

**LOCAL PLANNING AGENCY MEETING
MEETING MINUTES
AUGUST 8, 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, August 8, 2024, at 5:30 p.m., in the Destin City Annex Chambers; 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.	Todd Buhr	Kimberly Montgomery Deputy City Clerk
Jay Purut		Steven O'Connor Principal Planner
Marcie Bell		Daniel Butler Senior Planner
Gary Jarvis		Ryan Scott, City Engineer
Corey Ledbetter		Kimberly Kopp, City Attorney

3. APPROVAL OF MINUTES:

None

4. NEW BUSINESS:

A. Billboard discussion - Proposed Code Amendment in Progress

The City Attorney explained how Article 8, Signs has not been reviewed by the Board yet and by request of Lamar, the billboard section has been pulled and the Code Amendment has not been publicly advertised therefore tonight, it will just be a discussion, and then taken back, once formally advertised, for two public readings to City Council with their LPA recommendation. She explained further that the current code does not allow for such an agreement that is being proposed by Lamar and the amendment that will be discussed, will allow such an agreement.

Mr. O'Connor provided the members with some general guidelines and restrictions that is outlined in their Agenda Item.

Regarding height, Chairman Wood asked Mr. O'Connor to ensure that none of the billboards would extend the height limitations that is allowed in each zoning district they may reside. Mr. O'Connor stated that they will include the following language, ***"A maximum of 50-feet or whatever the highest is allowed, per zoning district, whichever is less."***

Agency member Purut asked if staff looked at other municipalities billboard ordinances and implemented any of their language into this proposed ordinance for their digital billboard

language. According to Mr. O'Connor, they have, regarding regulated language for time, place and manner.

Agency member Bell asked how many billboards are currently in Destin. According to Mr. O'Connor, less than fifteen and the ones that exist, came in prior to the original ordinance adopted around 1997 or so. Additionally, there are a few that are not in the city limits and reside in Unincorporated Okaloosa County.

Agency member Jarvis questioned the grandfathering terms for any that are already in place and if any are destroyed by a hurricane. According to Mr. O'Connor, in terms of nonconformities those would fall currently under Article 7, Non-Conforming Structures, where if destroyed by a storm, they could be replaced.

Chairman Wood opened the public portion of the hearing.

Mr. Stephen Sanford of Lamar Advertising spoke about the lighting for the signs and how his company prefers to measure light through foot candles and not nits, to ensure that their signs are not overly bright. He also explained how the manufacturer are the ones that set the brightness of signs, however, they are able to make changes to them, if necessary.

Mr. O'Connor concurred stating that measuring in foot candles is the preferred way of measuring, since it measures the amount of light spread.

Agency member Jarvis suggested for staff to have that language included in the code so that it is understood by everyone who is reading and comprehending the Code.

Mr. Sanford then read the replacement language to the members and stated how they are planning to remove six structures and keep seven existing structures and converting those to digital signs. Adding one is in the county jurisdiction but is located on Hwy. 98.

The City Attorney clarified for the record, so that there is no confusion, that the ordinance will come back before the LPA as an advertised public hearing, it will then go before Council for two advertised public hearings. Currently, staff is reviewing and determining if associated Comprehensive Plan Amendments need to be required.

B. Draft Article 6 and the Draft Destin Design Manual

According to Mr. O'Connor, this Article has been before them a few times and, there are some new items for their consideration, since their last review. He reminded the members that the Multimodal Transportation District (MTD) is going away and explained the 5-foot common boundary buffer. He explained how the Design Manual is built in a way that has its own amendments and approval process so that when there needs to be a change made, it won't have to go through the entire process to get an approval for a simple change to the Code, and provided an example. He then explained to the members the following:

➤ **Buffers:**

Staff and the LPA have had previous discussions about the purpose of buffers and their application, specifically when it comes to the Common Boundary Buffer. The requirement for open space and setbacks essentially eliminates the need for buffers when it comes to the common boundary buffer on residential properties. Meaning, since buildings, primary or accessory, and can't be built within the setbacks, the additional buffers between properties are not necessary. In addition, the open space requirements for residential properties also help mitigate impacts between residential properties.

➤ **Fences:**

The MMTD is proposed to be removed from the LDC but many of the design requirements remain and are included in Article 6 and the Destin Design Manual. Currently, the Old Destin MMTD specifically exempts properties in this MMTD from the requirements of the Front Perimeter Landscape Buffer (FPLB). This means a fence up to 8' can be built right up to the property line within the Old Destin MMTD. The way the current Draft Article 6 is written, the FPLB would apply to all properties in the city and therefore now restricting the properties in the MMTD from building their fences along the property if taller than three feet (3'). This could potentially result in many existing fences being made into legal non-conforming uses.

