

**LOCAL PLANNING AGENCY
MEETING MINUTES
SEPTEMBER 22, 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 22, 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

Staff Members Present

Kim Montgomery City Clerk
Steven O'Connor Principal Planner
Daniel Butler Senior Planner
Ryan Scott City Engineer
Kimberly Kopp, LUA

3. NEW BUSINESS:

A. 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. Butler explained the proposed project is to be located in the Calhoun Avenue Mixed Use – Village (CMU-V) Zoning District. Additionally, 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 review of the conditional use only is for 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 Land Development Code (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 LDC.

For discussion purposes, Agency member Bell made the motion seconded by Agency 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.

Chairman Wood spoke of how at their previous meeting they spoke of how the LPA could set conditions and asked if the general motion is enough or should they need to speak of specific conditions to set in their motion, or does staff set those later?

According to the Land Use Attorney, the way the recommended motion speaks is broad additionally, they can recommend specific conditions to the City Council, and City Council can place their own conditions that are not bound by the LPA's recommendations.

Chairman Wood opened the public portion of the hearing.

Mr. Jason Belcher of 147 Sibert Avenue spoke of how his wife and her family has lived in this area of Destin over 60-years and how this request for short term rental would be a significant change that would alter not only the immediate neighborhood, but Destin in general for any period of time, going forward, and not for the better. He spoke of how this request, being in a substantial residential area, would diminish the quality of life for the surrounding property owners and would open the door to allow this in all neighborhoods in the city limits. With that said, he asked that the Conditional Use not be allowed because of the quality of life changes it would cause.

With no other public speakers, the chairman closed the hearing to the public and turned the discussion over to the Agency members.

Agency member Bell asked the applicant if the plan for garbage pickup was to have a dumpster or individual cans. According to Mr. Smith, it would be individual cans. One trash can for the first three bedrooms and one per two bedrooms thereafter.

The question was asked how far away this project is from the DFCD's substation on Calhoun Avenue. According to Mr. Butler, it is within 400-feet from the new Destin Fire Control District substation on Calhoun Avenue.

Chairman Wood asked about the parking requirements for north of Highway 98. According to Mr. O'Connor, currently the requirement for one space per bedroom is for south of Highway 98. He then asked how many total bedrooms are planned for each unit. According to Mr. Smith, there are up to 4-bedrooms per townhome which would have 4 parking spaces, two in garage and 2 in the driveway. Chairman Wood then asked if there are plans to have sidewalks on both sides of the road, Mr. Smith replied affirmatively. Chairman Wood then asked if the

driveways are proposed to be long enough from the sidewalk to ensure that they would not get blocked by vehicles. According to Mr. Smith, the driveways are proposed to be long enough. The Chairman stated that he wanted it understood that the garages are to be used strictly for parking cars and have to be kept free of storage and cannot be converted to anything other than a garage. Regarding compatibility, the Chairman asked staff if they are looking at it as what the Comprehensive Plan and Land Development Code would allow, or what is allowed there now? According to Mr. O'Connor, all of it. They are looking at Comp Plan, Land Development Code standpoint as well as the surrounding properties standpoint.

According to Mr. Smith, they are proposing 3-story 3,000 sq. foot units that are comparable to others in the immediate area. Additionally, they are not maximizing the density to the extent of what is allowed for the property per code.

Agency member Bell asked about trips, noting in their packet for LOS it states 37 PM peak hour trips, which was established back in 2016 and how she feels that does not liken to what is currently taking place in that area of the city. She provided an example of what has taken place on her street where the surrounding townhomes went from three short term rentals to 10 and with 20 units total on the street, the trips have increased from about 175 trips per day to over 800 per day. Acknowledging that the increase in deliveries for UPS and FedEx and other delivery services are also a part of those total trips.

According to Mr. O'Connor, the city's code only requires the PM peak hour traffic counts because it's the most impactful to the surrounding neighborhoods and does not capture the entire day. And the information staff has provided is based off that data and is the most up-to-date traffic generation tool that is available.

