rates in Figure 2.1 and 2.2. The sub-catchments were evaluated for peak flow rates and individualized time of concentration calculations associated with each drainage basin area.

A remote sensing method, light detection and ranging technology (LiDAR) was used. This method provides detailed topographic contour in one-foot intervals. General flow patterns modeled using LiDAR are depicted in Figure 2.3.



Figure 2.1: Drainage Basin Map (1 OF 2)



Figure 2.2: Drainage Basin Map (2 OF 2)

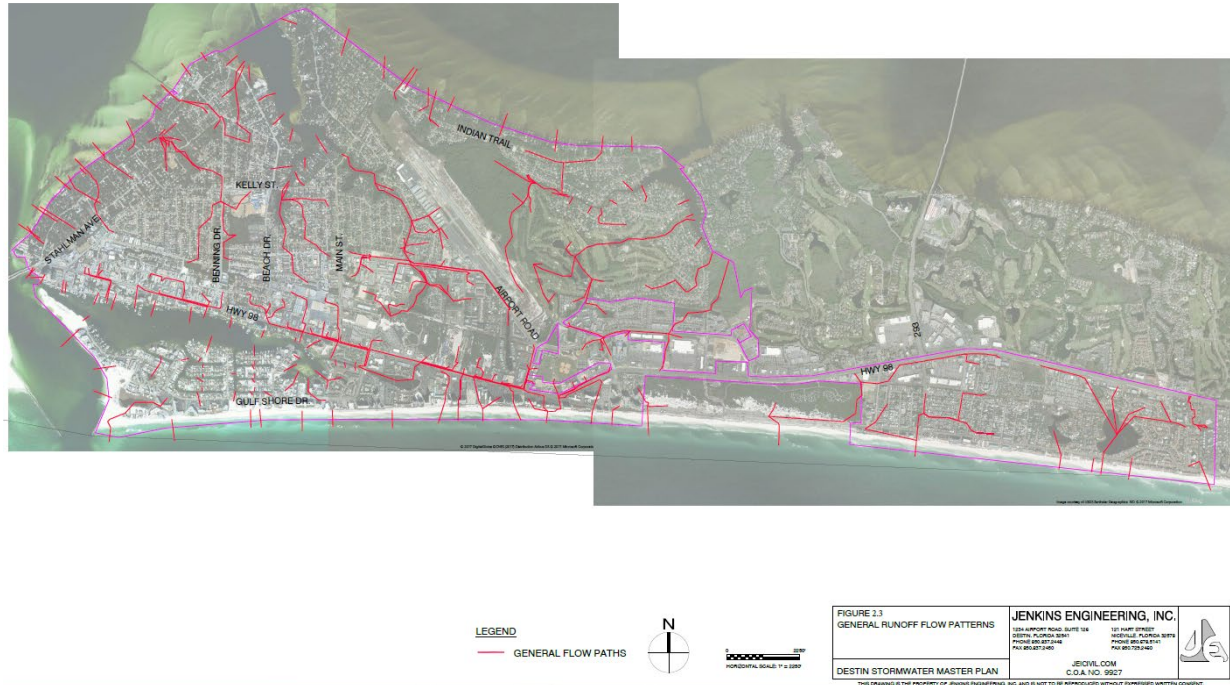


Figure 2.3: General Flow Patterns

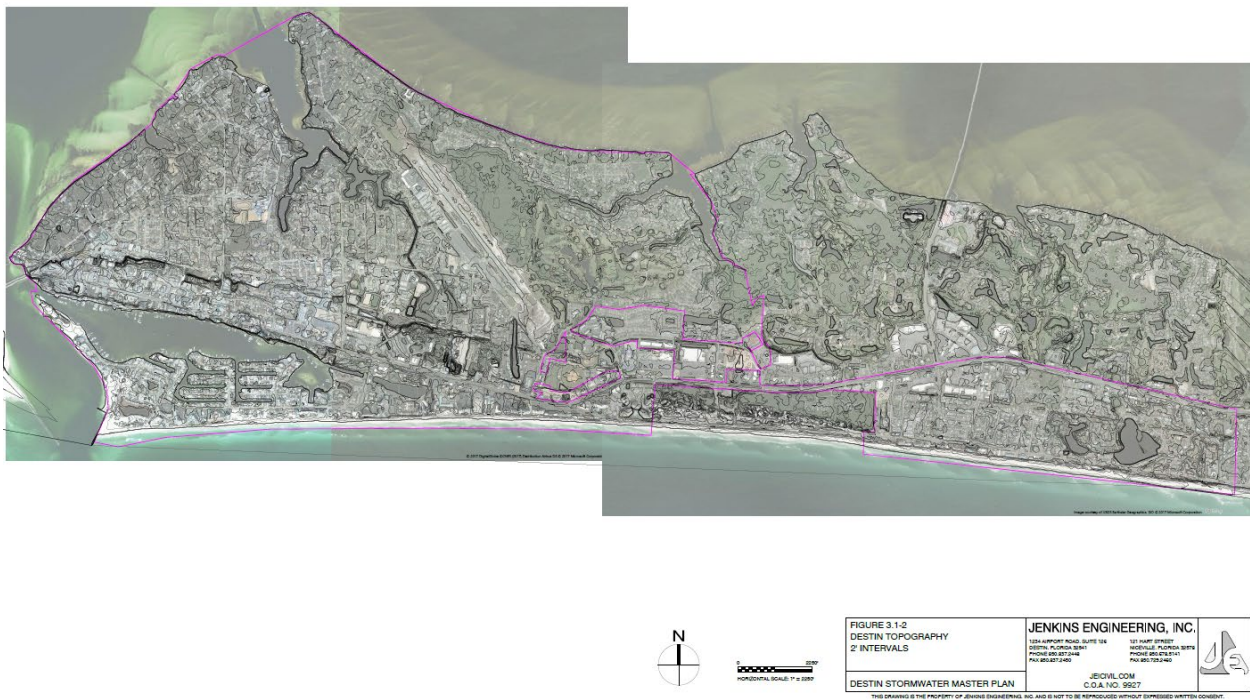


Figure 2.4: Topography 2ft Intervals

PEAK FLOW ESTIMATES

As stated in the previous section, the peak flowrates associated with individual drainage basins was calculated using the Soils Conservation Service method outlined in Technical Release 55 – Urban Hydrology for Small Watersheds published by the United States Department of Agriculture and the Natural Resources Conservation Service in June of 1986. The SCS method is best suited for urban watersheds in which impervious surfaces (roadways, sidewalks, parking lots and buildings) cover or will soon cover a considerable percentage of surface areas within a drainage basin.

The City of Destin has undergone significant development since its incorporation in 1984. This increase in development and impervious areas has a direct impact on the drainage basin's response to stormwater runoff. With the increase in development comes an increase in impervious areas which in turn decreases infiltration capacity. Impervious areas also increase runoff volumes, lower time of concentrations to peak flowrates and degrade water quality unless appropriate treatment measures are implemented. Runoff characteristics typically impacted by increased development include a reduction in infiltration areas and decreased travel times of runoff to eventual discharge locations. These changes can significantly increase runoff rates over time.

The SCS runoff curve number method equation is:

$$Q = (P - I_a)^2 / (P - I_a) + S$$

Where: Q = runoff (in)
 R = rainfall (in)
 S = potential maximum retention after runoff begins (in)
 I_a = initial abstraction (in)

The S variable associated with the SCS equation is directly correlated to a basin's curve number. The curve number is correlated to soils type and land use cover. The soil types and subsequent hydrologic soils groups were determined from a review of the NRCS Soils Survey for the City of Destin.

Colors depicted on map correspond to individual soil types defined for City of Destin. These soil types are divided into four hydrologic soils groups:

- A – sand, loamy sand, or sandy loam. Low run off and high infiltration potential.
- B – silt loam or loam. Moderate infiltration potential.
- C – sandy clay loam. Low infiltration potential.

- D – clay loam, silty clay loam, sandy clay, silty clay, clay. Highest runoff and very low infiltration potential.

