LOCAL PLANNING AGENCY WORKSHOP
MEETING MINUTES
JULY 18, 2024 - 5:30 P.M.
DESTIN CITY HALL BOARDROOM

1. CALL TO ORDER:

Vice Chairman Buhr called the Local Planning Agency Workshop to order on Thursday, July 18, 2024, at 5:30 p.m., in the Destin City Annex Chambers; with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Members Present	Members Absent	Staff Members Present
James T. Wood, Jr.	Gary Jarvis	Rey Bailey City Clerk
Todd Buhr	Corey Ledbetter	Steven O'Connor Principal Planner
Marcie Bell		Daniel Butler Senior Planner
Jay Purut		Joe Bodi Engineering Assistant
Corey Ledbetter		Tina Deater Planner
		Kyle Bauman, City Attorney

3. APPROVAL OF MINUTES: None

4. NEW BUSINESS:

A. Draft Article 7 – Resource Conservation and Protection

Mr. Daniel Butler Senior Planner explained to the members this Article has been before them a couple of times for feedback and would be a three part discussion. He explained how staff has provided then information in their agenda item and packet the Draft Article 7 for their review and input.

- **Dock Length - Section 7.02 – Marina Siting**

Regarding dock length, Mr. Butler explained this section focuses on the proposed Marina Siting specific regulations and development standards. Section 7.02 lists all the development standards that an applicant must meet when proposing a residential or commercial dock. The language included in the proposed Marina Siting Section 7.02 is significantly less than what is currently in 11.05.00 – Marina Siting due to the reorganization of the LDC, i.e.:

a.) Relocating the application and review procedures from the current Marina Siting regulations to Article 2 - Administration, and

b.) Removing the language that is more appropriately suited to be in the Code of Ordinances.

Additionally, the Harbor & Waterways Board previously reviewed the Marina Siting regulations and provided positive feedback on what was presented, and at their April 24, 2024, meeting, Board member Hoey recommended a new way of determining "dock length" and where to begin the measurements. Currently, dock length is allowed within a "buffer" of the allowed length from mean high water line (MHWL). In Section 7.02.04, the existing regulations were reformatted into a table/chart for ease of use in the new draft. The recommended new measurement differs from the current method in that it no longer utilizes a buffer method for determining the dock length, but rather identifying the furthest waterward point of the property and then "boxing" the allowed length per the waterfrontage.

- **NPEB Fee**

Regarding the NPEB fee in the article, in order to be able to determine how to implement or change the existing NPEB fees and how a local business owner proposed an optional way that the city could collect for the fee.

He further explained, at the at an earlier Harbor & Waterways Board meeting the Board made the motion concerning the Net Positive Environmental Benefit (NPEB) fee. Staff brought the citizen recommended NPEB method of 10% of the project cost plus $100 per slip every year. The Board considered that recommendation but ultimately came back to update their original recommendation to apply an NPEB fee at the following rate:

Category 3 Marine Project: 25% - Commercial
Category 2 Marine Project 10% - Residential but not self-certified
Category 1 Marine Project 10% - self certified dock

According to Mr. Butler, staff performed a slip count in the harbor to include the adjacent canals. The total estimated slip count in the Harbor is 1,476

- o Non-residential = 430 slips - 29%
- o Multi-family = 516 slips - 35%
- o Residential = 530 slips - 36%

- Total number of residential properties
  - o Multi-family = 26
  - o Single-Family = 430

The probable income of the NPEB, if it had been applied at 10% across the board and based on the average account balance from 2006 being $24,000, Staff estimates the average balance would be $9,000 - $10,000 per year at a 10% rate. The estimated annual balance based off the slips using the $24,500 a year collection, and the following assumes multi-family is a category 3 project:

- Commercial and Multifamily at 25% would be $15,680
- Residential at 10% would be $3,528

▪ Total collection would amount to $19,208 based on the 25/10/10% recommendation which is roughly $5k less than the current 25% across the board that they now access.

Agency member Buhr spoke of how he met and got the information from the Finance Director on what it would take to keep the account solvent but added, they should really be considering emergency situations for anything that may come up such as if the pump should stop working, of the need for an emergency dredge and feels that there needs to be a way to keep the fund solvent at all times. Therefore, he wants to make an entirely separate recommendation from the LPA to the City Council from what the Harbor & Waterways Board's motion for consideration.

According to Agency member Buhr, he wants to send forth an entirely separate recommendation to Council for their consideration.

Motion by Agency member Buhr to have a structure set up for nonresidential (430 docks) are charged $100.00 per year, residential both multifamily and single family are charged $50.00 per year, additionally he recommends two exemptions, one a homestead exemption that allows for 75% as well as an exemption for owners that have previously paid into the NPEB fee, however, it would be on the owner to provide staff with proof of payment towards their NPEB fee with documentation for the following:

- **If paid NPEB in 2024 - 10 year exemption per slip**
- **Paid in 2023 – 9 year exemption**
- **Paid in 2022 – 8 year exemption**
- **Paid in 2021 – 7 year exemption**
- **Paid in 2020 – 6 year exemption**
- **Paid in 2019 – 5 year exemption**
- **Paid in 2018 – 4 year exemption**
- **Paid in 2017 – 3 year exemption**
- **Paid in 2016 – 2 year exemption**
- **Paid in 2015 – 1 year exemption**

Agency member Bell provided the second.