Agency member Buhr referenced the email they received in the back of their packet from Mrs. Sandy Trammell and spoke of how based on her comments, as well as the gentleman that spoke earlier, he would like to offer up a substitute motion.

Motion by Agency member Buhr that the Local Planning Agency recommends that the City Council deny Conditional Use 22-32-CU application for short term rental, with Agency member Hudson providing the second.

The Land Use Attorney asked Agency member Buhr to state what aspects of the letter he is referring to. According to Agency member Buhr, he finds her letter to be very compelling and the points she makes in reference to the historical perspective as well as to the impacts on those that reside in the immediate neighborhood to be accurate and he personally lends great credence on the entire letter based on Mrs. Trammell's expertise of the area as well as her knowledge of the impacts to the area. For public purposes, the Land Use Attorney then asked Agency member Buhr

to read the portion of the letter into the record.

Agency member Buhr read, *"As I am unable to attend the LPA meeting (Sept 22, 2022), I wanted to register my strong objections to these conditional uses. I am using history as my guide, Since the inception of the City of Destin, residents have been promised NO SHORT-TERM RENTALS NORTH OF HIGHWAY 98. This project is NOT compatible with existing properties. I recently approached City Council (First meeting in Sept) asking if this had been changed and was told that this still held true and the Mayor promised that he would see that this continued as such. I recommend Short Term rentals be removed as an allowance within any area north of 98. If there are currently any functioning as short term they should be changed to long term."*

With no further comments, Chairman Wood called for the vote on the substitute motion to recommend City Council deny the Conditional Use for short term rentals. **The motion passed 4-1 with Agency member Ledbetter dissenting.**

B. Proposed Conditional Use 22-33-CU - 1100 Quail Circle

Mr. Butler explained to the Agency members that Mr. John Bath of Scope Construction LLC is requesting approval of Conditional Use 22-33-CU. This project includes the construction of three (3) townhome dwelling units. The subject property is located at 1100 Quail Circle (Parcel ID: 00-2S-22- 4530-0000-0010). Additionally, the proposed site is in the Residential, Office, Institutional – Village Residential (ROI-VR) Zoning District, contained within the Town Center Commons Planning Area. The proposed use of long-term residential attached dwellings is conditional in the Residential, Office, Institutional – Village Residential (ROI-VR) zoning district. Explaining further that this is a review of the conditional use ONLY. A Minor Development Order (and potentially a Minor Subdivision application depending on intended ownership) will be required prior to be submitted, reviewed, and approved by Technical Review Committee (TRC) prior to any submittal for a building permit. 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 (LDC). As outlined in the City's Comprehensive Plan (Policy 1-2.4.1), the "ROI" designation is designed to accommodate business and professional offices; as well as single-family (SF) and multiple-family (MF) long-term residential uses; and institutional uses listed in Policy 1-2.7.1. The proposed use of three long-term multi-family attached dwellings is consistent with the intent of the ROI Future Land Use Designation.

Mr. Butler referred the members to the agenda report regarding the criteria requirements noting that if they had any additional comments he would address. However, he did point out that staff does have concerns about:

2. SUFFICIENT SIZE, SITE SPECIFICATIONS, AND INFRASTRUCTURE Staff Comments: The proposed project shall comply with the dimensional requirements in Table 7-3, Article 7.12.08 of the Land Development Code. The Technical Review Committee (TRC) will review the project to ensure compliance with the applicable standards.

- **Size:** The proposed project is a 3-unit long-term attached multi-family dwelling (townhouse) on a 0.28-acre ($\pm 12,197$ SF) site. This equates to a proposed density of ± 10.7 units/acre. As previously stated, the maximum density allowed in this zoning district is 12 units/acre. The subject project shall comply with all buffering and open space requirements, while accommodating all required facilities.
- **Access and Internal Circulation:** Based on the site plan provided, vehicular access to the properties is being proposed from the Airport Road public Right-of-Way (ROW). Mr. Butler did point out to the members that the City Engineer has established this access as a danger to public safety. The project shall comply with the design standards per LDC Section 8.04.00, Access Management, and staff is recommending either a condition that no vehicular access or curbside trash pick-up be located along Airport Road to mitigate any negative safety impacts, or denial of the application due to a public safety hazard on Airport Road.
- **Urban Design Enhancement:** The project is being proposed on a currently vacant lot within the Multi-Modal Transportation District (MMTD) and shall implement the required design standards such as the 10' wide sidewalk, street trees, and pedestrian amenities, per LDC 8.09.03.A. The project shall also comply with LDC Section 8.06.00, Vehicle and Parking Standards, while also providing the necessary screening, buffers, sidewalks, landscaping, setbacks, and open space as required by the LDC.

