

August 28, 2024 Harbor Capacity Steering Committee Meeting

WEDNESDAY, AUGUST 28, 2024

5:30 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL/PLEDGE OF ALLEGIANCE**
- 3. PUBLIC COMMENTS**
- 4. NEW BUSINESS**
 - A. Mooring Field Discussion**
 - B. Livery Definition**
- 5. NEXT MEETING DATE: TBD**

If a person decides to appeal any decision made by the City Council, committee, board, panel, or agency with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she will may need to ensure that a record of the verbatim record of the proceedings is made, which record includes the testimony and evidence upon the appeal is to be based. "Persons with disabilities who require assistance to participate in this meeting are requested to notify the City Clerk's Office 850.837.4242 at least 48 hours in advance".

CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: August 28, 2024
BOARD/COMMITTEE: Harbor Capacity Steering Committee
TYPE OF AGENDA ITEM: Presentation
OUTLINE NUMBER: 4.A.

TO: Harbor Capacity Steering Committee

THRU: Tina Deater, Community Development Director
 Kimberly Kopp, City Attorney

FROM: Steve O'Connor, Principal Planner

DATE: August 14, 2024

SUBJECT: Mooring Field Discussion

I. BACKGROUND: At the May 6, 2024, City Council Meeting, Councilman Stephens presented the idea of a mooring field to the Council. The discussion centered on the feasibility, process, and options for a mooring field. The Council requested Staff to present the information to the Harbor & Waterways Board to get their input based on their expertise and knowledge of this topic. Staff is presenting the same presentation given to City Council on May 6th to the Board tonight. See the attached presentation.

II. DISCUSSION: Staff is requesting input and feedback from the Board to develop recommendations regarding mooring fields to present to the City Council at a later date. Staff will bring the proposed recommendations discussed this evening back to this Board to finalize them, prior to presenting them to the Council. Staff specifically requests discussion on the following topics:

1. Does the Board agree with the suggestions within the presentation concerning location and amenities??
2. Does the Board have any differing opinions or suggestions?
3. What size?
4. How many mooring spots? (range, i.e., 20-30, 30-40, 40-50, etc.)
5. Where's the best location?
6. Are there alternative locations?
7. What other elements or amenities would the Board recommend being included with the mooring field?
8. Any other topics the Board wishes to discuss.

A. Link to Strategic Goals / Objectives: I. Financially sound city providing service

excellence

II. Enhanced quality of life and safety for families

III. Economic development and revitalization

IV. Effective, efficient, and aesthetically pleasing infrastructure

V. Improve mobility and connectivity

B. Effect on Budget (EOB): None at this time. Future mooring field development will require budget inclusion for the project.

C. Level of Service (LOS): No effect at this time. If established, a mooring field could increase the LOS for access to the City of Destin amenities.

D. Legislative Sponsor:

III. CONCLUSION: There is no official recommendation required tonight, only a discussion of the proposed mooring field and what the Board would like to see if established. Staff will bring the recommendations and topics discussed tonight back to the Board for an official recommendation to City Council.

IV. RECOMMENDED MOTION: N/A

Attachments:

1. Mooring Harbor Vision

Destin Mooring Field Plan

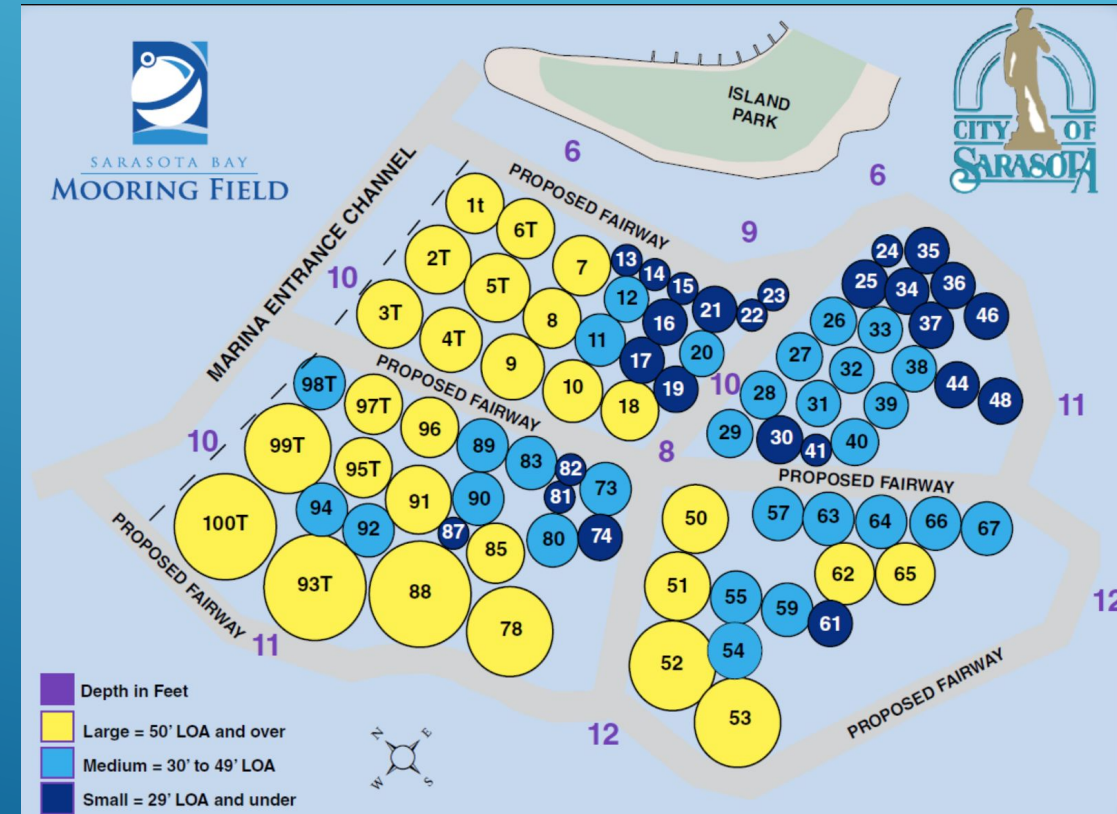
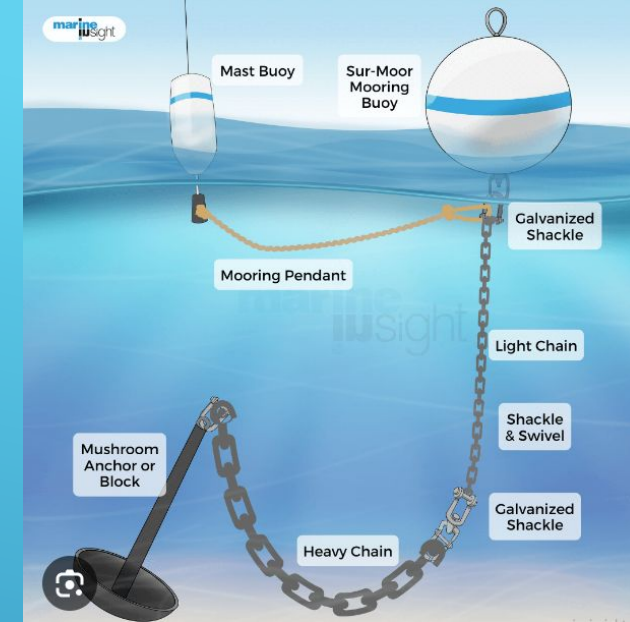
created by: John Stephens



