

**LOCAL PLANNING AGENCY
MEETING MINUTES
SEPTEMBER 1, 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, September 1, 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
Corey Ledbetter
Todd Buhr

Members Absent

Staff Members Present

Kim Montgomery City Clerk
Steven O'Connor Principal Planner
Louis Zunguze CD Director
Kimberly Kopp, LUA

3. APPROVAL OF MINUTES:

- July 28, 2022
- August 4, 2022

Agency member Bell made the motion to approve both the July 28, 2022, and the August 4, 2022 minutes as written with Agency member Hudson providing the second. The motion passed 5-0.

4. NEW BUSINESS:

➤ **Proposed Conditional Use 22-32-CU – Calhoun Estates by the Bay**

David Smith of Innerlight Engineering Corp., on behalf of Johnny Boswell, is requesting a Conditional Use (22-32-CU) approval for the use of a 37 short-term residential, detached single-family dwellings to be located at several parcels that front either Calhoun Avenue or Sibert Avenue. The existing site is 5.21 acres. The associated Parcel IDs are the following: 00-2S-22-0310-000D-072G; 00-2S-22-0310-000D-072E; 00-2S-22-0310-000D-0050; 00-2S-22-0310-000D-005A; 00-2S-22-0310-000D-0060; 00-2S-22-0310-000D-0070; 00-2S-22-0310-000D-0080; 00-2S-22-0310-000D-0090.

Mr. O'Connor explained the proposed site is in the Calhoun Avenue Mixed Use - Village (CMU-V) Zoning District. The proposed use of short-term rental residential detached single-family dwellings is conditional in the Calhoun Avenue Mixed Use - Village (CMUV) zoning

district. This is a review of the conditional use only for the short term rental use. The Planned Unit Development (PUD) Major Development Order and Major Subdivision is currently being reviewed by the Technical Review Committee (TRC) for full compliance with the City LDC and Comprehensive Plan. Additionally, City Council will consider and make their determination on the project at the required public hearings, once approved by the TRC. The following includes a review and analysis of the proposed use based on the Future Land Use Element of the Comprehensive Plan and criteria for conditional uses outlined in the Land Development Code.

Motion by Agency member Bell, seconded by Agency member Hudson to recommend City Council City Council approve Conditional Use 22-32-CU with the condition that the applicant include mitigative techniques to address potential impacts of the development including noise, light, parking, and trash.

In discussion, the Chairman asked the applicant if there are any plans for on-street parking. According to Mr. Smith there will be no on-street parking. Chairman Wood then asked about the buffering requirements and if there were plans for any more than the 5-feet. Mr. Smith answered that there are not any plans to add any additional landscape buffering.

According to the Land Use Attorney Kimberly Kopp, per code, the requirements are 5-feet unless they decide to have more added as part of the Conditional Use Approval.

Agency member Buhr questioned if the noticing requirements for the abutting properties were duly notified within the required 300-feet of the subject property.

According to Mr. O'Connor, staff did send out the letters to the abutting property owners based off the information obtained from the Property Appraisers website and currently, they have not received any comments from anyone. However, the letter was just specific to just the Development Order, PUD and Subdivision and did not address the short term rental Conditional Use. He informed the members that in the morning, staff will be sending out another abutting letter to all properties with the short term rental request included as part of the Conditional Use.

Ms. Kopp pointed out to the Agency members that the information for the Conditional Use request is properly signed on the property as well as the advertisement had the proper information and with staff resending an updated abutter letter in the morning, this will all be done before this project goes to City Council for final approval.

Agency member Bell spoke of how in light of this, she feels that the abutter notices should have had all the correct information regarding the Conditional Use, prior to coming before them at this meeting.

Ms. Kopp stated that if they feel that the public has not been afforded the proper notice, they can move to table to the next Local Planning Agency meeting and the abutter notices will be resent with all the correct information in the letter.

Agency member Bell asked if the Conditional Use for short term rental was applied for at the initial time of receiving the application for the project or afterwards. According to Mr. O'Connor, the Conditional Use came afterwards.

Motion by Agency member Bell to table this request until the next Local Planning Agency Meeting and the abutting owners are notified of the Conditional Use that's being asked for. Agency member Buhr provided the second.

Agency member Buhr asked if the Conditional Use is approved, is it attached to the property whether it's used or not. According to the Ms. Kopp, that is correct. It is attached to the property, and if it's sold to another property owner, that property owner has the right to use it or not.

Agency member Bell stipulated for the record, the reason she is making her substitute motion is not because she believes that staff made a mistake, it is because the short term rental request came in after-the-fact. Additionally, she stated that she does not think it's fair that the surrounding properties and the citizens of Destin were not notified appropriately before she makes a decision.

The motion passed 4-1 with Agency member Ledbetter dissenting.

Ms. Kopp asked the applicant if he wanted to respond.

According to Mr. Smith, they made application for a PUD Major Subdivision and in March they were advised by staff that they would have to ask for the short term use as Conditional Use. He spoke of how he feels there are some inconsistencies in the Code that pertains to what is allowed in the Calhoun Mixed Use zoning district. Explaining that the language in the Calhoun Mixed Use Village zoning district reads, "The area shall redevelop as a Mixed Use area, accommodating a primarily a medium to high density long term and short term residential uses." Then in table 7-2, it states seasonal short term residential uses are a Conditional Use. Explaining that inconsistency is why they had a delay in filing their application.

Ms. Kopp inquired to the Agency member if their intentions were to continue to the next LPA meeting or to a date certain. According to Agency member Buhr, it should be properly noticed as well as abutting letters are sent out to all within the required area. Ms. Kopp stated that at this time she is unsure of the date of the meeting but as soon as staff determines that the letters

are sent out and the hearing is properly advertised, staff will notify them of the date of when the next meeting will be.

5. OLD BUSINESS: None

6. DIRECTOR'S REPORT:

Mr. Zunguze informed the members that currently the two CRA Master Plans are being worked on and will be coming before them sometime soon. Additionally, they staff intends to have annotated draft for Article 4 at their next meeting.

Agency member Bell asked Mr. O'Connor about the Recreation Master Plan that would be coming before them at some point.

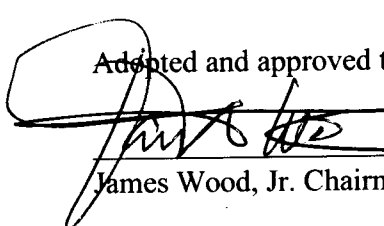
According to Mr. O'Connor, Chapter 7 of the Comprehensive Plan deals with Open Space Recreation, and prior to that Chapter coming before this board, staff wanted to go before the Parks & Recreation Committee to get their take on those policies that could affect the LDC rewrite, since they are the custodians of that chapter and staff identified a clear need for a Parks and Recreation Master Plan.

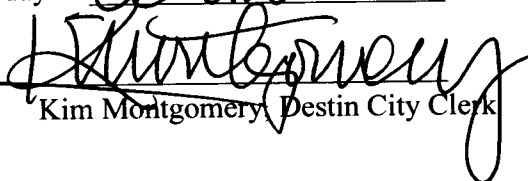
Mr. Zunguze added that at this point, staff does not have any direction for a Parks & Recreation Master Plan.

7. ADJOURNMENT:

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

Adopted and approved this 13th day of October 2022.


James Wood, Jr. Chairman


Kim Montgomery, Destin City Clerk