3. **PROPER USE OF MITIGATIVE TECHNIQUES** Staff Comments: The project shall comply with LDC Section 10.03.02, Stormwater Management and all other applicable mitigative techniques to ensure that there will be no offsite impacts to the adjacent properties. During the pre-application phase and during the application review, staff identified a safety issue concerning access from Airport Road. Per LDC Article 804.02.B., Corner lots fronting on streets with different classifications, as defined in Article 8, Table 8-1, shall be accessed from the street with the lower classification. Based on the information provided, the LPA should either recommend denial, or condition any approval on prohibiting access to the site from Airport Road and if the LPA recommends approval of the request, staff recommends that the condition be set as part of the approval to prohibit access to the site from and solid waste collection along Airport Road due to the location of the property in vicinity to the Airport Road bend.

The applicant for the project introduced himself and his brother briefly explaining their background experience. He spoke of the issues that have come into play regarding his frontage to his property where he claims that 22-feet was eliminated and how he met with staff to come up with alternative solutions to safely access the property. One being access from the back through the adjacent Quail Run Townhomes property, but the property owner was not in agreement and refused to meet with him. There were also discussions regarding safety issues for trash pickup with Waste Management and how he spoke with them but was told they could not agree to his pickup plans and he has decided to negotiate with a private company to have the trash picked up, if approved.

Chairman Wood opened the hearing for public comment, with no one coming forward, he closed the public portion of the hearing and turned the discussion over to staff.

The Land Use Attorney asked Mr. O'Connor to provide details from staff's perspective.

According to Mr. O'Connor, the orientation of the road where the curve is, specifically Quail Circle, is the cause for concern. Explaining further that a roadway can meander and/or do anything within the right-of-way. He then referred the members to the last page in the agenda item packet, where they will see the map for the abutter notices and on the map, the centerline of the right-of-way is depicted and pointed out that does not denote where the road goes. Additionally, the 22-feet of frontage was not taken away. What happened is that Quail Circle right-of-way as it intersects with Airport Road right-of-way intersects at a 90-degree angle onto Airport Road and is what's going on there. There was no approved angular or perpendicular intersection approved.

The LUA asked Mr. O'Connor if anyone could meet the code requirements with an access on Airport Road. According to Mr. O'Connor, it depends on the use. She then asked if the proposed three townhome use, could. Mr. O'Connor answered no. She asked what use could meet code with access onto Airport Road. According to Mr. O'Connor, only a single family home could.

Agency member Buhr asked if they were referencing from Chapter 8 of the Land Development Code. Mr. O'Connor answered affirmatively and also stipulated for the record that the multifamily request would not because of the access issues for the curve in the roadway. Additionally, regarding trash pickup, between the bend at Airport Road and Commons there are six single-family homes (SFH) that Waste Management picks up and SFH are a permitted use in this zoning district and not a Conditional Use, hence why they are allowed to get trash pickup from Airport Road.

Agency member Bell asked why there is not an ingress/egress from Quail Circle into the property. According to the applicant it is because of the location of the lift station requirement.

Motion to approve the Conditional Use was made by Agency member Bell with Agency member Hudson providing the second with the following conditions:

- 1. The site shall not have vehicular access from the Airport Road Right-of-Way (ROW).**
- 2. There shall be no curbside trash pick-up operations that occur on or along Airport Road.**
- 3. Subject to a Major Development Order approval**
- 4. Subject to any and all local, State or Federal permits as applicable.**

Agency member Ledbetter asked what staff proposes be the answer to the access issues since no vehicular access from Airport Road will be allowed. According to Mr. O'Connor, currently staff has no solution and cannot propose a solution for this proposed request since the owners of the HOA behind them has refused.