These hydrologic soils groups determine a soils type's potential for initial abstraction and runoff retention potential. Individual drainage basins have been given a hydrologic soils group for the calculation of peak flow rates. The generalized table provided in Technical Release 55 – Urban Hydrology for Small Watersheds published by the United States Department of Agriculture, Natural Resources Conservation Service was utilized to determine Curve Number for individual basins based on hydrologic soils group within the basin area and land use type. Land use characteristics were divided into the following groups:

- Residential – ¼ acre lots
- Mixed Use – 1/8 acre lots with mix of commercial
- Business – urban commercial and business district
- Open Space

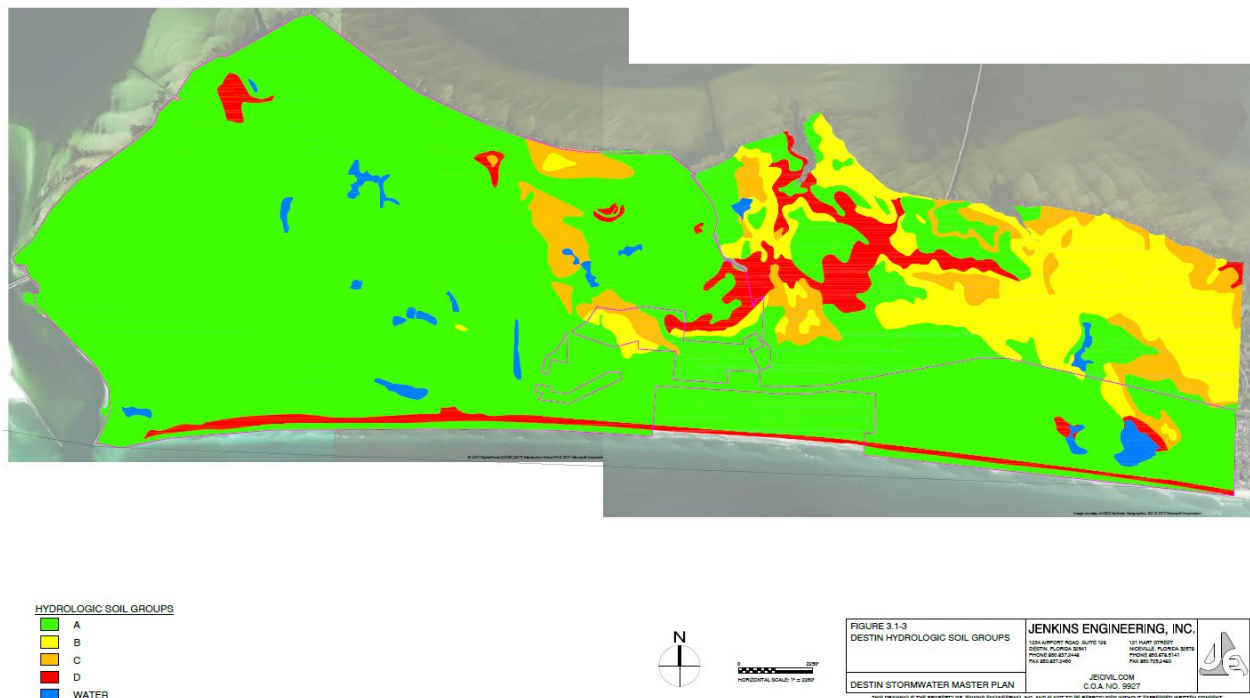


Figure 2.5: Hydrologic Soil Groups

Table 2.5: Runoff Curve Rates for Urban Areas

Cover description	Average percent impervious area ^{2/}	Curve numbers for hydrologic soil group			
		A	B	C	D
Cover type and hydrologic condition					
<i>Fully developed urban areas (vegetation established)</i>					
Open space (lawns, parks, golf courses, cemeteries, etc.) ^{3/} :					
Poor condition (grass cover < 50%)		68	79	86	89
Fair condition (grass cover 50% to 75%)		49	69	79	84
Good condition (grass cover > 75%)		39	61	74	80
Impervious areas:					
Paved parking lots, roofs, driveways, etc. (excluding right-of-way)		98	98	98	98
Streets and roads:					
Paved; curbs and storm sewers (excluding right-of-way)		98	98	98	98
Paved; open ditches (including right-of-way)		83	89	92	93
Gravel (including right-of-way)		76	85	89	91
Dirt (including right-of-way)		72	82	87	89
Western desert urban areas:					
Natural desert landscaping (pervious areas only) ^{4/}		63	77	85	88
Artificial desert landscaping (impervious weed barrier, desert shrub with 1- to 2-inch sand or gravel mulch and basin borders)		96	96	96	96
Urban districts:					
Commercial and business	85	89	92	94	95
Industrial	72	81	88	91	93
Residential districts by average lot size:					
1/8 acre or less (town houses)	65	77	85	90	92
1/4 acre	38	61	75	83	87
1/3 acre	30	57	72	81	86
1/2 acre	25	54	70	80	85
1 acre	20	51	68	79	84
2 acres	12	46	65	77	82
<i>Developing urban areas</i>					
Newly graded areas (pervious areas only, no vegetation) ^{5/}		77	86	91	94
Idle lands (CN's are determined using cover types similar to those in table 2-2c).					

^{1/} Average runoff condition, and $I_a = 0.2S$.

^{2/} The average percent impervious area shown was used to develop the composite CN's. Other assumptions are as follows: impervious areas are directly connected to the drainage system, impervious areas have a CN of 98, and pervious areas are considered equivalent to open space in good hydrologic condition. CN's for other combinations of conditions may be computed using figure 2-3 or 2-4.

^{3/} CN's shown are equivalent to those of pasture. Composite CN's may be computed for other combinations of open space cover type.

^{4/} Composite CN's for natural desert landscaping should be computed using figures 2-3 or 2-4 based on the impervious area percentage (CN = 98) and the pervious area CN. The pervious area CN's are assumed equivalent to desert shrub in poor hydrologic condition.

^{5/} Composite CN's to use for the design of temporary measures during grading and construction should be computed using figure 2-3 or 2-4 based on the degree of development (impervious area percentage) and the CN's for the newly graded pervious areas.

3 – STORMWATER QUANTITY ESTIMATES

Stormwater runoff peak flowrate estimates for each basin were calculated in the ICPR stormwater design software created by Streamline Technologies. This software is accepted by local regulatory jurisdictions as well as State regulatory agencies such as the Northwest Florida Water Management District. Maximum peak flowrates were determined using the SCS method of determining peak flowrates. The following design criteria were utilized in the modeling efforts for the basins:

<i>Basin Area (Acres)</i>	<i>Curve Number</i>	<i>Time of Concentration (Minutes)</i>	<i>Distribution Curve</i>
<i>Individual basin areas calculated in Acres</i>	<i>Individual basin curve numbers taken from Table 2-2a of TR 55</i>	<i>Time of concentration calculated using TR 55 overland flow method</i>	<i>SCS – Type III distribution</i>

Peak runoff estimates for each basin area included in the attached documentation. Peak runoff rates were estimated for the 2-year, 25 year and 100-year storm events. The following figures show the characteristic of the SCS Type III rainfall distribution curve. The Type III curve is specific to the southeast region and extends from Texas to the Florida big bend area. This storm distribution is a statistical distribution of rain amounts over a 24-hour period. The typical Type III distribution rainfall amount peaks at the approximately the 12-hour point of a 24-hour storm event with the largest precipitation amount accruing during this period.