MOORING HARBOR

▶ What are mooring fields?

- ▶ A mooring field is a legally defined area within a body of water.
- ▶ A mooring field is established by local ordinance, codifying a management plan that regulates activity within the mooring field.
- ▶ Customers of the field are assigned a mooring and can then secure their boat to the mooring buoy which is attached to permanent anchors
- ▶ Mooring Buoys provide an organized & secure way to protect both boats and the environment



MOORING FIELD GOALS

- ▶ Provide public access to Florida waters
- ▶ Be ecologically and habitat friendly
- ▶ Promote tourism and provide economic benefit to merchants with minimal infrastructure requirements
- ▶ Be a self sustaining, user-funded amenity
 - ▶ Fees support Harbormaster, all on-land facilities, mooring maintenance
- ▶ Provide proprietary moorings more secure than normal anchors
- ▶ Enable higher density of vessels for space available
- ▶ Not accommodate or allow derelict or abandoned vessels
- ▶ Enhance oversight of the water resource
- ▶ Enhance real estate values



City of Destin Prioritized Strategic Goals met

- I. Financially sound city providing service excellence**
- II. Enhanced quality of life and safety for families**
- III. Economic development and revitalization**
- IV. Effective, efficient, and aesthetically pleasing infrastructure**
- V. Improve mobility and connectivity**
- VI. A green and sustainable environment**

- In 2019, Livery Fees were raised to \$100/vessel to hire a Harbor Master. Still have no Harbor Master

HARBOR CRA DISTRICT GOALS WILL BE MET

- ▶ City Marina – using 1 Harbor Blvd to meet this goal
- ▶ Marine Waste Pump Out Facility

Recommendations from Harbor Capacity Steering Committee met

- Objective 1, Recommendation #3:
 - lack of Harbor Master to enforce local regulations
- Objective 3, recommendation #10:
 - Optimize slip configurations in the harbor based on user demand and improve slip usage efficiency

HOW ARE MOORING FIELDS BENEFICIAL TO DESTIN

- Benefits to safety:
 - Moorings will not attract unlawful tenants, it will actually eliminate them
 - Gain Harbor Master, who has authority on our waterways
 - Harbor Master can ask vessels to leave before a severe storm, such as hurricane approaches
 - Moorings offer greater holding strength than anchors.
 - Allows for fewer break-away vessels, which will protect other vessels & shore-side infrastructure
 - If vessel does break free, Harbor Master will know who to contact
 - Vessels are kept out of illegal or inconvenient places in the waterway
 - At night, vessels are required to display anchor lights
 - Vessels must meet standards:
 - Comply with USCG regulations & safety standards and Chapter 327 of Florida Statutes
 - Must be in good operational condition
 - Capable of maneuvering under their own power
 - Display current registration/documentation
 - Have liability Insurance coverage
 - Vessels are able to swing with wind and current without hitting other vessels

HOW ARE MOORING FIELDS BENEFICIAL TO DESTIN

- Benefits to environment:
 - Pump out services required for vessels in mooring field.
 - Illegal discharge of solid or liquid waste into waterway can be controlled
 - Derelict vessels can be identified and removed easier
- Benefits to local economy:
 - No Mooring Fields in panhandle. Could make Destin a destination for Loopers
 - Mooring field generates revenues, which go back into operations & maintenance of facility
 - Mooring field patrons use local services & products, such as boat repairs, groceries, shopping, dining, entertainment venues
- Benefits to boating community:
 - there are no available marine slips
 - boaters can stay on their own boat in a mooring field
 - Vessels can be tied up without impacting other vessels
 - Boaters have access to amenities like restrooms, showers, & other land-based activities

CURRENT FREE HARBOR LOCATIONS IN DESTIN

Destin Harbor East

Location: Old Pass Lagoon

Mile Marker: GIWW Mile 227.7 EHL

Lat / Lon: N 30° 23.440' / W 086° 29.880'

Depth: 6-14 Feet

Description:

NOTE: Per Florida Statute 327.4109

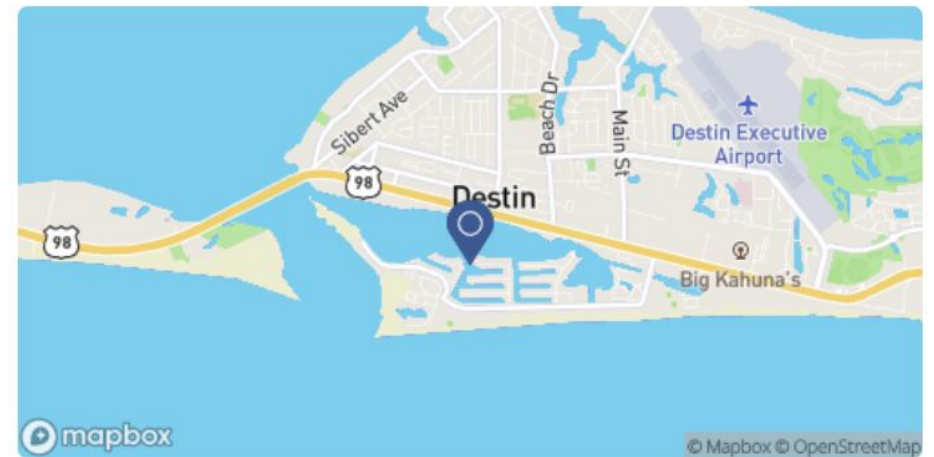
The owner or operator of a vessel or floating structure may not anchor or moor such that the nearest approach of the anchored or moored vessel or floating structure is:

1. Within 150 feet of any marina, boat ramp, boatyard, or other vessel launching or loading facility;
2. Within 300 feet of a superyacht repair facility. For purposes of this subparagraph, the term "superyacht repair facility" means a facility that services or repairs a yacht with a water line of 120 feet or more in length; or
3. Within 100 feet outward from the marked boundary of a public mooring field or a lesser distance if approved by the commission upon request of a local government within which the mooring field is located. The commission may adopt rules to implement this subparagraph.



3 Boater Reviews

[Back to the Waterway Explorer](#)



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CURRENT FREE HARBOR LOCATIONS IN DESTIN

Destin Harbor Southwest

Location: Old Pass Lagoon

Mile Marker: GIWW Mile 227.7 EHL

Lat / Lon: N 30° 23.350' / W 086° 30.320'

Depth: 6-9 Feet

Description:

NOTE: Per Florida Statute 327.4109

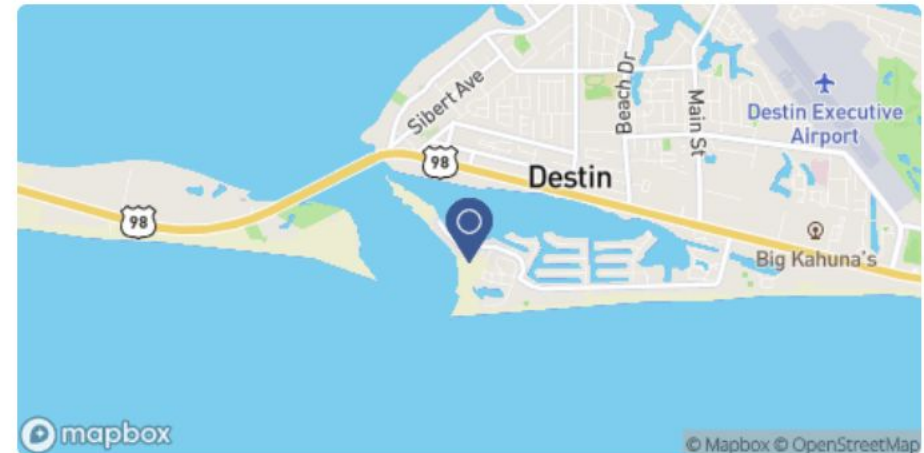
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3. Within 100 feet outward from the marked boundary of a public mooring field or a lesser distance if approved by the commission upon request of a local government within which the mooring field is located. The commission may adopt rules to implement this subparagraph.



4 Boater Reviews

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CURRENT FREE HARBOR LOCATIONS IN DESTIN

Joese Bayou

Location: Choctawhatchee Bay

Mile Marker: GIWW Mile 229.5 EHL

Lat / Lon: N 30° 24.430' / W 086° 29.190'

Depth: 8-10 Feet

Description:

NOTE: Per Florida Statute 327.4109

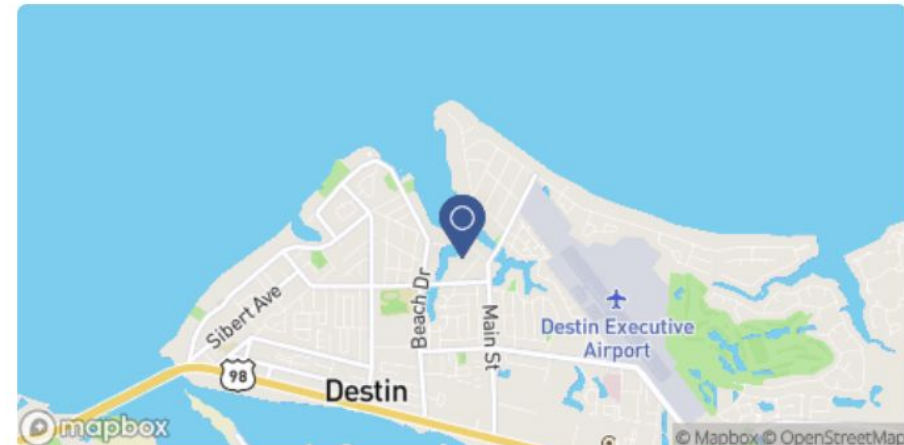
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3. Within 100 feet outward from the marked boundary of a public mooring field or a lesser distance if approved by the commission upon request of a local government within which the mooring field is located. The commission may adopt rules to implement this subparagraph.



1 Boater Review

[Back to the Waterway Explorer](#)