Agency member Buhr spoke of the compatibility issues that are in the way for this development of these townhomes as a multifamily use opposed to a single family home, which is an allowed use and offered up a **substitute motion that the Local Planning Agency recommends City Council deny the Conditional Use 22-33-CU with Chairman Wood providing the second. A roll call vote of 4-1 was taken and the motion passed, with Agency member Ledbetter casting the dissenting vote.**

C. Comprehensive Plan Chapter 7: Recreation and Open Space Element Discussion and/or Recommendation

Partially Implemented Policies & Objectives

1. Policy 7-1.3.4: Provide Bicycle Parking Facilities.

Prior to the next EAR (est. 2019), bicycle storage facilities or racks shall be placed at all city-owned community parks, neighborhood parks, and all beach and shoreline access points.

Parks & Recreation Committee Comment: This policy is being implemented and will continue to be further implemented through requirements shown in Table 8-6: Number of Vehicle and Bicycle Parking Spaces Required. Parks and Recreation Committee recommends this policy be kept and maintained.

The Agency members agreed with the policy recommendation.

2. Policy 7-1.3.5: Provide Public Information Regarding Bicycle and Pedestrian Facilities.

Prior to the next EAR, the City shall seek assistance from the Okaloosa County TDC, the Okaloosa County Board of County Commissioners, and/or other appropriate support to print and distribute a pamphlet and/or map illustrating bicycle and pedestrian routes leading to beach access points and other major destinations with the City. This pamphlet and/or information shall be posted on the City's internet site.

Parks & Recreation Committee Comment: This policy will be implemented through the Wayfinding Master Plan and Program. Parks and Recreation Committee recommends this policy be kept and maintained in the Comprehensive Plan. Also, the Parks & Recreation Committee further motioned and approved that alternative mobility device parking other than bicycles should be provided at Public Park Facilities. If the LPA agrees with this motion and recommendation from the Parks & Recreation Committee. Staff will research and develop standards for alternative mobility device parking.

The Agency members agreed with the policy recommendation and Chairman Wood spoke of wanting this policy to come before the Public Works/Public Safety Committee for their review and discussion and input prior to going public. According to Mr. O'Connor, it will be a part of the Wayfinding Policy, but he would ensure that it will go before that committee.

Policies & Objectives to be implemented through the LDC Update

1. Policy 7-1.2.5: Vertical Open Space and Scenic Vistas. Waterfront views and vistas are important to the character and quality of life for Destin residents as well as for maintaining a viable tourism economy. Site development shall occur in a manner that retains views to shoreline areas for adjacent inland properties, public places, streets, and bicycle pathways. Prior to the next Evaluation and Appraisal Review (EAR) estimated to be in 2019, the LDC shall provide standards that address site development, building mass and height, and fencing design that promote waterfront views and vistas.

Parks & Recreation Committee Comment: This policy has somewhat been implemented through LDC Section 7.09.03 – Design Review Requirements for view corridors. However, the regulations do not have any real specific standards for development. To fully implement this policy, View Corridors must be identified, prioritized and specific standards for building massing and location must be developed. Staff has identified several locations of view corridors that consist of Right of Way with direct access to the Gulf of Mexico, Choctawhatchee Bay, or bayous, (please see attached map). Are there any specific view corridors that the LPA wants to identify and recommend?

Agency member Bell spoke of her problem that she has with the little building that is located on the beach acquisition property in Crystal Beach that is blocking the view corridor and questioned why it could not be moved to James Lee Park, where the County should have it.

Policies & Objectives to be implemented through the LDC

Update 1. Policy 7-1.2.5: Vertical Open Space and Scenic Vistas

Waterfront views and vistas are important to the character and quality of life for Destin residents as well as for maintaining a viable tourism economy. Site development shall occur in a manner that retains views to shoreline areas for adjacent inland properties, public places, streets, and bicycle pathways. Prior to the next Evaluation and Appraisal Review (EAR) estimated to be in 2019, the LDC shall provide standards that address site development, building mass and height, and fencing design that promote waterfront views and vistas.

