

**LOCAL PLANNING AGENCY
MEETING MINUTES
FEBRUARY 1, 2024 - 5:30 P.M.
DESTIN CITY HALL BOARDROOM**

1. CALL TO ORDER:

Chairman Wood called the Local Planning Agency Meeting to order on Thursday, February 1, 2024, at 5:30 p.m., in the Destin City Hall Boardroom; with the Pledge of Allegiance immediately following.

2. ROLL CALL:

<u>Members Present</u>	<u>Members Absent</u>	<u>Staff Members Present</u>
James T. Wood, Jr.	Jay Purut	Kim Montgomery City Clerk
Todd Buhr		Steven O'Connor Principal Planner
Marcie Bell		Daniel Butler, Senior Planner
Corey Ledbetter		Kyle Bauman, City Attorney

3. APPROVAL OF MINUTES: October 19, 2023

Motion by Agency member Bell, seconded by Agency member Buhr to approve the October 19, 2023, minutes as written, the motion passed unanimously with a 4-0 vote.

4. NEW BUSINESS:

A. Draft Article 4 – Zoning Districts, Overlays, and On-Site Regulations

Mr. O'Connor explained to the members that the total amount of zoning districts have been reduced from 28 to 21, with some new uses added to some of the zones. Explaining further, that if in the consolidated zone, if the use is more restrictive in one of the zones, it becomes a Conditional, regardless of if it was permitted in the older zone. Additionally, there are also some reduction in uses because there of redundancy.

➤ USES

Staff is doing away with uses that are in conflict with the Comprehensive Plan and/or planning areas in certain zones.

- Airport Zone, mainly because there is a lot of uses within that zone that are in conflict with the Comprehensive Plan and Future Land Use and Planning areas, which is still a work in progress therefore it is not in there at this time.
- Auto Repair Shops had several different uses that staff is working on to reduce to help with any confusion. As well as the definition of Shopping Centers were reduced too, and now is based on their parking requirements of one per 250 square feet.

- Junk yards are not allowed in any of the districts, but they were in Special Criteria, so that has been removed.
- Public safety, and utility distributions: These uses were called out in the current LDC as permitted in every single zoning district. So, if they're permitted and every single zoning district, they don't need to call it out as a use.

➤ ORGANIZATION

Mr. O'Connor explained this part has had big changes in order to make it easier for staff and customers to determine what they want and if it's allowed, per the zoning district, as well as the required amount of parking spaces for the particular use.

The first major shift is how the users of the LDC interact with the zoning districts. He explained how staff reorganized all districts into their own section dedicated to all aspects of development that are specific to that district. Each district includes the following items:

1. Use Table list only the permitted or conditionally allowed uses
2. The required amount of parking for each use
3. The NAICS Code as applicable
4. Dimensional Limitations Table
5. Graphics depicting the dimensional limitations (except the Special Districts Section 4.06)

The Use table is also organized in a different manner than the current table. Instead of grouping uses by their NAICS code, Staff organized the uses into Residential, Commercial, Institutional, Industrial, and Recreational use. Within each use category they have been alphabetized for ease of navigation.

Consolidation: Based on the LPA's recommendation at the December 1, 2022, meeting, Staff consolidated seven (7) districts of the twenty-eight (28) districts we currently have. The consolidation and twenty-one (21) districts are listed below.

Residential Districts

- Low-Density Districts
 - Bay Estates (BE)
 - Low Density Residential (LDR) [Consolidated LDR-V and LDR-H]
 - Low Density Residential - Holiday Isle (LDR-HI)
- Medium & High-Density Districts
 - Medium-Density Residential - Village (MDR-V)
 - High-Density Residential (HDR) [Consolidated MDR-HI and HDR]

- Crystal Beach Neighborhood (CBN) [Consolidated CBN and ROI-CBR]
- Mixed-Use Districts
 - Crystal Beach Resort (CBR) [Consolidated CBR and ROI-TD]
 - Residential, Office, Institutional - Village Residential
 - Calhoun Mixed Use (CMU) [Consolidated CMU and CMU-V]
 - North Harbor Mixed Use (NHMU)
 - South Harbor Mixed Use (SHMU)
 - Town Center Mixed Use (TCMU)
 - Gulf Resort Mixed Use (GRMU)
 - Holiday Isle Mixed Use (HIMU) [Consolidated HIMU and BRMU]
- Commercial Districts
 - Commercial General (CG) [Consolidated CG and CL]
 - Commercial Trades and Services
- Other Zoning Districts (will remain)
 - Recreational
 - Conservation
 - Institutional
 - Industrial
 - Airport

Supplemental Design Standards: has been organized into Residential standards and Non-Residential Standards. This helps with navigation and provides clarity about what specific uses have extra design standards they must meet.

1. Water Taxis: Water taxis are a use listed in several use charts of various zoning districts. In all but one of those districts they are Permitted Use. However, Water Taxis are a Conditional Use in Calhoun Mixed Use (CMU) Zone. Staff does not see why specifically in the CMU Zone, Water Taxis were listed as Conditional Use, and recommends changing this by making Water Taxis a Permitted Use in the CMU Zone because, it will expand the ability for people to move around the Harbor and other destinations across Destin without having to drive a vehicle and therefore reducing traffic congestion on Harbor Blvd.