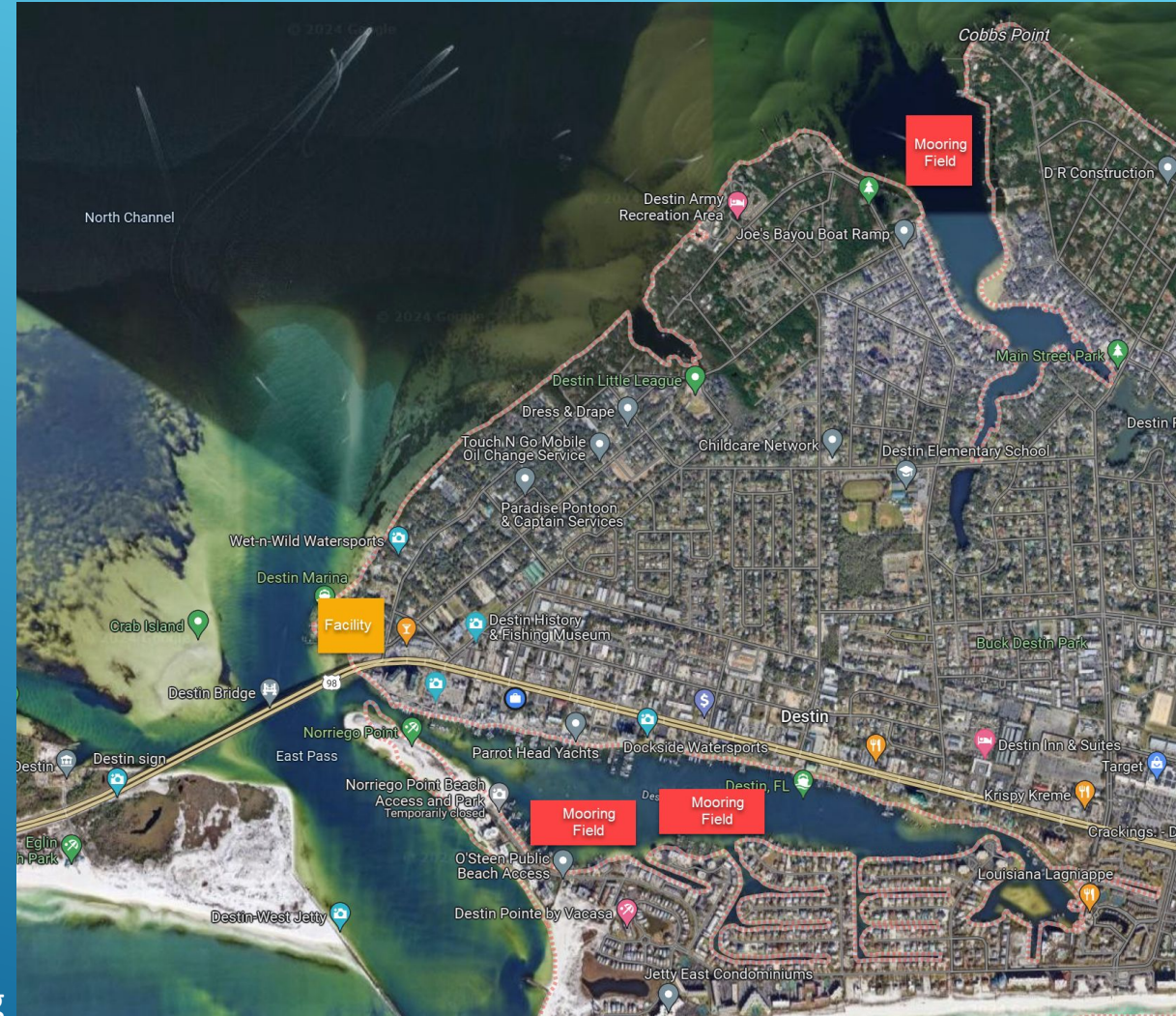
[View in Waterway Explorer](#)

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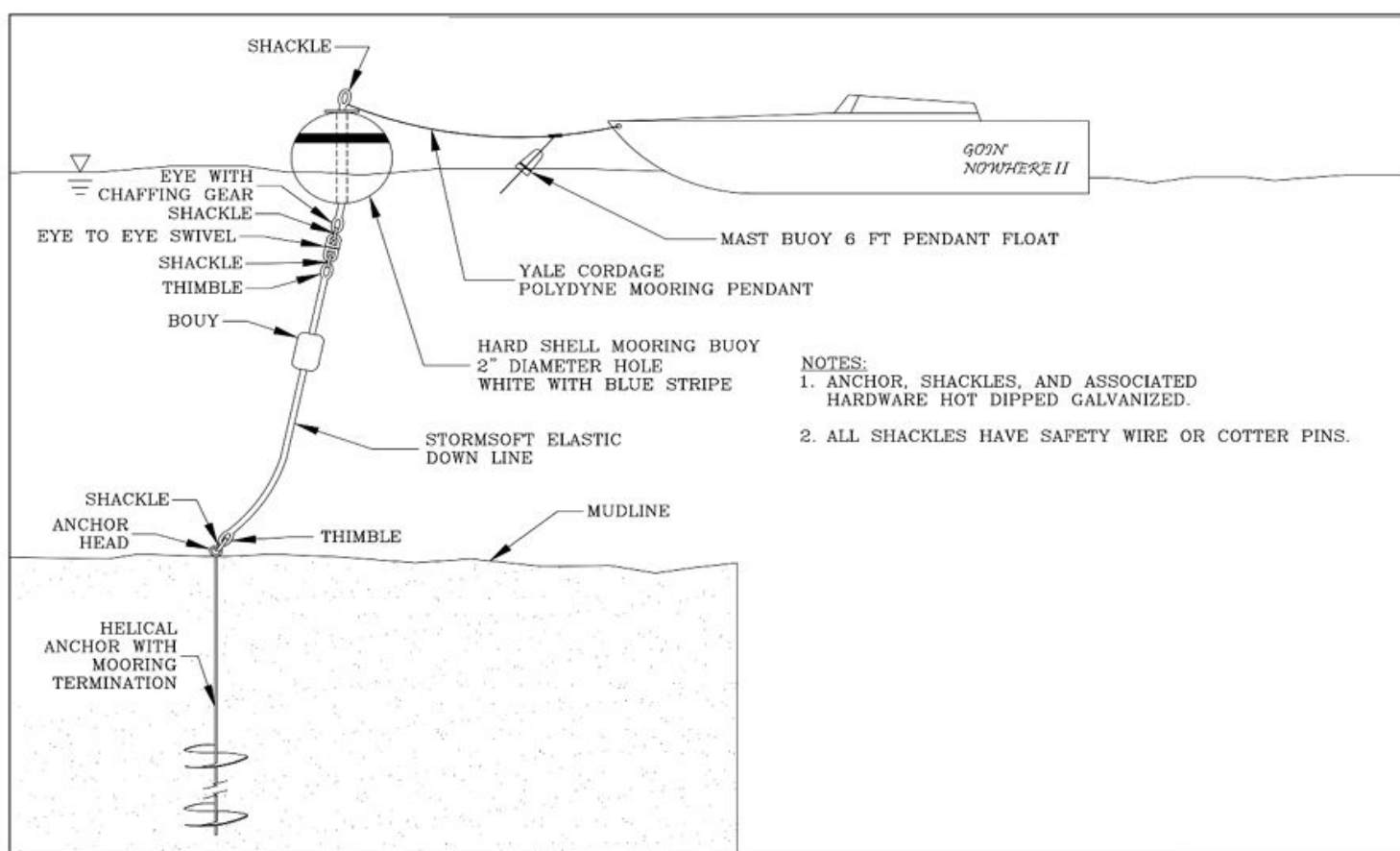
WHERE WILL THE PROPOSED MOORING FIELDS BE LOCATED

