

**LOCAL PLANNING AGENCY
MEETING MINUTES
APRIL 11, 2024 - 5:30 P.M.
DESTIN CITY HALL BOARDROOM**

1. CALL TO ORDER:

Chairman Wood called the Local Planning Agency to order in a workshop session on Thursday, April 11, 2024, at 5:30 p.m., due to lack of a quorum, in the Destin City Hall Boardroom; with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Members Present

James T. Wood, Jr.
Jay Purut
Marcie Bell
Corey Ledbetter (in at 5:49 PM)

Members Absent

Todd Buhr

Staff Members Present

Rey Bailey City Clerk
Steven O'Connor Principal Planner
Daniel Butler Senior Planner
Ryan Scott City Engineer
Rachel Houg Planner
Tina Deater Planner

3. APPROVAL OF MINUTES: March 21, 2024

Motion by Agency member Bell, seconded by Agency member Purut to approve the March 21, 2024, minutes as corrected, the motion passed unanimously with a 4-0 vote. *(The vote for the minutes was taken once a quorum was obtained after the discussion regarding Common Boundary Buffer)*

4. NEW BUSINESS:

A. Draft Article 5 – Subdivision Regulations

Mr. O'Connor explained the five criteria in 5.02.02(B)(2) required to meet the minimum lot requirements due to environmental constraints or other reasons, and the 6th requirement that was recommended to enable the City Manager or his designee to have a way out of the request is not in the best interests of for the city regarding impacts to compatibility. He explained that in staff's review, it was too hard to not make it subjective therefore, the change that are proposing is to keep the original five criteria and changed paragraph A, by taking out the language that the City Manager shall approve a waiver and replaced it with, the City Manager or their designee shall determine that the waiver is compatible with the intended purpose of the subdivision and the communities best interest, by establishing the following and listing the five original criteria.

Motion by Chairman Wood that the LPA recommends approval by City Council with the changes discussed for Article 5, Subdivision Regulations as presented, with Agency

member Ledbetter providing the second, the motion passed 4-0.

B. Draft Article 6 – General Development Regulations - This item was heard first due to not having a voting quorum and not needing a recommendation.

➤ **Sewer Connection/Septic Systems in the City**

Mr. O'Connor reminded the members of their previous discussions regarding septic tanks and sewer connections requirements and how they requested to have a representative from Destin Water Users (DWU) attend the meeting for discussions on the topic. Additionally, staff is asking the LPA if there should be a formal process in place in order to notify the citizens that sewer is now available and the process to get it done. As well as any enforcement if they do not based on Florida Statutes.

The City Attorney added Code would not be able to enforce State Law, but by putting it into the code, it can be enforced.

Mrs. Monica Wallace, Operations Manager for DWU explained that they do not have any enforcement authority either to get people off septic and onto sewer and spoke of how with the partnership with the city, they can possibly get the process moving forward to try to get everyone off septic and on to sewer. She discussed how there are four areas in the city they are watching that are developed but still on septic but have connection capabilities.

There was a mention of possible grants for those that may need financial assistance for possible funding assistance for residents.

➤ **Shuttle Services**

The members and staff discussed this topic and determined that it would be best to leave it up to the Private Sector to provide the services.

**** Agency member Ledbetter entered the meeting at 5:49 PM, and there is now a quorum****

C. Draft Article 7 – Resource Conservation and Protection for the Local Planning Agency's review and provide guidance to Staff on direction of the draft article to be brought back at a later date for consideration and recommendation to City Council.

Mr. Butler explained how staff moved items from Article 11 to make the Marina Siting Codes clearer and concise, as well as easier to read. Additionally, language was added to protect the bay and gulf shoreline areas and environmentally sensitive areas described in Metes and Bounds in the code, that is difficult to understand what and where exactly those zones are located. The language in there now is better clarified for laymen's terms. Additionally, other language has

been clarified such as wetland ports for when someone may want to develop a wetland area or an area that may have historical value, the burden has now been placed on the applicant, as it should be, as part of their development submittal. Also, the descriptions in the appendixes are more clear, so there should be no confusion.

Mr. Butler explained staff is looking for direction in two policies. One, there is a policy called Implement Beach Access Point Level of Service Standards. This policy requires staff to include material when evaluating new development for compliance with the city's beach access' point level of service (LOS) standards. It calls for development incentives to encourage when new development is occurring along shoreline areas to dedicate easements or donate land for use as public access ways. Currently, the city does not have any beach access LOS standards and would be almost impossible to measure. Additionally, there are no development incentives to encourage such easements, dedication/donations therefore, this policy is difficult for staff to implement, and staff is asking if they agree to have it removed or create some kind of regulations for implementing this policy.