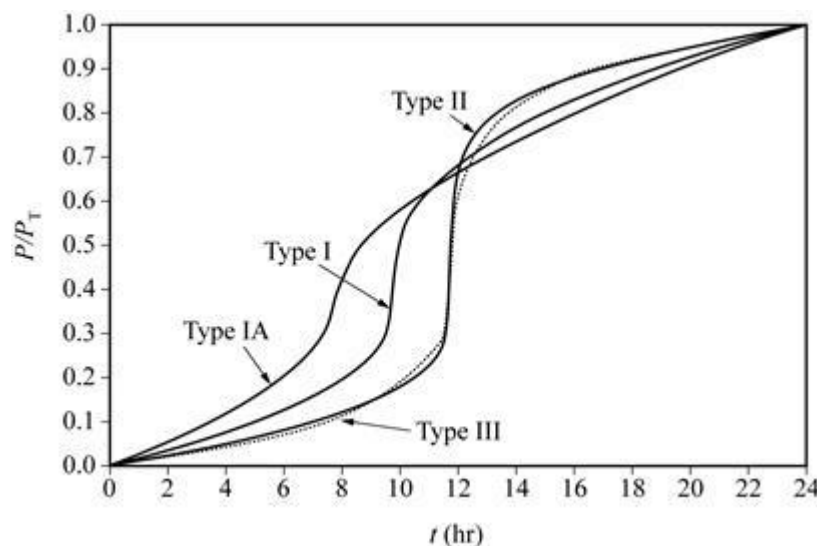


Figure 3.1: SCS Rainfall Distribution Curve

Figure B-2 Approximate geographic boundaries for NRCS (SCS) rainfall distributions

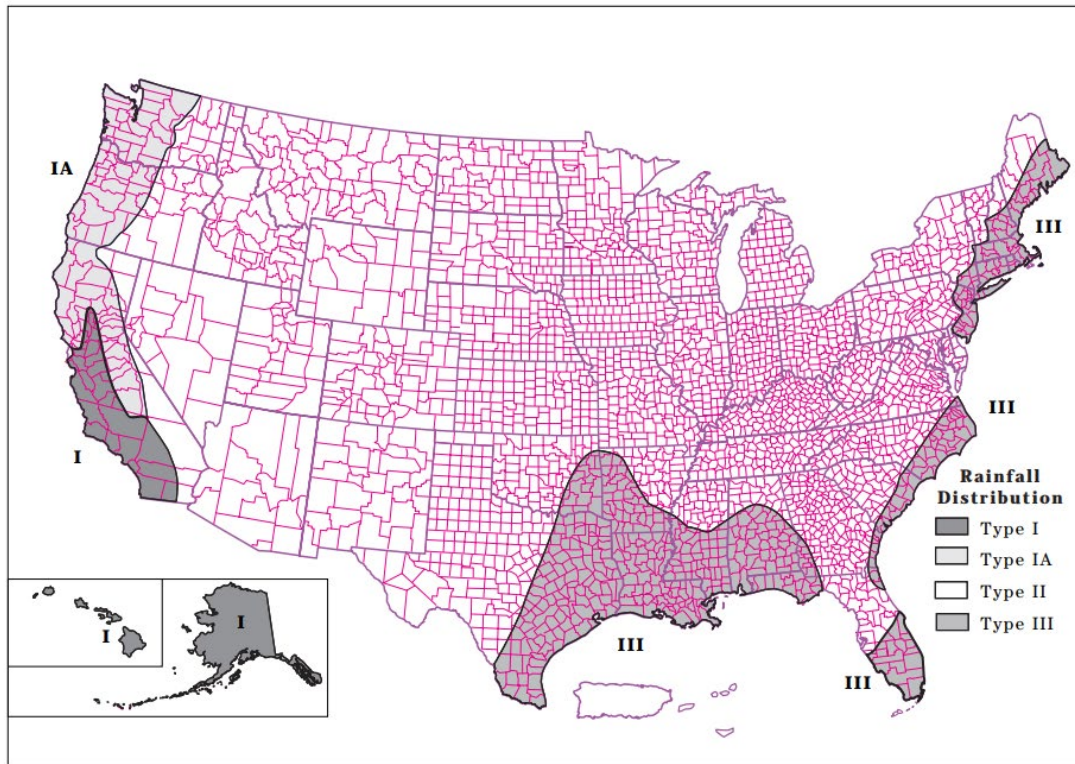


Figure 3.2: Geographic Boundaries for SCS Rainfall Distributions

WATER QUALITY CONSIDERATIONS

The City of Destin Level of Service (LOS) for drainage states the retention of the first one inch of rainfall on-site; and post-development runoff shall not exceed predevelopment runoff rate for a 25-year storm event, up to and including an event with a 24-hour duration (Article 10.03.02). This requirement is intended to catch and retain the “first flush” of pollutants that is carried in stormwater runoff from paved and developed surfaces. The intent is to retain this volume of runoff and percolate the volume back into the ground water stores thus providing treatment and recharging the existing groundwater. However, future regulations will begin to require the consideration of Total Maximum Daily Load (TMDL) for development sites. The TMDL is the calculation of the maximum amount of a pollutant allowed to enter a waterbody so that the waterbody will meet and continue to meet water quality standards for a particular pollutant.

The State of Florida is beginning to establish TMDLs for pollutant loads in waterbodies that have been classified as impaired by Section 303d of the Clean Water Act within the Northwest Florida region. This requirement will be implemented by the Florida Department of Environmental Protection (FDEP) and the Northwest Florida Water Management District (NFWFMD). As a partner with State agencies, the City of Destin will be expected to update local regulations following State guidelines.

Typical pollutants which will be considered are:

- Nutrients / Dissolved Oxygen
- Bacteria
- Metals
- Mercury

4 – STUDY AREAS, PROJECT LISTING & CITY-WIDE SWALE INITIATIVE

STUDY AREAS



Figure 4-1: Indian Bayou Basin Study

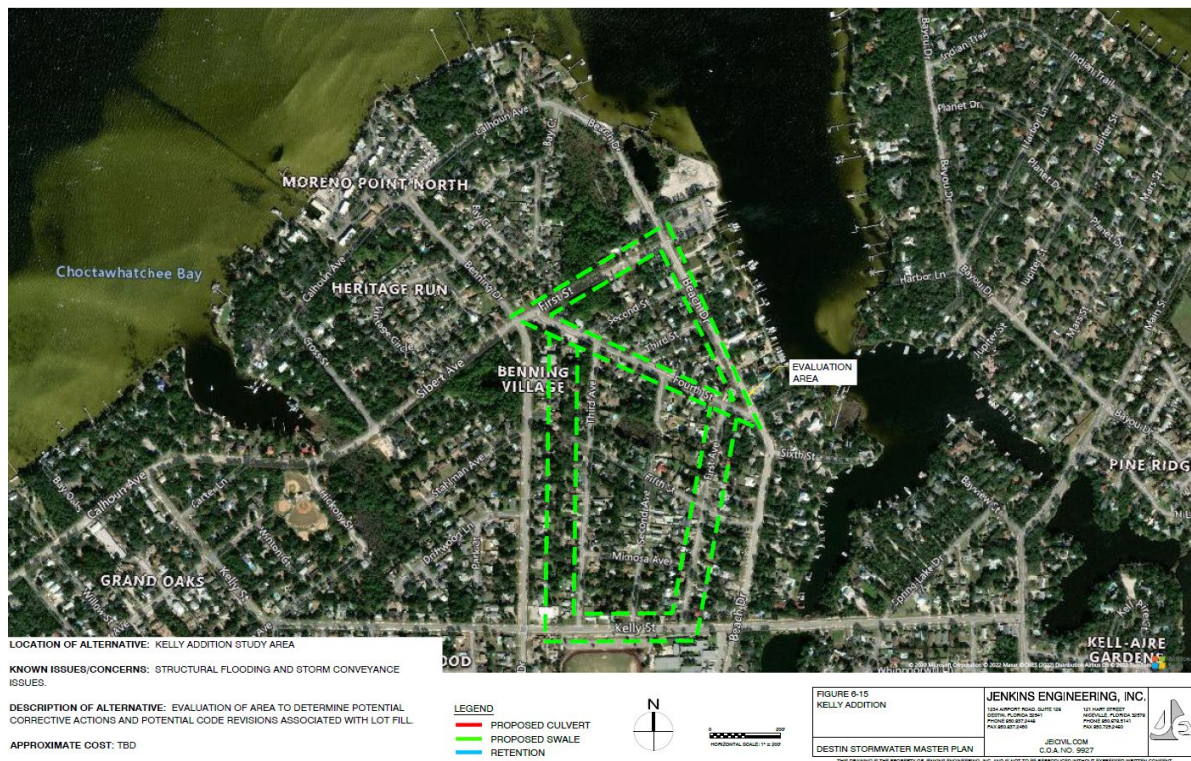


Figure 4-2: Kelly Addition Basin Study



Figure 4-3: Destin Harbor

PRIORITY PROJECT LIST

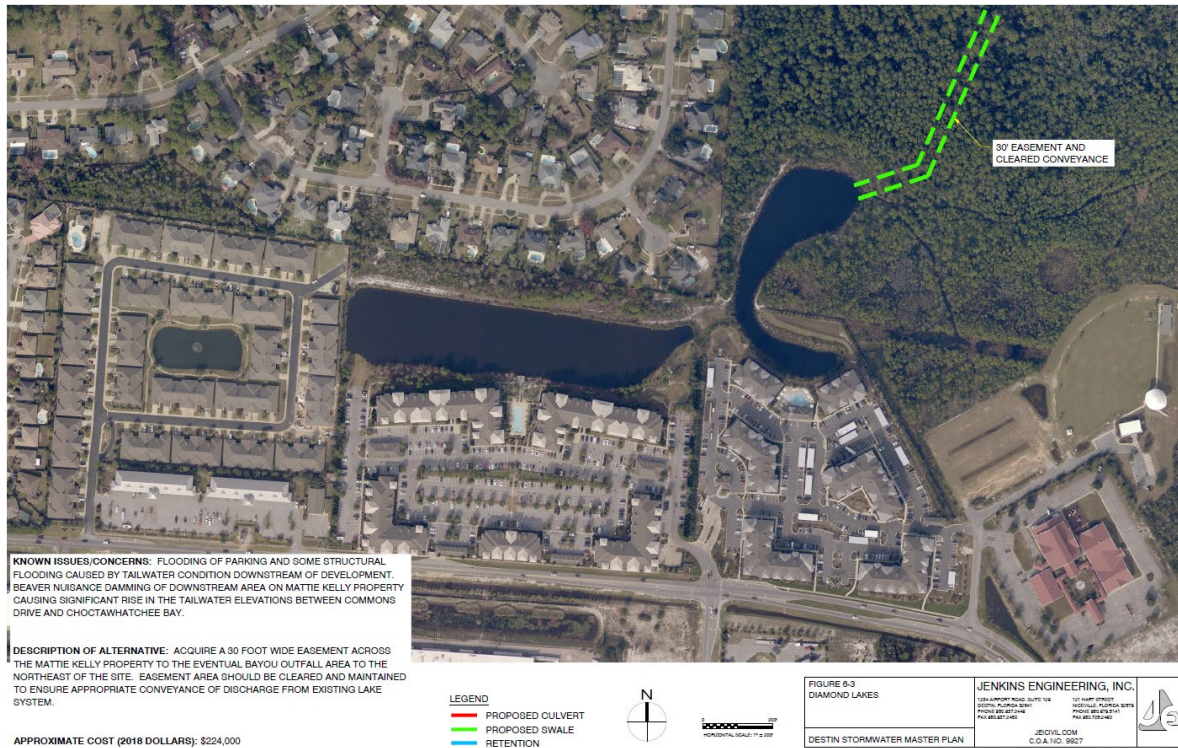


Figure 4-4: Diamond Lake (Mattie Kelly Arts)