- ▶ Have two mooring fields go to 1 facility at 1 Harbor Blvd
 - ▶ Red box is not exact, somewhere in those bodies of water.
 - ▶ Exact locations needs to be worked out with Destin, FWC, DEP, Army Corp of Engineers?
- ▶ There is no rule on distance of mooring field to facility
 - ▶ Typically, vessels hail the harbormaster to ask which mooring ball to moor to. Then they use their dinghy to come to the dinghy docks.
- ▶ 2 mooring fields use 1 facility, as long as there is capacity
 - ▶ North of Destin Bridge, some sailboats can't go under, so intercostal vessels are stuck north of bridge. Then can dinghy over to dinghy docks
 - ▶ Joe's is muddy bottom - use big concrete blocks for mooring balls
 - ▶ South of Destin Bridge, some sailboats can't go under, so Gulf vessels are stuck south of bridge. Then can dinghy over to dinghy docks
- ▶ If we push the anchored vessels out of the harbor, they would go to Marler or Joe's Bayou. So, I want to prevent this, by having 2 mooring fields, with Harbormaster able to control these bodies of water



MOORING BALLS – HOW DO THEY WORK?

How do moorings work?



Advances in the design and construction of moorings have improved methods for securing vessels while protecting the environment. A mooring buoy is connected to a downline with a shock absorber component that is connected to an anchor securely installed in the sea floor.

WHAT ELSE IS PART OF A MOORING FIELD?

ON-LAND FACILITY WITH:

Restrooms

Indoor shower

Dinghy Docks

Garbage disposal

Sewage Pump-out station

Harbormaster:

1. Manages mooring field operator
2. Ensure proper upkeep of all facilities
3. ability to enforce regulations



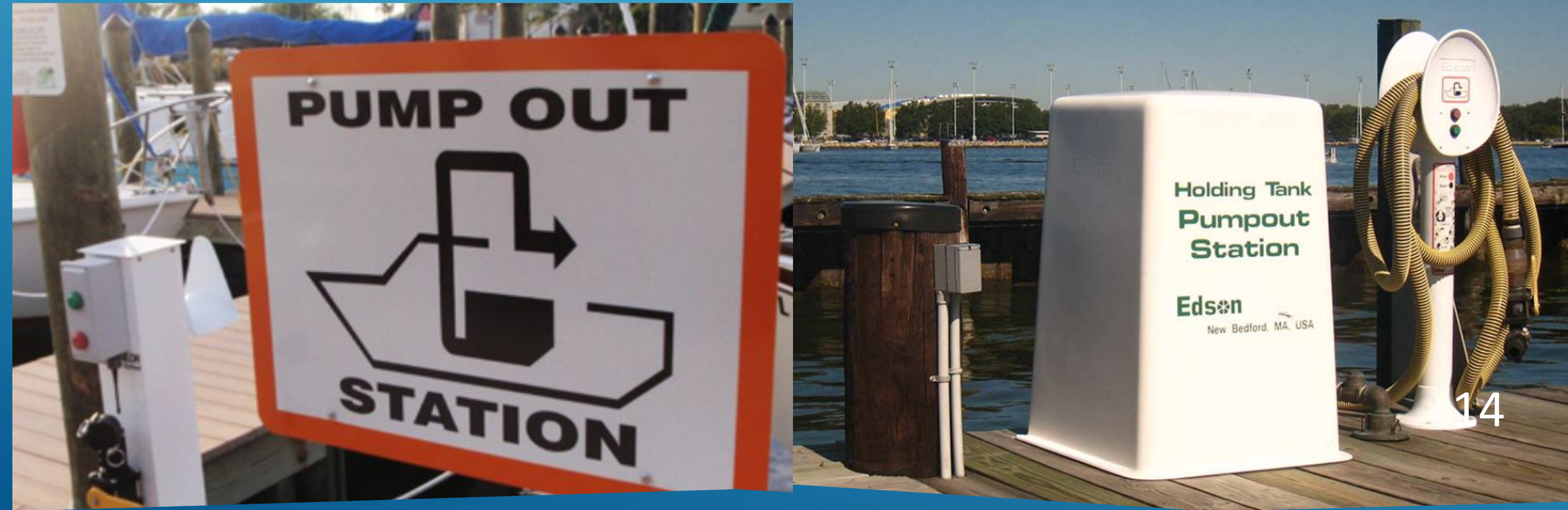
1 HARBOR BLVD WELCOME CENTER

- ▶ Marina Store/cultural center/visitor center
- ▶ Public restrooms
- ▶ Key/code access indoor public shower (for mooring customers)
- ▶ Key/code access to washer/dryer
- ▶ Dumpster or Garbage disposal area
- ▶ Office for Harbor Master




PUBLIC PUMP OUT STATION @ 1 HARBOR BLVD

- ▶ Currently not alot in Destin
- ▶ Destin Water Users doesn't want the enzymes into their system
 - ▶ Recommend having a holding tank
 - ▶ have a company come to routinely pump out the station on a regular basis
 - ▶ If vessels can't go from south under bridge to Pump Out, need to be able offer a company that does Mobile Pumping



1 HARBOR BLVD DINGHY DOCKS & TRANSIENT SLIPS


- ▶ Transient slip rentals with QR Code to reserve
 - ▶ Similar to the car parking lot app



WARNING
**GOING FOR A BOAT-RIDE?
PAYING PASSENGER?**

YOU ARE NOT ALLOWED TO BOARD (LOAD) OR DISEMBARK (UNLOAD) COMMERCIAL WATERCRAFT (SUCH AS RENTAL PONTOON BOATS & FISHING CHARTERS) AT THIS CITY FACILITY.