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Staff has identified several locations of view corridors that consist of Right of Way with direct access to the Gulf of Mexico, Choctawhatchee Bay, or bayous, (please see attached map). Are there any specific view corridors that the LPA wants to identify and recommend?

Policies & Objectives that need further guidance for implementation

1. OBJECTIVE 7-1.1: MONITOR THE ADEQUACY OF THE SYSTEM OF

PARKS AND RECREATION

The City shall on an annual basis and prior to adoption of the annual capital budget, review the need for new recreation sites, beach and shoreline access points, and recreation facilities. The analysis shall be predicated on data, standards, and policies contained in the Comprehensive Plan. The analysis shall be directed toward maintaining a system of recreational sites and facilities that are responsive to user needs. Staff Comment: See comment after Policy 4.

2. Policy 7-1.1.1: Review Recreation Needs Annually.

The City shall review recreation space and facility needs on at least an annual basis for compliance with the City's levels of service standards. Staff Comment: See comment after Policy 4.

3. Policy 7-1.1.13: Evaluate Recreational Activities and Facilities at Park Sites. The City shall annually evaluate facilities and activities occurring or planned at each park site. This annual evaluation shall compare recreation space and facility demands and needs with adopted level of service standards set forth within the Comprehensive Plan. Staff Comment: See comment after Policy 4.

4. Policy 7-1.4.4: Provide Recreation Facility Standards and Guidelines. Prior to the next EAR, the LDC shall include minimum acceptable recreation facilities standards within new residential developments. Additionally, with the above specified timeframe, the City shall develop a recreation facility guideline for residential development that lists minimum acceptable recreation equipment facilities, materials, and sod or other appropriate ground cover.

Parks & Recreation Committee Comment: Objective 7-1.1 and Policies 7-1.1.1, 7- 1.1.13, and 7-1.4.4 above deal with evaluating, assessing, and setting standards for the needs of the City's Parks and Recreation system holistically. While this objective and subsequent policies are appropriate and should remain in the Comprehensive Plan, they require annual evaluation of the system based on uses and future needs. However, there is no guiding document specific to the Parks and Recreation system that drives planning for specific future needs and appropriate development thereof. Due to this gap, Parks and Recreation Committee recommended that a Parks and Recreation Master Plan be prepared to help fill this gap and guide the growth and development of the City's Parks and Recreation facilities that address the residents and visitor's needs.

5. Policy 7-1.5.1: Coordination with Other Recreation Providers. The City Recreation Committee shall host and facilitate annual meetings with the representatives of both public and private recreation providers, as well as owners of recreational properties in the City to assess the needs of the community.

Parks & Recreation Committee Comment: This policy is implemented through the monthly Parks and Recreation Committee meetings held throughout the year. Parks and Recreation Committee recommends this policy remain in the Comprehensive plan.

6. Policy 7-1.6.3: Evaluate Potential for Beach Access Impact Fee.

Prior to the next EAR, the City shall evaluate the merits of an impact fee that can be imposed on new development to fund public beach access points demanded by new residents.

Parks & Recreation Committee Comment: Parks and Recreation Committee recommends this policy be removed from the Comprehensive plan, and impact fees collected for beach acquisition be consolidated and collected through the Parks & Recreation Impact Fee.

Motion by Agency member Hudson, seconded by Agency Member Bell that the Local Planning Agency recommends to City Council approve the suggestions of the Policies for Chapter 7 as a part of the city's Comprehensive Plan as presented.

Agency member Bell questioned if the Strategic Plan that Council has discussed for the past couple of years regarding establishing a Parks Foundation comes under the Comprehensive Plan.

According to Mr. O'Connor, there is a policy in the Comprehensive Plan for a Parks Foundation and that it too is being worked on.

The motion passed with a unanimous vote of 5-0.