Agency member Buhr made the motion for water taxis to be permitted uses in all of the zoning districts identified by staff to include CMU. Agency member Bell provided the second for discussion. She then spoke of all the water taxi stops that are currently along the harbor and adjacent waterways and how there is a residential property she is aware of that houses a water taxi.

Mr. O'Connor explained water taxis are similar bus stops in the city, and where the bus goes at the end of the day, at the bus depot, is similar, where the water taxis dock at the end of the

day or, moor their vessels, in this case. Mr. O'Connor also explained, there are not any water taxi businesses operating in the harbor, that staff is aware of. Agency member Bell stated that she knows there is one on one of the canals, at a private residential home, where they moor.

Mr. O'Connor clarified that that commercial vessels are not required to be registered and a commercial vessel operation can moor their vessel at their private dock at their home, as part of their home occupation, as long as their customers are not picked up and dropped off at that location.

With no further discussion, Chairman Wood called for the vote and **the motion passed unanimously with a 4-0 vote. (4-0)**

2. Building Height in CMU: 4.05.02 in the CMU Zone, the Dimensional Limitations table lists the max height of a non-dwelling use as 50'4 Stories. However, the footnote limits all non-residential uses to 35'2 stories. Staff recommends changing to 35'3 stories to be consistent with the LDC.

Mr. O'Connor explained how there are conflicting information in LDC that needs to be consistent. In the current dimensional limitations table for CMU, the table states that the building can be built to 50 feet, four stories. However, the footnotes actually limits all non-residential uses to 35 feet and two stories. Residential Uses are 35-feet and three stories. Staff is recommending 35'3 stories for nonresidential and residential.

Motion to change the height requirements 35-feet and three stories to be consistent with the Land Development Code was made by Agency member Bell, with Agency member Ledbetter providing the second. Agency member Buhr asked staff if they were aware of how many vacant lots there were left in the CMU zone. Mr. O'Connor stated determined there are about 7 or 8 parcels, maybe a few more. **The motion passed unanimously with a 4-0 vote.**

3. ECHO Housing: 4.08.02.A.5. Currently in Section there is a provision for Elderly Cottage Housing Opportunity (ECHO). This language currently exists in LDC Section 9.02.01.D. At a base level it allows for any property owner, regardless of zoning district, to construct an Accessory Dwelling Unit, so long as it is specifically for use by the "elderly" and they meet the setbacks, it currently states that is shall be permitted. It is Staff's general view that this regulation may be difficult to control in zoning districts such as LDR where ADUs are not allowed. Furthermore, it may also open the door for expansion of STRs in zoning districts where they are not permitted.

Motion by Agency member Buhr to remove all reference to ECHO Housing from the new draft. Agency member Bell provided the second. In discussion, Agency member Buhr asked staff, if someone wants to build something similar, wouldn't it fall under the existing accessory dwelling unit or would they need to apply for a Variance. Mr. O'Connor explained it could essentially be an Accessory Dwelling because with a Variance, those have to be tied to

special condition of either the building, the site, or environmental conditions. **With no further discussion, the Chairman called for the vote and the motion passed 4-0.**

4. ADUs Accessory Dwelling Units and Guest Houses: 4.08.03.B. Many municipalities have a max percentage and a total max sq ft for ADUs and Guest Houses. For example, an ADU may not be larger than 50% of the primary Dwelling on the property, but in no case shall an ADU exceed 1,200 sq. ft. Currently ADUs can be as large as 1,200 sq. ft. maximum, so long as they do not exceed the size of the primary dwelling. Staff is asking the Agency members if they want to limit ADU's, based on the percentage of the existing home, or keep it as it currently is.

Agency member Buhr made the motion to recommend staff add language for ADU's to not be any greater than 1,000 square feet and 50 percent. Agency member Bell provided the second. In discussion, Agency member Buhr spoke of concern about if they change the requirements from 1,200 to 1,000 and 50%, could that possibly be too drastic of a cut.

Mr. O'Connor asked the city attorney if this change could possibly trigger a Bert Harris. The City Attorney explained, since it's not getting adopted in the near future, there is time for further investigating, adding that currently, they are on a property-by-property basis.

Agency member Buhr withdrew his original motion and moved to have staff research to find out what would be the impacts and bring back analysis of how reducing a ADU to 1,000 and 50 percent affect Bert Harris. Bring their findings back for further discussion, and then also a general idea of the percentage of impacts to permits. Agency member Bell provided the second.