EACH VIOLATOR IN YOUR GROUP IS SUBJECT TO A FINE UP TO \$500



- ▶ Dinghy docks (required for mooring Harbor)



WHAT COSTS/TIME DO WE HAVE TO CONSIDER

Mooring Field

- ▶ Permitting
 - ▶ Cost - \$75,000-\$100,000?
 - ▶ Time - 12-18 Months
- ▶ Engineering
 - ▶ Cost - ?
 - ▶ Time - 8-12 Months
- ▶ Bidding
 - ▶ Time - ?
- ▶ Construction
 - ▶ Cost - \$7,500-\$10,000 per mooring?
 - ▶ Time - could take 6 weeks to complete



1 Harbor Blvd On-Land Facility

- ▶ Permitting
 - ▶ Cost - ?
 - ▶ Time - ?
- ▶ Engineering
 - ▶ Cost - ?
 - ▶ Time - ?
- ▶ Bidding
 - ▶ Time - ?
- ▶ Construction
 - ▶ Cost - ?
 - ▶ Time ?

WHAT RULES WILL GOVERN TENANTS TO KEEP FIELD CLEAN

Must have **Mooring Field Management Plan**

- ▶ Rules that must be followed by every vessel within mooring field
- ▶ Customers must show proof of pump-out and/or be pumped out every 3 days
 - ▶ Plan stipulates that the discharge of any solid or liquid waste into waters are prohibited
 - ▶ Violators are subject to immediate ejection from facility, loss of security deposit, and will be turned over to law enforcement
- ▶ Harbormaster will create consistent oversight & monitoring to prevent illegal anchoring, dumping, and other undesirable activities
- ▶ No vessel shall any occupy any mooring without approval of Harbormaster
- ▶ Only vessels that are authorized to moor at facility:
 - ▶ in compliance with USCG environmental & safety standards and in good operational condition
 - ▶ Capable of maneuvering under their own power
 - ▶ Must have current registration/documentation & insurance
- ▶ Examples of :
 - ▶ Mooring Field Management Plan -
 - ▶ <https://www.fortmyersbeachfl.gov/DocumentCenter/View/21853/Mooring-Field-Map>
 - ▶ <https://www.fortmyersbeachfl.gov/DocumentCenter/View/17791/21-02-Matanzas-Mooring-Field-Management-Plan>
 - ▶ User License Agreement –
 - ▶ https://www.ci.marathon.fl.us/sites/default/files/fileattachments/marina_and_ports/page/30901/marina_user_agreement_4-15-2023_-1.pdf

PRINCIPLES OF HARBOR MANAGEMENT

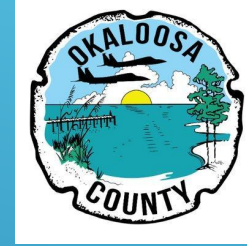
- ▶ A harbor management plan should be developed.
- ▶ Harbor & Waterways or Harbor CRA should create the local harbor management plan.
- ▶ A Harbormaster should be identified.
- ▶ The management plan should focus on providing adequate space via moorings both for transient boaters and for safe shelter during storm events.
- ▶ The management plan should provide for a dinghy dock and on-shore facilities for boaters.
- ▶ The management plan should provide for signage.
- ▶ Schedule inspections & maintenance during off-peak season
- ▶ The board should inquire into funding mechanisms for signs, moorings, improvements and amenities (dinghy dock, showers, laundry facilities, etc.).
- ▶ Create a dispute resolution mechanism.

ALL AGENCIES INVOLVED WITH THIS PROJECT

- ▶ City of Destin:
 - ▶ Work with Okaloosa County on interlocal agreement or change the city boundaries via legislation
- ▶ Okaloosa County
 - ▶ Enter into an interlocal agreement with City of Destin
- ▶ Florida DEP
 - ▶ Are there seagrass beds?
 - ▶ Environmental permits must be obtained
 - ▶ Authorization for exclusive use of sea bed must be obtained
 - ▶ Annex the submerged lands with the consent of the landowner (DEP)
 - ▶ Aquatic Preserve designation presents additional regulatory overlay
- ▶ US Army Corps of Engineers
 - ▶ environmental permits must be obtained
- ▶ USCG
 - ▶ Special Anchorage Designation
 - ▶ permit navigational/informational markers & mooring buoys
- ▶ Florida FWC
 - ▶ permit navigational/informational markers & mooring buoys.
 - ▶ Authority over protected species & fish habitat impacts.
 - ▶ Will create boating restricted area



CITY OF
DESTIN
FLORIDA



**US Army Corps
of Engineers®**



CAP SECTION 107 STUDY



- ▶ Harbor Capacity Study Steering Committee:
 - ▶ Suggested Cap Section 107 Study be done with ACE
 - ▶ Dredge harbor navigation channel from East Pass through harbor with a more uniform alignment & consistent dept to alleviate vessel congestion & operator confusion
 - ▶ Recommend including Mooring Harbor idea in study
 - ▶ City of Destin come up with a Harbor Master Plan to suggest to ACE
 - ▶ Then send a letter of what we want in the Harbor Master Plan
 - ▶ develop Harbor & Waterways vision & Management Plan
 - ▶ Realignment of channel
 - ▶ Mooring Harbor
 - ▶ Create Destin Harbor & Waterway Special District

REGULATING ACTIVITIES IN MANAGED MOORING ORDINANCE

Such as:

- ▶ Reference local noise ordinance
- ▶ Reference Florida Statute Chapter 327 regarding vessel operational requirements
 - ▶ Refer to State Statutes 327.40 & 327.60 for Mooring references
- ▶ Prohibit other nuisance-like activities such as:
 - ▶ Rowdy conduct
 - ▶ Hanging laundry
- ▶ Hours for repairs, or Not Allow Repairs
 - ▶ Consider Major or Refitting Vessels vs Minor
- ▶ Limit for Sale Signage
- ▶ No advertising or soliciting
- ▶ Operational Hours for Noise & Machinery
- ▶ Swimming Prohibited
- ▶ Feeding Wildlife Prohibited