D. Comprehensive Plan Chapter 10: Economic Development Element Discussion and/or Recommendation

1. Policy 10-4.1.1:

By 2014, the city shall identify where and when visitors, workers, and residents are more likely to use transit services if such services were made available at times and locations not currently offered.

Staff Comment: Staff is not aware of any studies that illustrate such data. However, this policy will be addressed within the Mobility Plan, Safety Plan, the County's Long Range Transportation Plan, and the Wayfinding Plan. Staff recommends maintaining this policy, however, change the language to require the city to identify where transit services are most needed and capable of being located, given the condition of the transportation system.

Chairman Wood spoke of how to him, a transit program will never work as long as people

have to get in their cars and drive to a location to get on a transit bus. Adding that if people are already in their cars, they most likely would continue driving to their destination in the city. Additionally, until the city figures out who the riders are, how they get to the bus stops, and then on to their destinations, he feels it will never work. He also mentioned that the people who work in the tourist industry, if the buses do not pick up on their time schedules they need to get them to their places of employment, they are not going to use them either, and he feels there is a lot of details that still need to be worked out for it to be successful. Agency member Bell agreed with the Chairman.

2. Policy 10-1.1.3:

Within one year of the Comprehensive Plan adoption, the city with input from the Destin Area Chamber of Commerce, the Economic Development Council (EDC) for Okaloosa County and all other stakeholders shall develop a city of Destin Economic Development Plan for City Council adoption.

Staff Comment: The plan is not yet accomplished. Staff discussed with the city's Project Review Team, and all agreed the city should be the biggest proponent for a robust Economic Development plan and Program. Staff recommends that the city engage and work with the regional municipalities and business development partners to develop a comprehensive Economic Development Plan.

After a brief discussion, the agreement was to add the following language, "*to develop a regional or city specific*" Economic Development Plan. Chairman Wood pointed out that the word "Area" needs to be removed to read, "*Destin Chamber of Commerce.*"

Mr. Jason Belcher, incoming Chair Elect for the Destin Chamber of Commerce spoke of how if there is not a Destin specific Economic Development Plan in place, he would volunteer his time to help staff to get that done. Additionally, he spoke of how it is however, a good idea to have a multiregional Development Plan in place.

3. Policy 10-1.2.1:

Within one year from the Comprehensive Plan adoption to support the development and adoption of the City's Economic Development Plan, the city shall identify key regional economic indicators such as but not limited to employment rates and trends, target salary scales, housing starts and prices, new business starts, and sales tax indicators.

Staff Comment: The plan is not yet accomplished. Staff discussed with the city's Project Review Team, and all agreed the city should be the biggest proponent for a robust Economic Development plan and Program. Staff recommends that the city engage and work with the regional municipalities and business development partners to develop a comprehensive Economic Development Plan.

The Agency members agreed with the policy statement.

4. Policy 10-2.2.1:

The City shall host a forum that will provide an environment for the business community and stakeholders to provide ideas and recommendations to update the Economic Development Plan for the City.

Staff Comment: The plan is not yet accomplished. Staff discussed with the City's Project Review Team, and all agreed the city should be the biggest proponent for a robust Economic Development plan and Program. Staff recommends that the city engage and work with the regional municipalities and business development partners to develop a comprehensive Economic Development Plan.

The agency members agreed with the policy statement.

5. Policy 10-2.2.2:

Within one year following the business forum, the City Council shall prioritize the recommendations from the input received and provide direction for implementation.

Staff Comment: The plan is not yet accomplished. Staff discussed with the city's Project Review Team, and all agreed the city should be the biggest proponent for a robust Economic Development plan and Program. Staff recommends that the city engage and work with the regional municipalities and business development partners to develop a comprehensive Economic Development Plan.

The agency members agreed with the policy statement.

The Chairman opened the hearing for any additional public comment, with no one coming forward, he closed the public portion and turned any additional discussion or a motion to the Agency members.