Figure 4-5: First and Second Street

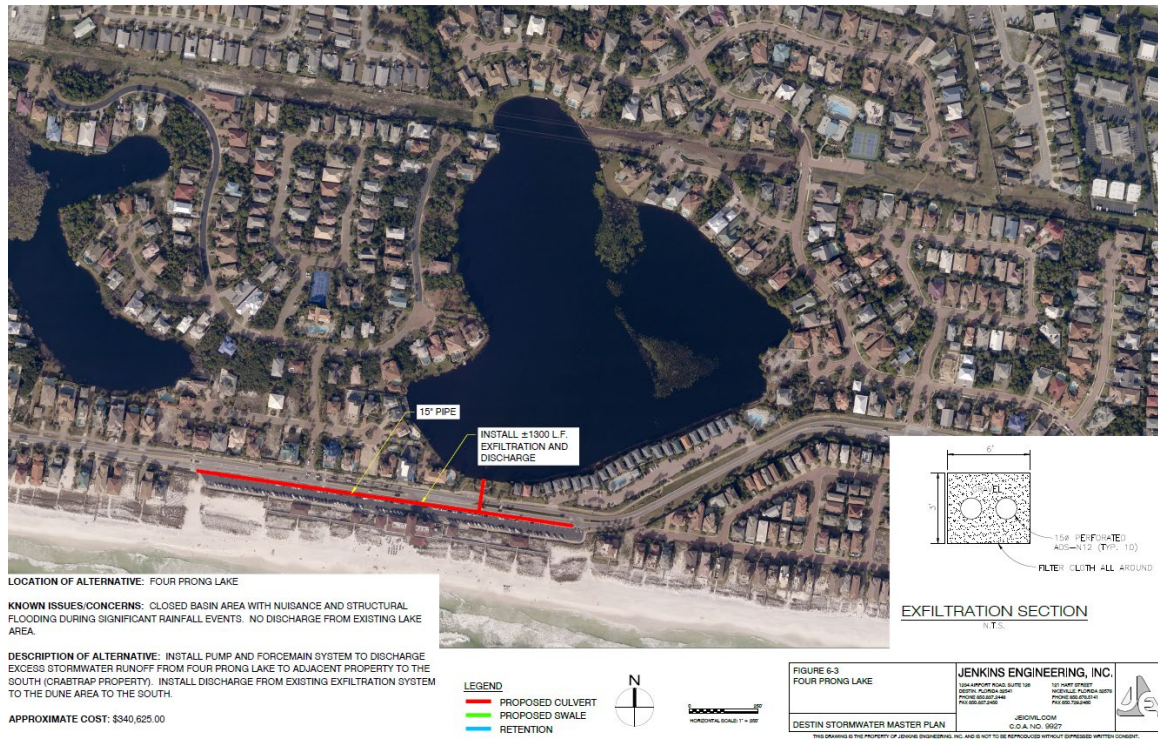


Figure 4-6: Four Prong Lake



Figure 4-7: Restaurant Row



Figure 4-8: Zerbe Street



Figure 4-9: Eagles Landing



Figure 4-10: Main Street and Indian Trail



Figure 4-11: Cross Street

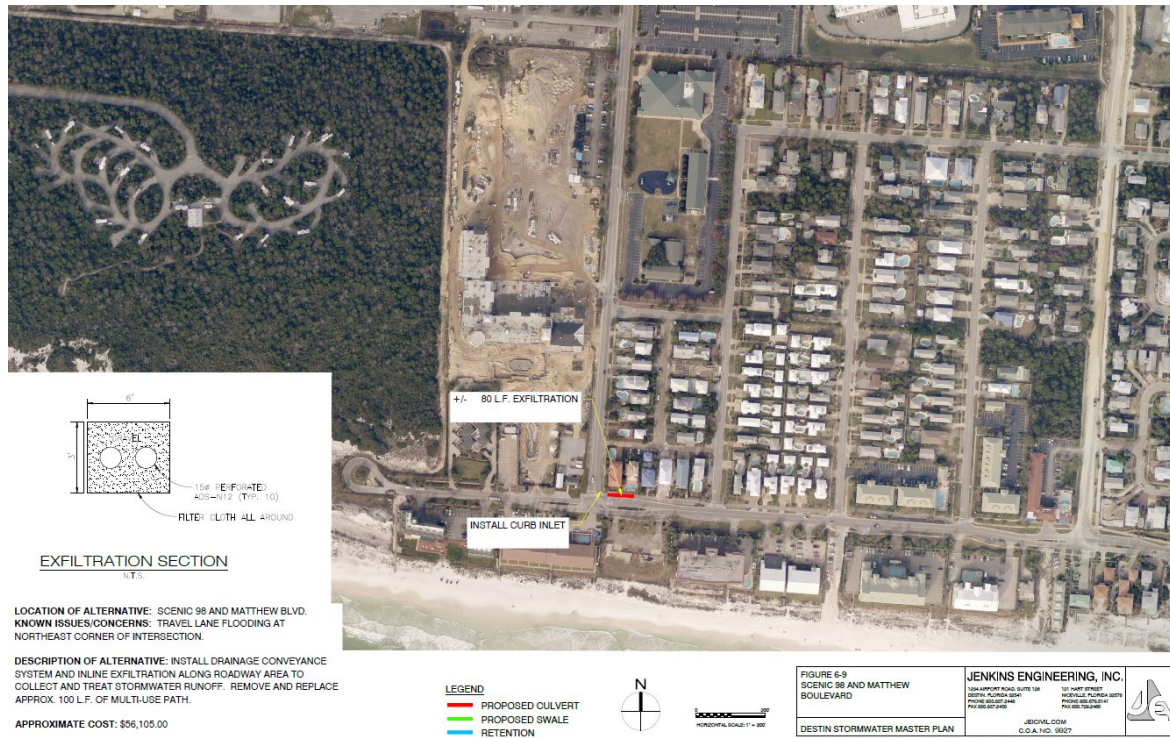


Figure 4-12: Scenic 98 and Matthew Boulevard



Figure 4-13: Reddin Brunson



Figure 4-14: Burning Tree

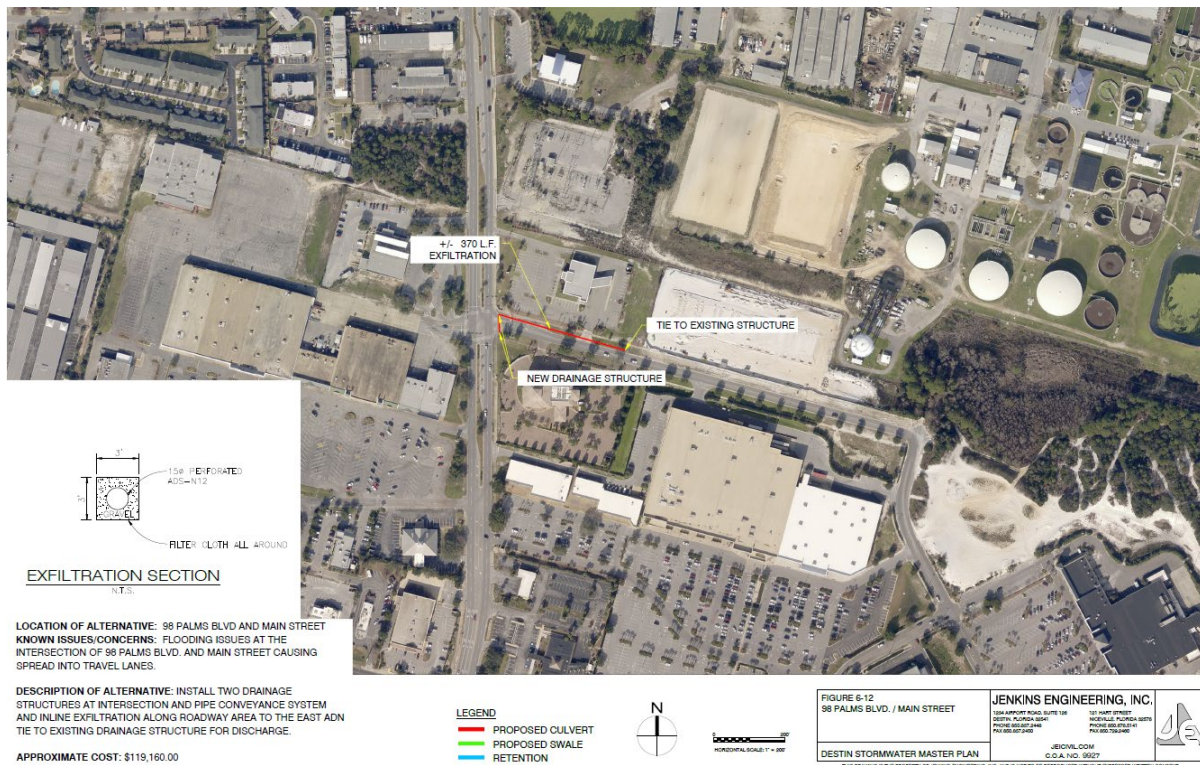


Figure 4-15: Main Street & 98 Palms



Figure 4-16: Heritage Run

CITY-WIDE SWALE INITIATIVE

The City of Destin is responsible for maintaining its Municipal Separate Storm Sewer System (MS4) as part of the FDEP's National Pollution Discharge Elimination System (NPDES) Program. The City MS4 is a publicly owned system of conveyances, made up of, roadside swales, curbs, catch basins, underground pipes, and outfalls designed or used for collecting stormwater.

Roadside swales are critical part of the City MS4. A roadside swale is a long, narrow vegetated depression commonly found adjacent to the roadways and on private property used to collect stormwater runoff. This low-cost, best management practice (BMP) removes sediments & other pollutants found in stormwater runoff while also preventing street and property flooding.

The City-wide Swale Initiative will identify additional public right of way and re-establish existing roadside swales (i.e., 3:1 slope) to further improve the MS4 and level of service for drainage. In addition, private stormwater facilities, approved through the Development Order process will also be part of the city-wide initiative. However, the reestablishment and maintenance responsibility will fall upon the respective Homeowners Association or Property Management Company.

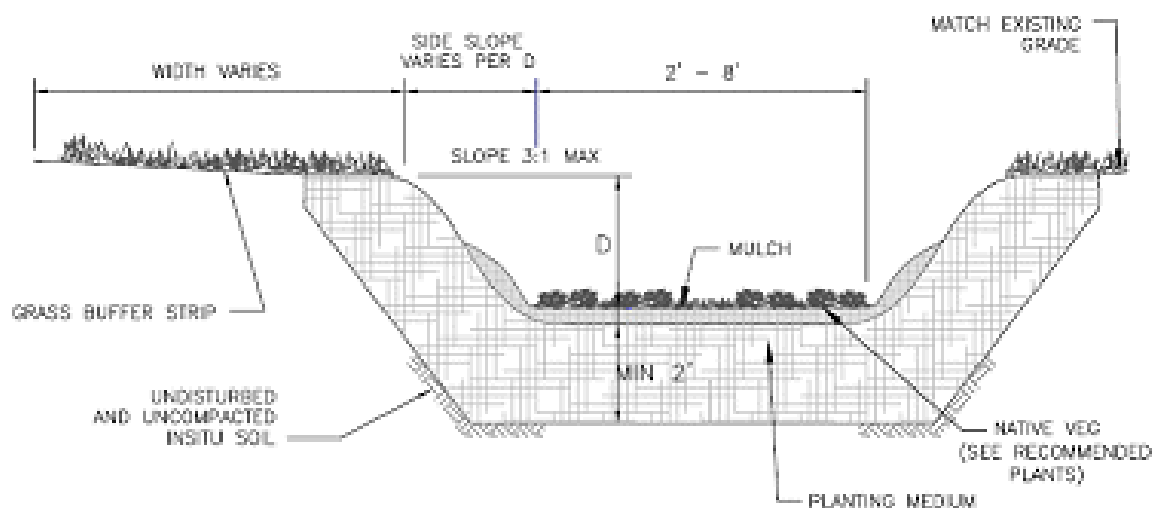


Figure 4-17: Typical 3:1 Roadside Swale

5 – ESTABLISHING A STORMWATER UTILITY (*RESERVED*)

6 – COMPREHENSIVE PLAN REVIEW

The City of Destin Comprehensive Plan establishes stormwater management goals and levels of service in Goal 4-4: Drainage. The primary objectives listed include:

POLICY 4-4.1: Improve Water Quality

The emphasis of Objective 4-4.1 is the implementation of stormwater best management practices that will remove suspended solids and nutrients from runoff entering the Harbor and other receiving water bodies. Installation and maintenance of cyclonic treatment structures at all Harbor Boulevard outfalls is a stated objective within this Comprehensive Plan section as well as working with Florida Department of Transportation (FDOT) officials to reduce or eliminate pollutants from State roadway points of drainage discharge.

POLICY 4-4.2: Optimize Existing Stormwater Capabilities

This section of the Comprehensive Plan outlines level of service requirements for stormwater improvements within the City of Destin. The currently stated levels of services (LOS) for stormwater design area as follows:

1. The post-development runoff rate shall not exceed the predevelopment runoff rate for a 100-year storm event, up to and including an event with a 24-hour duration. ***It should be noted this LOS conflicts with stormwater design criteria listed in Chapter 6.00.00 and Chapter 10.03.00 of the Land Development Code which both list pre versus post development runoff rate requirement to be the 25-year storm event.***
2. Roadway secondary conveyance infrastructure designed for 10-year/24-hour storm event.
3. Roadway cross-drains on collector/arterial roadways designed for 50-year/24-hour storm event; on local/collector roadways designed for 25-year/24-hour event.
4. Parking conveyance infrastructure designed for 5-year/24-hour storm event.
5. Finished floor (not final slab) elevations one foot above 100-year flood elevations (revised).
6. Increase abatement of pollutant loading through implementation of the Florida Department of Environmental Protection's and Northwest Florida Water Management District's Environmental Resource Permit requirements.