PROCESS TO ESTABLISH MOORING FIELD

- ▶ Permit Provisions
 - ▶ Moorings must be made available to public on first-come-first-serve basis
 - ▶ Commercial activities prohibited
 - ▶ Use of revenue may be restricted
 - ▶ Manatee education plan must be put in effect
- ▶ Permits applications (May require coastal engineering consultant)
 - ▶ Navigational
 - ▶ Biological
 - ▶ Water Quality
 - ▶ Hydrology
- ▶ Signage needs
 - ▶ Federal permits (Rivers & Harbors Act, Section 10, USACOE)
 - ▶ State Permits (“Uniform waterway markers” Florida Statute 327.40)

LEGAL STEPS FOR MOORING FIELD

- ▶ Confirm ownership of submerged lands
- ▶ Confirm relevant jurisdiction
- ▶ Review Destin Comprehensive Plans to determine whether Managed Mooring Field will be consistent with the plan
- ▶ Initiate drafting of Proposed Ordinance or Resolution
 - ▶ see Thomas Ankersen, Christopher H. Pearce, *An Annotated Model Municipal Harbor Management Ordinance* (Aug. 2001)
- ▶ Obtain authorizations
 - ▶ Submerged lands lease
 - ▶ Environmental Resource Permit - DEP
 - ▶ Boating Restricted area - FWC
 - ▶ Obstructions to Navigation – section 10 – Rivers and Harbor Act (USACOE)
 - ▶ Special Anchorage Area Designation – USCG
- ▶ Resource Agency Consultations
 - ▶ Fish & Wildlife Service
 - ▶ Fish and Wildlife Conservation Commission
 - ▶ Other
- ▶ Destin & County attorney Consultation

PUBLIC INPUT

- ▶ Provide public input workshops prior
 - ▶ Planners should provide:
 - ▶ Maps
 - ▶ Location of amenities
 - ▶ Harbor Management Plan
 - ▶ Planners should Determine:
 - ▶ How many mooring balls do we want to have? Not alot, but use this as a management tool
 - ▶ Any information that is missing from maps, such as environmental constraints or user conflicts
 - ▶ Length of stay
 - ▶ Restrictions of length of stay within mooring field
 - ▶ Live aboards in mooring field – benefits are increased security, similar to campground hosts
 - ▶ State generally discourage live-aboards, but they are allowed. Would recommend only in mooring field, if we want to offer at all.
 - ▶ Fee Structure – tiered fees
 - ▶ Different Transient vs live-aboard fees
 - ▶ Reduced rate for off-peak season
 - ▶ Facility fee for amenities not included in base rate
 - ▶ Long term stay rates
 - ▶ Relationship between Harbor Master & boaters



FEES THAT CAN BE GENERATED FROM MOORING FIELD

- ▶ Mooring Ball Rental, which include showers, one holding Tank Pump-Out (additional fees apply for holiday day/week)
 - ▶ Daily: \$40 + tax (seen a lot of \$25/day)
 - ▶ Weekly: \$250 + tax
- ▶ 1 Harbor Blvd Dinghy Dock rates (additional fees apply for holiday day/week)
 - ▶ Daily: \$20 + tax
 - ▶ Weekly: \$100 + tax
- ▶ 1 Harbor Blvd Transient Slip rates, which includes showers (additional fees apply for holiday day/week)
 - ▶ Hourly: \$10-20/hour + tax
 - ▶ Daily: \$3.50/ft plus tax
 - ▶ Weekly: \$18/ft plus tax, one holding Tank Pump-Out.
 - ▶ Pump-Out Station
 - ▶ Additional Pump-Outs (& Non-Marina Customers) - \$5 (harborwalk charges \$20)
 - ▶ Laundry Facilities – Card operated. Does not include detergent
 - ▶ Washer: \$3/load, Dryer: \$3/load
 - ▶ Water & Ice
 - ▶ Filtered water (honor system) - \$.20/gallon, Ice: \$3/bag
 - ▶ If we want to offer Shore Power:
 - ▶ 30 Amp Electricity: extra \$4/day, 50 Amp Electricity: extra \$6/day
- ▶ Car parking from Parking Lots that want to utilize marina/mooring balls
 - ▶ \$15/day



GRANT OPPORTUNITIES

- ▶ America Rescue Plan - to study idea (Pensacola is going this)
- ▶ Florida Boating Improvement Program (FBIP)
- ▶ Boating Infrastructure Grant Program (BIG)
- ▶ Clean Vessel Act Program Pumpout Grant
- ▶ Waterways Assistance Program (WAP)
- ▶ Triumph Gulf Coast Fund
- ▶ Florida Department of Transportation (may only apply to Ports)



CREATE/UPDATE HARBOR MASTER JOB DESCRIPTION

- ▶ Position could be joint Harbor Master/Code Compliance
 - ▶ Budget in next year. Note that this position is not fully complete, as they are will be assigned with helping with plans, until Mooring Harbor Plan is into effect & then can have jurisdiction
- ▶ Create & uphold Strategic Action Plan
- ▶ Responsible for development, coordination, & implementation of Mooring Field Management Plan
- ▶ Plan, develop, & manage capital improvement projects as directed.
- ▶ Responsible for ensuring property maintenance & improvements in all Harbor areas
- ▶ Assist in water sampling with CBA & Analytical Services, then provide updates
- ▶ Inspection of BTR's on all businesses on Harbor, Inspection of livery medallions, find illegal charters
- ▶ Enforcement of ordinances, harbor upland parking restrictions, & all other city marine codes
- ▶ Patrol of Destin Harbor & all City adjacent waterways that we are able to get jurisdiction to with the Mooring Harbor
 - ▶ Joe's Bayou, Indian Bayou, Marler Bayou
- ▶ Marine permitting and inspection
 - ▶ Reviews application for marine construction for code compliance as well as site construction
- ▶ Respond to complaints from citizens and businesses & Emergency situation response within Harbor District
- ▶ Harbor & Waterways Board & Harbor CRA Committee involvement – attend meetings & provide Monthly reports?
- ▶ Responsible for annual budget



ADD MOORING FIELD WEBPAGE TO CITYOFDESTIN.COM

- ▶ Harbor Master Contact information
- ▶ Online Reservation System to reserve Mooring Balls, with pricing
- ▶ Mooring Field Map, with Dinghy docks & on-land facilities
- ▶ Mooring Field Management Plan
- ▶ End-User Agreement Forms
- ▶ FAQ's about Mooring Fields