Motion by Agency member Hudson, that the Local Planning Agency recommends City Council approval of the suggestions for the policies of Chapter 10 of the city's adopted Comprehensive Plan as presented. Agency member Bell provided the second. In discussion, Agency member Bell asked staff if they are removing the "one year" that was previously stated. According to Mr. O'Connor, that was agreed to be a global change and has already been made. Agency member Bell suggested to add, "as discussed" to the motion. **Agency member Hudson amended her motion to add, "as discussed."** **Chairman Wood called for the vote and the motion passed unanimously.**

E. Draft Land Development Code Article 4 – Zoning Districts, Overlays and on-site regulations

According to Mr. O'Connor, staff received the annotated draft of Article 4 and clarified

that they will not be discussing what was presented at this time and are only specifically looking over the annotations to give 3TP consultants direction and guidance for major policies on how to rewrite the final draft that will come back to them at a later time for their review and discussion.

1. **4.02.02. A.11 Compliance with Zoning District Regulations (pg. 6)** – Travel trailers, campers, tents and motor homes shall not be used for living, sleeping or housekeeping purposes when parked or stored on a lot or parcel in any zoning district, unless it is an allowed use in said zoning district and the use has been approved on said lot or parcel of land.

Currently, Mobile/Manufactured homes are only allowed in the Bay Estates (BE) zoning district as a conditional use. While a Mobile Home Development is a conditional use in the High-Density Residential district. Mobile/Manufactured homes provide another alternative for housing options; though they are perceived to not fit in, character-wise, with surrounding neighborhoods, there can be development standards required when a Mobile/Manufactured home is utilized as housing.

Staff Recommendation: Staff recommends allowing Mobile/Manufactured housing in other zones as permitted or conditionally permitted uses. Staff is requesting guidance from the LPA for direction on whether Mobile/Manufactured homes should be allowed in more zoning districts or to maintain where they are currently conditionally allowed.

Most the members agreed to keep them as is and only be allowed in Bay Estates zone and nowhere else, as it currently is designated.

Agency member Bell questioned why not remove Bay Estates at this time. Agency member Buhr spoke of how that could cause a lot of issues with incompatibility with other documents. According to Mr. O'Connor, if that is their recommendation, staff can make the appropriate amendments to the appropriate documents, as needed.

Agency member Bell proposed the following motion for mobile/manufactured homes only be a Conditional Use in High Density Residential Zoning District and in no other zoning districts. A brief discussion took place regarding what exactly it was that she was attempting to do. Agency member Bell said that her reasoning was to have it removed from the Bay Estates zoning district.

Mr. O'Connor clarified for the members that currently there are two uses, a Conditional Use for Mobile/Manufactured as a singular home in the Bay Estates Zoning District and a Conditional Use for a Mobile Home/Manufactured development in High Density Residential districts and a Conditional Use.

The LUA spoke up and informed everyone that there are Federal and State Laws regarding these types of home and suggests that this discussion be put aside until staff can get the necessary information gathered and bring back before them as an agenda item to consider. The Agency

members agreed.

2. Section 4.03.02.B Low-Density Residential – Village & Harbor (LDR-V) (LDR-H) (pg. 10 & 11)

Currently, neither the LDR-V nor LDR-H zoning districts allow Accessory Dwelling units as permitted or conditionally permitted uses. As the housing needs of the residents' change, providing appropriate alternative housing becomes increasingly necessary. Accessory dwelling units allow families and owners to give "aging-in-place" options or an affordable rental unit providing additional income. Either way, regulatory controls can be developed to maintain the character of the LDR-V and LDR-H districts while providing alternative housing options.

Staff Recommendation: Include "accessory dwelling" as a long-term residential conditional use in the LDR-V and LDR-H zoning districts.

After a rather lengthy discussion about accessory dwellings versus guest houses that could bypass the codes and possibly rent to short term. The LUA spoke up and informed the members that because of the law that is now in place that states in areas that allow for long term rentals, short term rentals cannot be disallowed either.

Motion by Agency member Bell to not accept staff's recommendation with Agency member Hudson providing the second. The motion passed with a unanimous vote of 5-0. The Chairman pointed out that there is no need to have a motion, since staff has the guidance, therefore there was no vote.