Potential Solutions:

- Exempt residential properties in the Village, Harbor, and Holiday Isle Planning areas from the three-foot (3') fence limitation.
- Create a standard fence setback for anything taller than three feet (3') that applies to all properties within the city.
- Make allowance for corner or double frontage lots to allow fences taller than 3' not along the "primary frontage" (Currently only allowed through a Community Development Director Letter for approval).

The members and staff discussed at length the Common Boundary Buffer and buffers in general whether or not it is necessary. Once it was understood exactly what they are and what they were used for, the members all agreed that to remove the requirement out of the LDC.

➤ **View Corridors - Comp Plan Policy 7-1.2.5: Vertical Open Space and Scenic Vistas**

In this discussion, the members all agreed that since there are not any view corridors that exist in the city, they all agreed that this should be removed, and if there ever comes a time when some do open and exist, then the Council at that time could direct staff to add the language back into the Land Development Code.

➤ **Erosion Control & Stormwater Plan language**

Staff identified missing language and lack of enforceability concerning the maintenance of

Erosion Control & Stormwater Plans (ESCP), and has updated the following section with the language:

- **6.10.01.H. Maintenance of Erosion Control Devices**

(b.) The ESCP shall be implemented, installed, and maintained at all times throughout the entire duration of the project until issuance of a Certificate of Occupancy or Certificate of Completion, whichever is applicable. The members agreed to have this included into the LDC.

- **Inclusion or addition of Concurrency Management and Level of Service**

Staff added section 6.13 Concurrency Management and 6.14 Level of Service to the Draft Article 6. Previously, they had been removed because originally, concurrency was thought to not apply at the state level for much of what the city currently monitors, specifically transportation. Once adopted, transportation will be covered through the Mobility Plan. However, concurrency for potable water, sanitary sewer, and solid waste are still requirements of the State for municipalities to track. While the City does not provide those services, it is still mandated to maintain some record of those elements through partnerships with the three private entities that provide their services to the city. Further, this allows staff to review the Levels of Service (LOS) for drainage, recreation and open space, to ensure they are maintained or mitigated, if impacted. Originally, LOS was going to remain solely in the Comprehensive Plan; however, due to the Concurrency Management requirements, it is also appropriate to include it here in Article 6.

- **Destin Design Manual**

The Destin Design Manual (DDM) intends to implement the City's policies regarding aesthetics, infrastructure, and minimum design standards, along with processes that will help the City build the community to what the Comprehensive Plan envisions. He explained how the easiest way to remember is, the LDC is, "The What you must do," and the Design Manual is "How you must do" design it. The DDM covers a broad range of standards and processes to facilitate and promote the safe and smart development and redevelopment of the City of Destin. The DDM also provides specific guidance for site and Right-of-Way (ROW) development from landscaping to bollards, to waste facilities, that will help foster and maintain the evolving Best Management Practices (BMPs) for the Building, Engineering, and Planning industries. Beyond just the specifications for certain site elements and or design standards, the DDM provides approved drawings that meet the minimum LDC requirements for required development elements and can be utilized by design professionals, without having to draw the details themselves. This will help save time on plan development, Staff review, and the overall permitting timeline. Additionally, the DDM is not intended to live within the LDC for regulatory purposes, but rather will provide details on how elements are constructed, it must also be updated and audited more regularly to ensure the details meet the current best practices.

Accordingly, staff is requesting for the LPA to review and provide any feedback or comments about the Design Manual or any questions regarding how it is utilized and maintained. The proposed DDM is a different way of doing development review within the city and is a practice

that is happening across the country, as a best practice to help reduce review times, stay current with best practices and to distinguish the regulations from design minimums.

The City Engineer explained to the members how in the DDM, the sidewalks throughout the city along Hwy. 98 can be eight-foot-wide as long as they're on the East side of Indiana Trail in U.S 98. However, on the west side of 98 from Indian Bayou Trail, the sidewalks must ten foot everywhere else in the city, based on this table. Additionally, Mr. Scott explained the changes he made to the diagram and the maps from what they received in their packet for landscaping islands in parking lots and spoke of how the Public Works and Public Safety recommended taking them to ten foot in width, for more green space, necessary for trees to be able to survive and thrive.