There was a discussion regarding the different lot sizes in the city and wanting to ensure that the people that have the larger lots are not being penalized on what they can or cannot build on their lots, if they want to add an accessory building for their family members. Mr. O'Connor explained the open space minimum requirements would also come into play. **With no further discussion, the Chairman called for the vote and the motion passed 4-0.**

5. Parking for Outdoor Seating: 4.09.01.B. Currently there is no consideration of outdoor seats in the City's Parking Requirements. At a joint workshop with the City Council and the LPA, it was recommended that staff include provisions for outdoor seating in the draft of Article 4. Staff is proposing to include a new provision that all proposed outdoor seating shall provide the same minimum required parking required for indoor seating.

Agency member Buhr stated that he is hesitant to the one-for-one because of the restaurants that are on the beach that have the walk up patronage that sit outside. As well as those businesses that don't have parking for their employees.

Motion by Agency member Buhr that for outdoor seating, the parking gets calculated at 50 percent of what is required for indoor seating. Agency member Ledbetter provided the second.

Agency member Bell spoke of how her concern is, that she doesn't even think 50% of patrons even come by cars anymore. Pointing out that so many people now come by Ubers and feels that percentage is just too high and suggested maybe 25% would be better percentage. With no further discussion, **Chairman Wood called for the vote and the motion passed 3-1 with Agency member Bell voting no.**

Agency member Buhr spoke of how he has previously discussed with Mr. O'Connor the 20-foot front setback rule and how he feels a 10-foot front setback would work just as well especially for the smaller 50'x100' feet lots and may benefit from a 10-foot setback and the owners would still have a well-designed lot and asked the LPA member for their thoughts.

Mr. O'Connor mentioned in other municipalities across the country many do have lesser setbacks. Explaining further that staff would ensure that one car can fit in the driveway and the garages would have to be set back to the 20-foot setback to allow for one vehicle to park in the driveway and have garage access if the garage faced the street.

Agency member Bell mentioned would a shorter setback make a neighborhood look out of place with all of the other houses set at 20-feet. Mr. O'Connor agreed but pointed out that with eventual redevelopment, it would even out.

Motion by Agency member Buhr to recommend staff change all residential neighbors, front setbacks from the existing 20 feet to 10 feet with Agency member Ledbetter providing the second. The motion passed 3-1 with Agency member Bell dissenting.

Agency member Buhr spoke attended this month's Board of Adjustment Hearing since he lives in the neighborhood and spoke of how the property owners were requesting a Variance from the current code requirements in order to be able to have their driveway along the side of the property instead of the front, as the code currently requires. He feels that the code needs to be changed to allow for a common boundary buffer as many of the adjacent homes currently have. He provided pictures on the screens of several homes built with the common boundary buffer and the parking on one side of the property. There was a brief discussion regarding the flare requirements for driveways.

Motion to have staff develop language for how property owners could develop their property with the common boundary buffer along the side to allow driveways in a traditional way and have a restriction in place for the landscaping in the front. Additionally, provide options to remove tandem parking as a requirement in the future right of the code, explore options that minimize the bend as much as possible, more to the current historic flavor of

driveways that are as close to the line as possible, if going into the common boundary buffer, keep as straight as possible, in a more of a historical context. Agency member Bell provided the second. In discussion, regarding tandem parking, Agency member Bell asked what happens to the tandem requirements, if the property has a larger frontage in terms of feet such as 300-500 feet for the large parcels.

Agency member Bell substituted the motion to not remove tandem but to provide options. The substitute failed without a second. Chairman Wood called for a vote for the original motion, and the motion passed 3-1 with Agency member Bell dissenting.

B. Draft Article 5 – Subdivision Regulations

Mr. O'Connor explained this Article now combines all subdivision regulations and provides for new regulations that are not currently in the Code, as well as providing more clarity for minimum standards for new subdivisions, and the final approval requirements for lots that can be sold.

Agency member Buhr spoke of how he feels that a number six should be added for waiver language that a waiver is in the best interest of the city.

Motion by Agency member Buhr for staff to add language to add to Section 502.02, B2, A1 of Article 5 draft, A sixth criteria, “Approval of a waiver is in the best interest of the city of Destin.” With Agency member Bell providing the second, the motion passed 4-0.

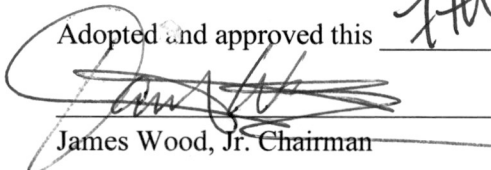
5. **PUBLIC COMMENTS:** None

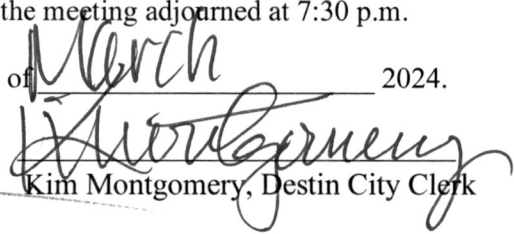
6. **DIRECTOR’S REPORT:** None

7. **ADJOURNMENT:**

Having no further discussion at this time, the meeting adjourned at 7:30 p.m.

Adopted and approved this 14th day of March 2024.


James Wood, Jr. Chairman


Kim Montgomery, Destin City Clerk