In discussion, Agency member Buhr, he feels this would be an easy way for staff to regulate and enforce by working with the County and provide fund solvency.

Agency member Bell questioned how the other impacts regarding the usage of the harbor, that are not generated by any of these slips, factor in the equation. According to Agency member Buhr, that is a great question, however, it is currently not written into the current regs for collection towards the fund. Adding that is on Council to make those changes. **The motion passed 5-0.**

Providing incentives to encourage all new non-residential or multi-family waterfront development to dedicate easements or donate land for use as public accessways to the shoreline. Additionally, staff is looking for direction from them as to the recommended methods of which projects could provide such scenic views, with possible incentives such as:

a.) Additional density/intensity allowances
b.) Reduced setbacks
c.) Reduced open space
d.) Other methods as deemed appropriate by the Local Planning Agency and City Council.

The City Attorney explained that they would not be able to increase density or intensity because of what the Comprehensive Plan dictates, however, she stated that she interpreted it that if you reduce setbacks and open space, you may be able to get higher density or intensity than what could have been allowed, if the setbacks and open space were met, but not greater that what the Comp Plan allows for.

Mr. O'Connor mentioned that there is a Comp Plan Policy that allows for reduced density is allowed if the project is an application process for a PUD in Article 2, by the LPA and any beach front property, it is required to provide public easements. He emphasizes that this policy should not be removed from the Comp Plan. Agency member Buhr suggested parking incentives as well. Chairman Wood stated that if staff would come up with some ideas for discussion, he may be willing to consider, but initially, he is not for the idea at all. Chairman Wood stated that

Agency member Buhr suggested adding parking reduction incentives. There was a lengthy discussion regarding language in the current Comprehensive Plan for density incentives and how they could be granted. Agency member Buhr suggested adding language, ***"Density and Intensity incentives are provided in the PUD process"*** and to include the hyperlink.

The Community Development Director informed the members that staff has an idea of the type of incentives they are referring to and will discuss and bring back information for their consideration and discussions.

B. Consideration of Proposed Ordinances 24-07-PC and 24-08-LC – Future Land Use and a Rezone from Calhoun Mixed Use-Village (CMU-V) to Calhoun Mixed Use (CMU). (LU-001395-2024 & LU-001400-2024)Map (FLUM) Amendment from Calhoun Mixed Use-Village (CMU-V) to Calhoun Mixed Use (CMU)

Mrs. Deater the members with the background to these ordinances.

Agency member Bell questioned if staff has heard anything from the public. According to Mrs. Deater, there were no public comments made, everything was advertised, and signage has been put up on the property. Additionally, since there was not a quorum for last month's meeting, the signage was up longer than required.

Chairman Wood opened the hearing to the public and with no one coming forward, he closed the public portion of the hearing and asked the members for any additional discussion or a motion.

Agency member Bell made the recommended motion for the Local Planning Agency to recommend approval of Ordinances 24-07-PC and 24-08-LC by the City Council, with committee member Buhr providing the second. The motion passed unanimously.

C. Draft Luxury Recreational Vehicle Resort Ordinance – Ordinance 24-06-LC

According to Mrs. Deater, staff feels that the current language in the ordinance needs to be cleaned up to replace the term motor home with recreational vehicle, and to remove the limitation on the type of recreational vehicles that would be allowed and remove the redundant setback language.

Mr. Butler added that the language that also needs to be removed in regard to buffers that speak of unified development plan, which there is nothing related to that and has made it difficult for staff to be able to provide any insight to the requirements.

The City Attorney provided information that in discussions with the property owner of 1 Harbor Blvd., prior to the purchase, they had discussions about making language changes, even though it had nothing to do with the purchasing of the property, there was very outdated language that needed to be removed, and staff discussed and made the necessary changes.

There was discussions regarding the length of 180 day stays to 120 to keep from any loophole issues to prevent any long-term residency.

Agency member Buhr made the motion to recommend City Council adopt draft Ordinance 24-06-LC, with the modifications of reducing 180-days to 120-days with Agency member Bell providing the second. In discussion, Agency member Bell questioned the type of material used for RV pads and if they felt the material was appropriate for the usage and size requirements. According to Agency member Buhr, who frequently travels in his RV, stated that the size requirements proposed are for the larger luxury type RV's. With no further discussions, **Chairman Wood called for the vote on the motion and the motion passed 5-0.**

5. PUBLIC COMMENTS:

None

6. DIRECTOR'S REPORT:

A. **SRS Survey Results**

This was provided to the members for their review and will review and discuss at a later meeting.

The City Attorney explained staff is wanting to have one meeting in August and are looking at the 8th and asked the members if they were agreeable to the date. The members were agreeable with the date of the meeting in August.

7. ADJOURNMENT:

Having no further discussion at this time, the meeting adjourned at 7:00 p.m.

Adopted and approved this 3rd day of October 2024.

James T. Wood

James Wood, Jr. Chairman

Rey Bailey City Clerk