Regarding Low-Speed Vehicle (LSV) parking, Mr. Scott provided the members with a concept for a hybrid type parking option as an incentive for developers in the city. He explained how the idea is to provide of two types of parking lot striping where either two LSV's could park neatly in one regular spot or one car. He spoke of how currently, when an LSV pulls into a parking space, they take up the entire space, but this would tighten it up some and make it neater, and a regular vehicle can still park in it as well. Currently, 9-foot-wide parking spots are required so they would need be a little wider than normal parking, and as a result, the developers are obviously going to lose parking spaces by doing this, unless there is some sort of incentive providing credit for LSV's. He added that this still needs to be worked out to what that incentive might be, in order to move forward. Mr. O'Connor referred the members to the graphic and explained how they would be stripped white for regular cars, like all parking spaces are painted, and internal the stripping for LSV's would be yellow. Adding that this would be only for areas in the city where there is an alternate access to properties and shopping centers that do not have only one access from Highway 98, such as Crystal Beach, and for those that are accessible by driving across 98, which is allowed, from Crystal Beach at traffic intersections.

The members agreed to incentivize the choices for the developers and have the parking spaces 10-feet long instead of 12 feet with two five-foot spaces within for LSV's.

C. Draft Article 7 – Resource Conservation, Protection, Resiliency, and Sustainability

According to Mr. Butler, staff was tasked to come up with some incentives to provide the public to enhance and preserve scenic views of the water from the public right-of-way, as well as to provide waterfront access. The language staff is proposing is, **“Any proposed waterfront, non-residential or multi-family development or redevelopment that provides a perpetual public access easement, dedication to the public from the public right-of-way to the Waterfront, that may reduce the required open space by 15 percent, provided the Perpetual Public Access Easement or the plot of dedication to the public shall be a minimum of five foot wide, and the development shall dedicate at least four vehicle parking spaces for the public to use as parking, while meeting ADA parking standards.”** He then explained the reason staff came up with this incentive was from a previous discussion about maximum intensity and density within the

Comprehensive Plan, the maximums are already in the Land Development Code, therefore, there is no room to increase either one.

Committee member Bell asked if there was a chance to make the width wider by two feet and make it 7-feet, pointing out the fact that where she lives, she has one nearby, and see the amount of stuff that people now take to the beach, five feet is not enough sometimes.

Agency member Ledbetter pointed out that sidewalks are generally five feet and if a developer is already providing five feet, asking for two additional feet may be asking too much. Mr. O'Connor agreed with Agency member Ledbetter asking for two additional feet might disincentivize the developer. Chairman Wood agreed.

Motion by Agency member Bell, seconded by Agency member Purut to recommend approval to the City Council of the Draft Article 7 - Resource Conservation and Protection, as presented and discussed. The motion passed unanimous vote of 5-0.

5. PUBLIC COMMENTS:

None

6. DIRECTOR'S REPORT:

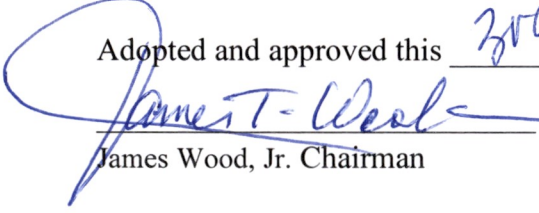
A. Article 10 - Impact Fee Draft Update

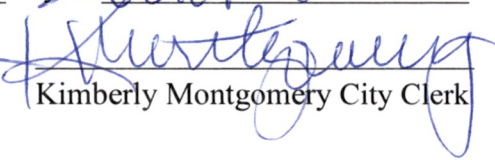
Mr. O'Connor explained staff did make changes to Article 10 regarding Impact Fees and the Proportionate Fair Share Program. Explaining that when there is redevelopment, the Proportionate Fair Share Program, which takes into consideration existing impacts to a site when it's redeveloped. This allows for the existing impact to be counted towards a credit, even though a developer is not supposed to get credit for impact fees, but it's okay if the impacts are already in place. He provided, as an example, if the impact is a hundred, and they increase the impacts to 120, then the net of 20 is what the developer would be responsible for, which is what the Proportionate Fair Share Program is for the redevelopment. He informed the member that this will go to City Council in a workshop and if they agree, then staff will bring this back before the LPA in an ordinance, for a recommendation to adopt.

7. ADJOURNMENT:

Having no further discussion at this time, the meeting adjourned at 6:45 p.m.

Adopted and approved this 3rd day of October 2024.


James Wood, Jr. Chairman


Kimberly Montgomery City Clerk