3. Section 4.03.04.B Low-Density Residential – Holiday Isle (LDR-HI) (pg. 13).

According to Mr. O'Connor, currently, the LDR-HI does not allow Accessory Dwelling units as permitted or conditional uses. As residents' housing needs change, it becomes increasingly necessary to provide appropriate alternative housing. Accessory dwelling units allow families and owners to give "aging-in-place" options or an affordable rental unit providing additional income. Either way, regulatory controls can be developed to maintain the character of the LDR-HI district while providing alternative housing options. **Staff Recommendation:** Include Accessory Dwelling Units as a long-term and short-term residential conditional use in the LDR-HI zoning district.

According to Agency member Bell, based on their previous conversation, she feels that they should not take staff's recommendation for this one as well. Pointing out that if Home Rule comes back to Local Government, and not controlled by the State Legislation. If they would change it now, they may not be able to change anything in the future.

4. Section 4.12.04.C Environmentally Sensitive Zones (pg. 246).

According to Mr. O'Connor, 4.12.04.C requires all development within any identified environmentally sensitive zone to be reviewed and approved by City Council. There are a few

exemptions to this listed in 4.12.04.C.3.

Staff Recommendation: Staff recommends that the requirements in 5-1.6.2 & 5-1.6.2 be included in the LDC regulations and defer or require adherence to the Northwest Florida Water Management District standards concerning wetland protection and buffering. Based on the extensive list, current best practices, and a few ambiguities, Staff requests direction from the LPA regarding what developments should or should not be exempt from City Council Review in Section 4.12.04.C.3

Agency member Bell asked if they know what the few exemptions are in the environmentally sensitive zone. According to Mr. O'Connor, the few that are presumed to have an insignificant adverse effect on the wetlands protection zones are:

- Scenic, historic wildlife or scientific preserves
- Minor maintenance or emergency repairs to existing structures or improved areas
- Cleared walking trails having no structural component
- Timber catwalks and docks 4-feet or less in width
- Recreational Fishing and hunting and creation and maintenance of temporary blinds
- Cultivating agricultural or horticultural products that occur naturally on a site
- Constructing fences where no fill activity is required, the navigational access will not be impaired by construction of the fence
- Developing an area that no longer functions as a wetland, except a former wetland that has been filled or altered in violation of any rule, regulation, statute, or this code

According to Agency member Bell, she feels that everything environmentally sensitive should not have any exemptions and be closely monitored and be brought before the public for input.

Mr. Scott spoke of how all of this will be sent to the NW Florida Water Management and will be reviewed, and a lot will not be allowed.

Motion by Agency member Bell, seconded by Agency member Hudson to remove all of the exemptions regarding Section 4.12.04.C Environmentally Sensitive Zones. The motion passed with a 5-0 vote.

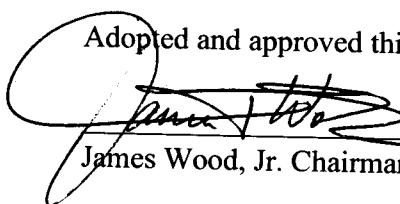
The members and staff briefly discussed the next steps that will be taken to make the necessary updates to create the ordinance, which will then be brought before them for their final review and recommendation to Council for adoption.

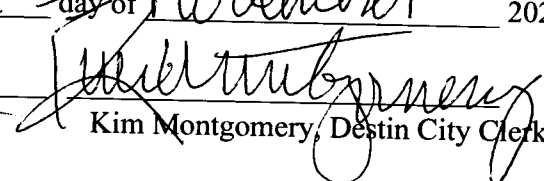
Motion by Agency member Bell that the LPA forward a positive recommendation for the Draft Article 4 – Zoning Districts, Overlays, and On-site Regulations to City Council as presented and discussed with the Local Planning Agency’s recommendations. The motion passed 5-0.

5. **OLD BUSINESS: None**
6. **DIRECTOR’S REPORT: None**
7. **ADJOURNMENT:**

Having no further discussion at this time, the meeting adjourned at 8:15 p.m.

Adopted and approved this 17th day of November 2022.


James Wood, Jr. Chairman


Kim Montgomery, Destin City Clerk