The screenshot displays the City of Destin Florida website. The top navigation bar includes 'OUR GOVERNMENT', 'SERVICES' (with a wave icon), 'COMMUNITY', and 'I WANT TO...'. The 'Marina and Ports' section is active, showing a sidebar with links for Information, Pricing, Forms, Accessibility, Hours and Directions, Public Boat Ramps, Boat Ramp Etiquette, and Local Links. The main content area features a header for 'Anchorage Area' with a photo of a mooring field and text describing the area. Below this is a section for 'Mooring Balls' and 'Renting a Ball'. The 'SERVICES' dropdown menu is open, listing: Annual Passes, RecOnline, Cemetery, Destin Fire Control District, Elections, Helpful Brochures, Hurricane Information Guide, Library, New Residents, Okaloosa County, Okaloosa County Economic Development Council, Building Site Selections, Okaloosa County Schools, Okaloosa County Sheriff's Office, Public Transit, Solid Waste Collection & Recycling (with a Pickup Schedule link), and Water Service. A large number '28' is visible in the bottom right corner of the page.

EXAMPLES OF MOORING FIELDS

- ▶ Marathon – Florida -
 - ▶ <https://www.ci.marathon.fl.us/marinaandports/page/anchorage-areas>
- ▶ Fort Myers Beach – Florida – (stated they are losing money)
 - ▶ <https://www.fortmyersbeachfl.gov/109/Matanzas-Pass-Mooring-Field>
- ▶ GulfPort – Florida –
 - ▶ <https://mygulfport.us/marina/>
- ▶ Put-in Bay – Ohio =
 - ▶ <https://putinbayohio.com/pib-services/put-in-bay-mooring-buoys/>
- ▶ Catalina islands – California =
 - ▶ <https://www.visitcatalinaisland.com/things-to-do/two-harbors/boating/mooring-info-and-rules/>

DECISIONS TO MAKE

- ▶ Recommend that Harbor CRA or Harbor & Waterways Board be the advisory board to the Mooring Field/Transient docks/Harbor Master
 - ▶ Figure out funding mechanisms for signs, moorings, improvements, and amenities (dinghy docks, showers, restrooms, laundry facilities, ect)
 - ▶ Recommend this plan go to Committees for review
- ▶ Mooring Field Fees
 - ▶ How many mooring balls do we want to have?
 - ▶ Offer long-term & transient moorings. Is there a breakdown of what ratio?
 - ▶ Do we want to offer live-aboards?
 - ▶ Do we want to offer a Pick up/Drop off service (fee based) or see if Local Water Taxi service wants to offer this
- ▶ Pump Out Station Fees
- ▶ Dinghy Docks Fees
 - ▶ \$/day or \$/week
- ▶ Transient Docks
 - ▶ Dredging for various vessels. With natural flow, will need maintenance
 - ▶ Commercial activity?
 - ▶ Hourly, Daily, or Weekly Fees?
 - ▶ Did you want to offer overnight transient slips at 1 Harbor Blvd?
 - ▶ Consider winds can beat up vessels & docks at this location
 - ▶ Recommend dynamic pricing pending season (such as July 4th)
 - ▶ Do we need shoreline power at transient slips? If so, fees?





QUESTIONS ON WHICH DIRECTION WE WANT TO GO

CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: August 28, 2024
BOARD/COMMITTEE: Harbor Capacity Steering Committee
TYPE OF AGENDA ITEM: Action Item
OUTLINE NUMBER: 4.B.

TO: Harbor Capacity Steering Committee

THRU: Tina Deater, Community Development Director
 Kimberly Kopp, City Attorney

FROM: Steve O'Connor, Principal Planner

DATE: August 19, 2024

SUBJECT: Livery Definition

I. BACKGROUND: At the June 3, 2024, City Council meeting, they discussed the need to better define "Bare Boat Charters" due to the ambiguity in City, State, and Federal regulations. This issue needs to be addressed for Staff to properly enforce the Livery Moratorium currently in place. Bare Boat Charters, by federal regulations, require the vessel to be piloted by a licensed captain. However, that captain is not an assigned captain and therefore the vessel is not always under control of a licensed captain as required by the exemption within the City's definition of a livery. Council now wants the advisory committees' and boards' input on how to define Bare Boat Charters.

II. DISCUSSION: Although different iterations of the definition have been discussed at various meetings and boards, below is the *current* proposed new definition from Staff and the City Attorney based on discussion with external agency partners, the HWB, and interested individuals.

Sec. 13-141. - Definitions.

Livery vessel is as defined in F.S. § 327.02, but does not mean: (1) a vessel under the control at all times by a United States Coast Guard licensed Captain where the control and responsibility of the vessel, crew and passengers has not been relinquished to the renter or charterer; or (2) paddleboards, kayaks, canoes, and sailboats, or any other vessel not powered by an internal combustion engine or a sail (sailboards excluded).

a. A "bareboat charter" is a livery vessel. Provision of a list of possible captains to the lessee or renter of the vessel means that the vessel is not under the control of a USCG licensed Captain at all times and shall therefore not exclude such vessel from the definition of a

livery vessel.

b. Each vessel that is included within the fleet of a boat club is a livery vessel unless it otherwise meets the exemption set forth herein.

Also add the following to City Code in an appropriate location:

Any person or entity that rents, leases or charters one or more vessels to another but claims their vessel or vessels are excluded from the definition of a livery vessel because the vessel or vessels are under the control of a United States Coast Guard licensed Captain at all times must provide satisfactory evidence to the City of such claim by providing to the City one valid, current copy of the Captain's license assigned at all times to each excluded vessel and must show that the control and responsibility of the vessel, crew and passengers has not been relinquished to the renter or charterer.

III. RECOMMENDATIONS: Staff is asking the Steering Committee to consider the newly proposed Staff definition and not include any designation of “yachts” or other exclusions within the definition. The previous exclusions are what caused the current confusion regarding bare boat charters.

IV. RECOMMENDED MOTION: I move that the Harbor Steering Committee recommend City Council adopt the definition of Livery as proposed and presented.

ALTERNATIVE MOTIONS:

I move that the Harbor Steering Committee recommend City Council deny the proposed definition of Livery and that the City keep the current definition.

I move that the Steering Committee recommend City Council adopt the definition of Livery with the modifications as discussed.

Attachments:
None