POLICY 4-4.3: Comply with NPDES

That stated objective in the section deals with meeting the current requirements of the City's National Pollutant Discharge Elimination System (NPDES) permit as a MS4 (Municipal Separate Storm Sewer System).

7 – LAND DEVELOPMENT CODE REVIEW

The City's Land Development Code lays out more specific level of service and design criteria for stormwater management in Chapter 6.06.00 – Determination of concurrency, more specifically section 6.04.02(B)(3). The LOS stated in this section is *"Drainage: Retain the first inch of runoff on-site; and post-development runoff shall not exceed the pre-development rate for a 25-year storm event, up to and including an event with a 24-hour duration."*

Section 10.03.02 of the City of Destin Land Development Code lists stormwater plan requirements for projects within the Destin city limits. These requirements are listed as, *"A stormwater management plan shall be submitted to the City for all projects that add impervious area or modify pervious area whether City Council approval is required or not. The adopted level of service for drainage is to retain the first inch of rainfall on-site; and post-development runoff shall not exceed predevelopment runoff rate for a 25-year storm event, up to and including an event with a 24-hour duration."*

The requirements listed do not agree with the LOS standards required by section 6.04.02(B)(3). Specifically, chapter 6 requirements call for the retention of the first inch of runoff on-site, while section 10.03.02 calls for the retention of the first inch of rainfall on-site. The difference being the opportunity to utilize a runoff coefficient with the calculation of runoff which would typically provide a lesser volume requirement for retention. It would be our recommendation these code sections be coordinated to agree with one another.

Both Chapter 6 and Chapter 10, attenuation requirements conflict with the stated LOS requirements in the Comprehensive Plan. The Land Development Code requirements are specific to the 25-year critical storm event while the Comprehensive Plan sets the level of service requirement at the 100-year critical storm event. We would recommend rectifying these inconsistencies.

The city may consider the implementation of the 25-year critical storm criteria for sites that can display they are not in a closed basin, meaning they have an eventual connection to a receiving water body, and the 100-year critical storm criteria for projects within areas that would be considered "closed basins", or those which do not have a connection to a receiving mitigative water body.

APPENDIX A – Floodplain Maps



Figure A-1: 10-Year Floodplain Map



Figure A-2: 25-Year Floodplain Map



FIGURE 4-3
50-YEAR FLOODPLAIN MAP

DESTIN STORMWATER MASTER PLAN

JENKINS ENGINEERING, INC.
1004 AIRPORT ROAD, SUITE 104
DESTIN, FLORIDA 32541
PHONE: 850.837.2448
FAX: 850.837.2487
JENKINS.COM
C.O.A. NO. 9927



THIS DRAWING IS THE PROPERTY OF JENKINS ENGINEERING, INC. AND IS NOT TO BE REPRODUCED WITHOUT EXPRESSED WRITTEN CONSENT.

Figure A-3: 50-Year Floodplain Map



FIGURE 4-4
100-YEAR FLOODPLAIN MAP

DESTIN STORMWATER MASTER PLAN

JENKINS ENGINEERING, INC.
1004 AIRPORT ROAD, SUITE 104
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C.O.A. NO. 9927



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Figure A-4: 100-Year Floodplain Map



FIGURE A-5: 500-YEAR FLOODPLAIN MAP	JENKINS ENGINEERING, INC.	
	1300 AIRPORT ROAD, SUITE 108 DESTIN, FLORIDA 32541 PHONE: 850.837.2448 FAX: 850.837.2445	101 MAIN STREET MONTICELLO, FLORIDA 32185 PHONE: 850.276.5141 FAX: 850.733.2440
DESTIN STORMWATER MASTER PLAN	JENKINS.COM C.O.A. NO. 9907	
THIS DRAWING IS THE PROPERTY OF JENKINS ENGINEERING, INC. AND IS NOT TO BE REPRODUCED WITHOUT EXPRESSED WRITTEN CONSENT.		

Figure A-5: 500-Year Floodplain Map

APPENDIX B – 2004 Level of Service Prioritization Criteria

3.0 LEVEL OF SERVICE AND PRIORITIZATION CRITERIA

A Level of Service (LOS) scale is a convenient way to compare various stormwater management issues and alternatives. To calculate a LOS rating, specific criteria are used to rate each problem area and recommended alternative on a numerical scale. Cumulative scores fall within a range of values that can be used to evaluate and compare the LOS throughout a system. In developing a prioritized list of recommended alternatives for a stormwater management system, creating a LOS scale to determine which projects should be granted highest priority is essential.

3.1 LEVEL OF SERVICE FOR EXISTING CONDITIONS

To determine the overall LOS for a given area of concern, a list of specific ranking criteria can be used. For the Destin Stormwater Master Plan, LOS ranking criteria includes the following:

- Public Safety, Health, and Welfare Concerns
- Hazard Potential
- Economic Impacts
- Water Quality Impacts
- Jurisdictional Compliance

The sum total of all of these ranking criteria allows each area of concern to be assigned to a LOS category. The ranking criteria for problem areas are detailed in Table 3-1.

Table 3-1 Existing Conditions: Level of Service Criteria			
Ranking Criteria	Description	Minimum Score	Maximum Score
Public Safety, Health, and Welfare	A value is assigned based on the risk to public safety, health, and welfare created by a system that is not functioning properly. Problem areas that present the largest threat to public safety are assigned a score of 0, while those that present no threat to public safety are assigned a score of 25. Threats to public safety, health, and welfare include, but are not limited to, the flooding of buildings and/or public facilities, flooding that could impact utilities and/or potable water supplies, and areas that could facilitate the breeding of mosquitoes.	0	25
Water Quality	Systems that discharge directly to surface waters provide the greatest benefit when capable of providing water quality treatment to stormwater runoff prior to discharge. Problem areas that do not provide water quality treatment prior to surface discharge to water bodies receive a lower score than systems that utilize best management practices for improving water quality.	0	25

Table 3-1 Existing Conditions: Level of Service Criteria			
Ranking Criteria	Description	Minimum Score	Maximum Score
Hazard Potential	The level of flooding experienced by structures, property, and roadways is assessed by an assigned hazard assessment value. Sites that experience major flooding received a smaller score than those with minimal to no flooding. Flooding of a depth greater than 6 inches along any evacuation route for any storm is assigned the minimum point value for the hazard assessment criteria.	0	20
Economic Impacts	Residential or commercial land that is flooded to a point where structural damage occurs creates an economic impact to each property owner. Areas with the potential to incur the largest economic impacts due to flooding are assigned the lowest score, while those with no potential economical impacts receive the largest score. The approximate value of damage incurred is also factored in to the assigned score.	0	20
Jurisdictional Compliance	Development of new stormwater management systems within the City limits are held to design criteria stated by the City LDC and the Florida Department of Environmental Protection (DEP). Criteria exist for retention, detention, and filtration systems that are intended to minimize flooding potential and improve water quality (for both ground recharge and surface discharge). Locations where stormwater management facilities are not designed to meet the minimum jurisdictional criteria are assigned the minimum value for this LOS category, while areas with best management practices received higher values.	0	10