Mr. O'Connor spoke of how PUD regulations have incentives for developers regarding abutting shorelines where easements are required to be granted to the city.

D. Draft Article 9 – Management Plans & Article 10 - Impact Fees

Mr. O'Connor explained that nothing substantive is being changed for Article 9 and once the Mobility Plan is adopted, it will be integrated into this article.

Article 10 – Impact Fees

Mr. O'Connor spoke of how the language for Impact Fees were in need of being rewritten to not only make is clear, but to also remove repetitiveness. He explained how staff has consolidated the language and condensed it into this article and, if the Mobility Plan is adopted, the Transportation Impact Fee will be replaced with that.

Charman Wood asked why the Police Impact Fee is substantially less than what the other fees are. According to the City Attorney, in the contract, the city does not pay for the administrative side, and may have a lot to do it.

E. Ordinance 24-01-LC & 24-02-CC (ROW Protection During Construction Development)

According to the Building Official Noelle Bell, staff has made some alterations to the language as discussed at their previous meeting to permitting structure activity, clarified the measurement is from 5-feet to the edge of the pavement v. roadway, as requested. Added language

regarding prohibition of parking on or near adjacent property to a construction site and staging plan requirements at time of permitting.

Agency member Bell spoke of unsecured port-a-potties and how she would like to have language added for securing requirements. In discussion, the members agreed the importance of them being secured by means of staking them within the staging requirements. The Building Official stated that she would add the following language, "All port-a-lets must be securely anchored to the ground."

Motion by Agency member Bell to recommend City Council approve the revision to the Land Development Code 8.01.00, Right of Way Protection, as presented in Ordinance 24-01-LC and Code of Ordinance, Chapter 18, Article 2, Rights of way 24-02-CC with the additional language that port-a-potties to be anchored. Agency member Purut provided the second. The motion passed with a vote of 4-0.

5. PUBLIC COMMENTS: None

6. DIRECTOR'S REPORT:

Mr. O'Connor informed the members that the Design Manual is now with Mr. Zunguze for his review, and once approved, it will be posted to the website for public review. Article 6 will be brought back for their review and a recommendation for adoption. Additionally, Articles 7, 8, and the Glossary will also be posted on the website soon.

Chairman Wood informed the members that he would not be in town for the second meeting in May.

Agency member Ledbetter asked for an update on the vacant seats. Mr. O'Connor explained Council member Stephens has publicly spoke about the need to have his seat filled at Council meetings and staff is constantly on the lookout, as well.

Agency member Bell asked for the current update for the Marina Siting that went back to the Harbor & Waterways Board.

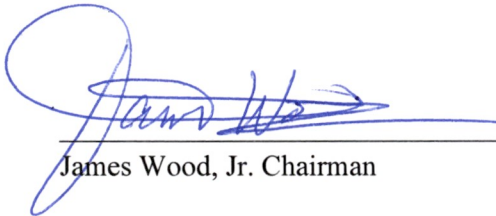
According to Mr. O'Connor, the members listened to what Mr. Abadie suggested discussed at length, made some changes, and recommended \$100 a year, 10% of the projects overall flat rate, but they wanted to do an amortization of the \$100 fee, so if you've paid an NPEB fee in the last five years, then you don't have to pay the \$100 per slip fee for 20 years. If someone has paid within the last five to ten its 15 years, and then within 10 to 15 it would be 10 years. If someone hasn't paid in 15 years, then they'll to get charged the \$100.00 fee annually. They wanted to do the amortization, and asked staff to bring back what that might look like. There was another

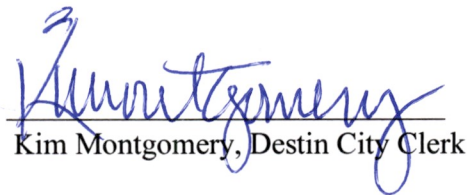
option discussed, not as heavily, but one member did suggest getting rid of the 10% overall and just start charging \$100 per slip period, with no 10% cost of construction; someone builds a slip, it's \$100 annually, and that gets rid of the amortization, and stabilizes the NPEB fund almost immediately. They then asked staff to bring it back with the numbers for the amortization and that would be at a later date after the slip count that needs to take place to be able to base off of that aerial imagery to get a good estimate of the sheer number of slips in in the harbor. At that point you just multiply that times 100 get an estimate of the possible yearly amount.

7. ADJOURNMENT:

Having no further discussion at this time, the meeting adjourned at 6:50 p.m.

Adopted and approved this 2nd day of May 2024.


James Wood, Jr. Chairman


Kim Montgomery, Destin City Clerk