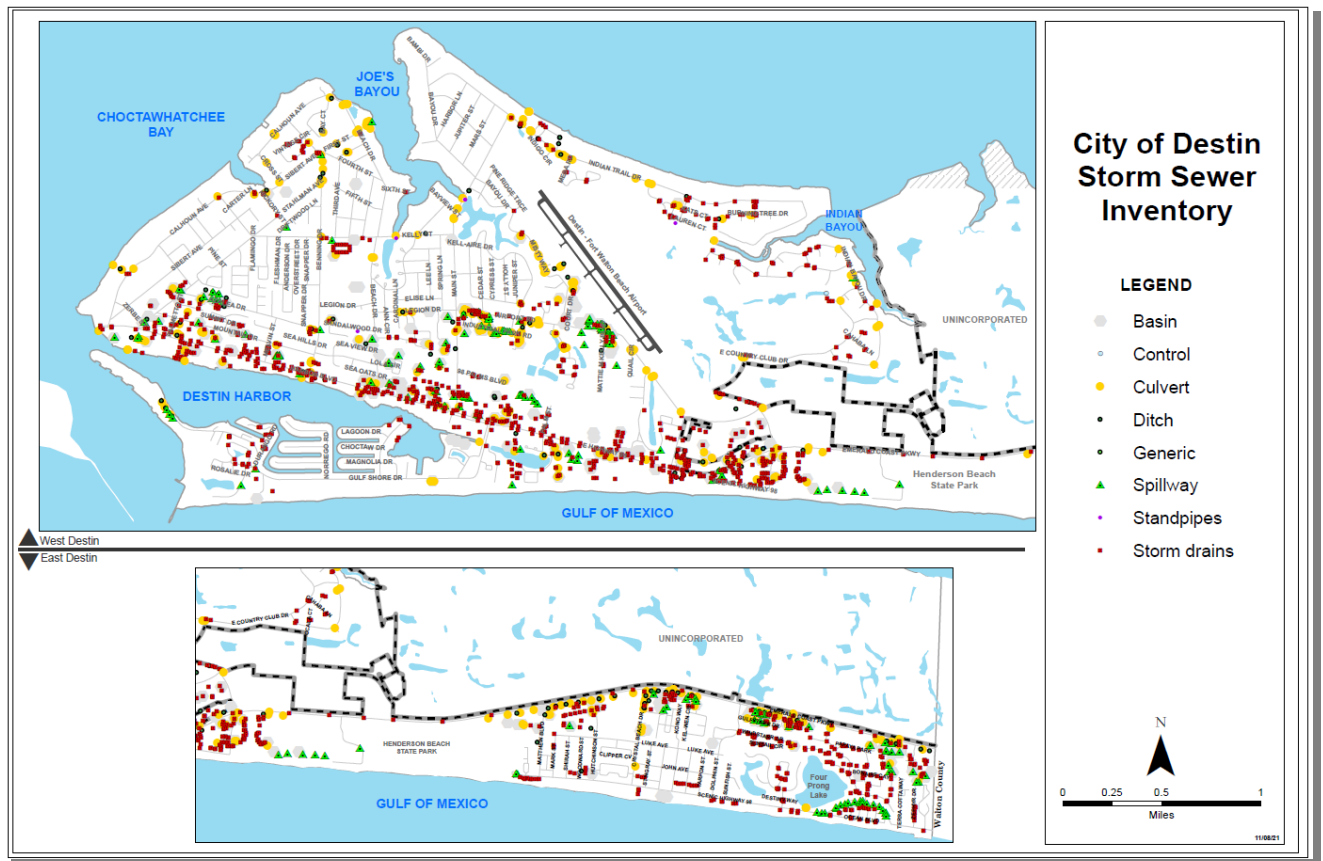
Total scores were assigned for each problem area and are based on a scale of 0-100. The higher the cumulative score, the higher the existing LOS. The range of values for each LOS category is provided in Table 3-2.

Table 3-2 Level of Service Assignment		
Cumulative Score	Level of Service Classification	
81 – 100 points	A	Excellent
66 – 80 points	B	Above Average
51 – 65 points	C	Average / Acceptable
31 – 50 points	D	Below Average
16 – 30 points	E	Significantly Deficient
0 – 10 points	F	Non-functional

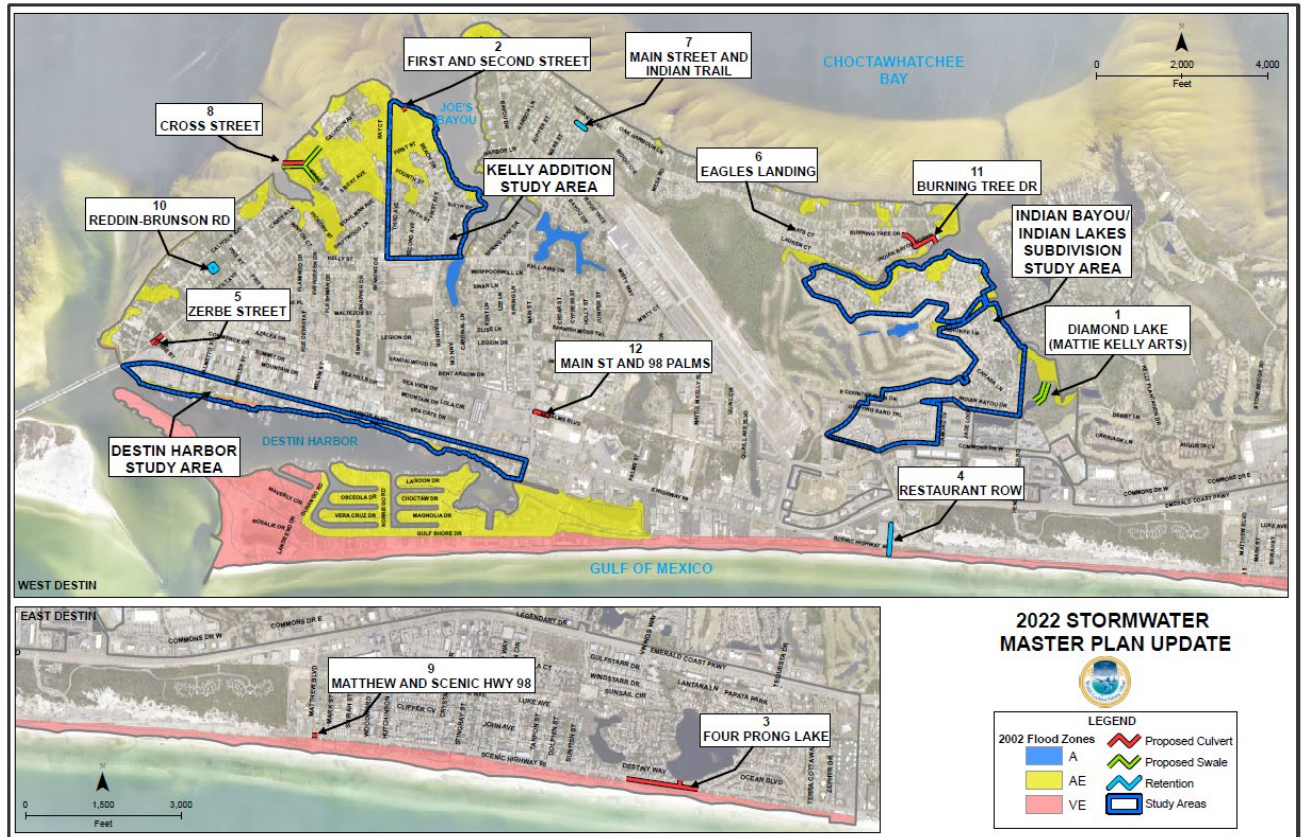
The ranking of all problem areas and recommended alternatives are contained in Section 7 of this report.

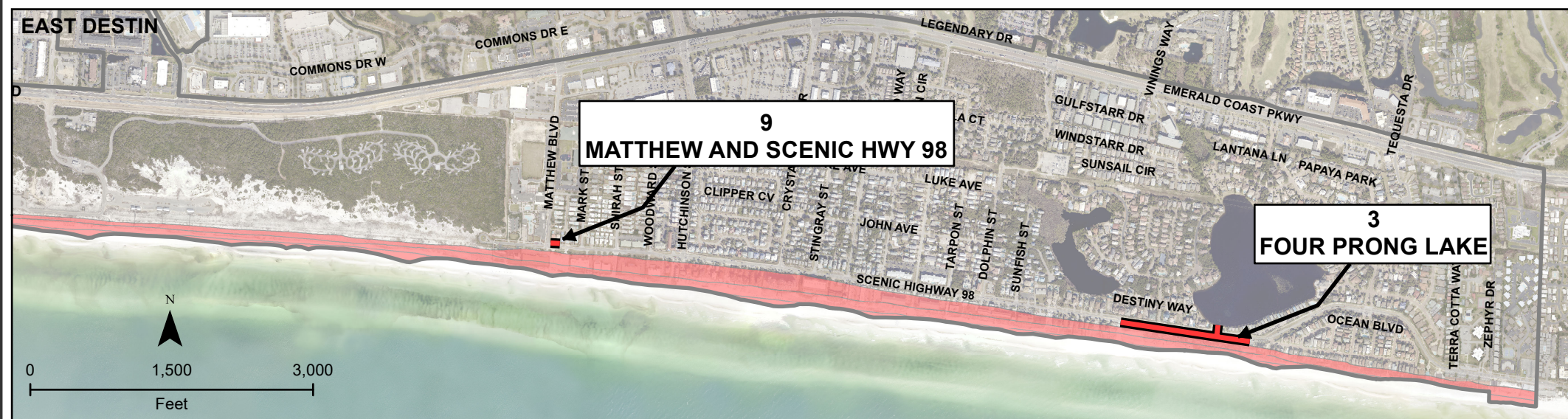
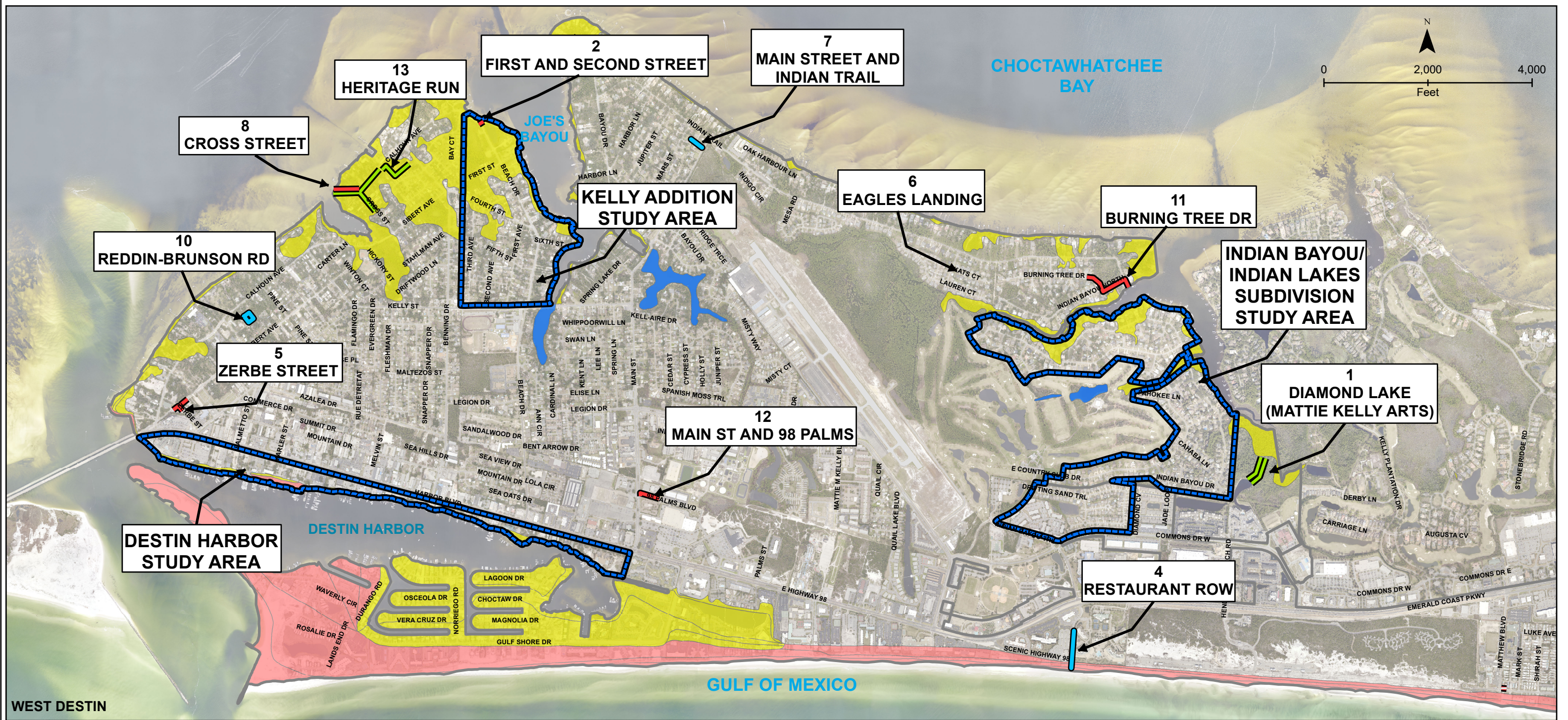
APPENDIX C – [Individual Drainage Basin Runoff Estimates](#)

APPENDIX D – City of Destin MS4 Map



APPENDIX E – Stormwater Master Plan Study Areas and Project Map





2022 STORMWATER MASTER PLAN UPDATE



LEGEND

2002 Flood Zones		Proposed Infrastructure	
	A		Proposed Culvert
	AE		Proposed Swale
	VE		Retention
			Study Areas

EXECUTIVE SUMMARY

The City of Destin is unique in the fact that the city is only 7.2 square miles with over 27 miles of shoreline, not including inland lakes and wetlands. Destin's economy – Tourism and Fishing – rely on the clean, clear surface waters. Protecting water quality is important to the City's world class vision. The 2004 Citywide Stormwater Master Plan was the first of such plans for the city and its goal was concentrated on water quantity (i.e., flooding) issues throughout the city. Staff implemented the recommended projects to a degree of success that the city no longer sees the repetitive structural flooding it had experienced previously. The Citywide Stormwater Master Plan Update is a transition from a water quantity plan to ultimately a water quality plan.

The City of Destin tasked Jenkins Engineering Inc. with updating the Citywide Stormwater Master Plan (SWMP) prepared in 2004 by Jones Edmunds & Associates Inc. The SWMP is a living guideline document providing a current snapshot of the city's stormwater health and future actions needed based on the data provided. The goal and objective of the SWMP is to provide a framework for flood mitigation, water quality improvement projects and recommending policy changes to achieve stated goals and objectives by addressing water quality and water quantity issues within the city. The SWMP Update further reinforces the City's commitment and compliance with the Florida Department of Protection (FDEP) National Pollution Discharge Elimination System (NPDES) General Permit Program.

STORMWATER MASTER PLAN UPDATE OBJECTIVES:

- Identify the City's changing needs regarding storm water runoff, from quantity to quality.
- Identify flood mitigation and water quality improvement projects and study areas.
- Provide policy recommendations to provide clear expectations and address deficiencies in the Comprehensive Plan and Land Development Code.
- Provide an avenue for a dedicated funding source for stormwater facilities maintenance and repairs to continue compliance with the State of Florida's National Pollutant Discharge Elimination System (NPDES).

The Stormwater Master Plan Update identified three (3) study areas and thirteen (13) drainage projects listed below:

STUDY AREA

Indian Bayou

Kelly Addition Subdivision

Destin Harbor

PRIORITY PROJECT LIST

Diamond Lake (Mattie Kelly Arts)

First and Second Street

Four Prong Lake

Restaurant Row

Zerbe Street

Eagles Landing

Main Street and Indian Trail

Cross Street

Scenic 98 and Matthew Boulevard

Reddin Brunson

Burning Tree

Main Street & 98 Palms

Heritage Run

PROPOSED POLICY AND CODE RECOMENDATIONS:

- Aligning conflicts between the Comprehensive Plan and Land Development Code.
- Provide greater retention requirements for floodplain and flood prone areas.
- Align Stormwater codes with Floodplain codes.
- Create stormwater compliance codes geared toward redevelopment.
- Provide thresholds for compliance of existing non-conforming projects.
- Create a funding source and Citywide Maintenance program to maintain our aging infrastructure.

CONCLUSION:

- The SWMP update delineates existing drainage basins into smaller high-resolution catchments
- Identifies Comprehensive Plan and Land Development Code policy alignment and proposed code changes to provide a better level of service related to drainage and water quality.
- Identifies the need for a dedicated funding source pursuant to Chapter 403.0893, Florida Statutes for the maintenance of stormwater infrastructure.

STORMWATER MASTER PLAN UPDATE
February 2022

