

**LOCAL PLANNING AGENCY
MEETING MINUTES
OCTOBER 3, 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, October 3, 2024, at 5:30 p.m., in the Destin City Annex Chambers; with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Members Present

James T. Wood, Jr.
Jay Purut
Marcie Bell
Gary Jarvis
Corey Ledbetter

Members Absent

Todd Buhr

Staff Members Present

Kimberly Montgomery Deputy City Clerk
Steven O'Connor Principal Planner
Tina Deater Comm. Development Director
Michael Burgess Public Works Director
Kyle Bauman, Special Projects Counsel

3. APPROVAL OF MINUTES:

- July 18, 2024
- August 8, 2024

Chairman Wood made the motion to approve both the July 18, 2024 and the August 8, 2024 minutes with Agency member Bell providing the second. The motion passed unanimous vote of 5-0.

4. NEW BUSINESS:

A. Public Hearing for Ordinance 24-09-LC Billboard discussion

Mr. O'Connor explained the background of creating this ordinance to the Agency members and how the foregoing, the City Council may approve an agreement permitting off-premises signs where the applicant agrees to remove at least forty-five percent (45%) of the signs in exchange for replacement of such signs with digital signs meeting all of the following criteria:

1. Cannot exceed 400 sq. ft. in sign face.
2. No billboard shall exceed the height limitation of the zoning district it is located or fifty feet (50') in height, as measured from the ground grade to any element at the top of the sign, whichever is lower.
3. No billboard foundation or leading edge shall be within half the distance of the height of the sign to the property line or right-of-way.
4. In no case shall any sign project more than 0.2 foot candles onto any residentially zoned or

residentially used property, to include multi-family developments or mixed use developments with multi-family uses.

5. No sign or advertisement shall contain any moving, scrolling, flashing, or any perceivable motion element.

6. Each advertisement shall not change less than:

1. Every 10 seconds from Marler Bridge to Airport Road along Harbor Blvd. (35mph).

2. Every 12 seconds from Airport to the Okaloosa/Walton County line along Emerald Coast Highway (45 mph).

7. All utilities to the billboard shall be undergrounded.

8. The billboard main support pole shall be covered in a manner to have a Northwest Coastal Florida Vernacular design.

a. All secondary support or display support structure shall be screened in a matching design.

9. All signs shall be maintained in a clean, working and operating manner at all times.

1. If at any point any billboard is determined to violate this paragraph as determined by the City Manager, notice shall be sent to the billboard operator. The operator shall rectify the issue within thirty (30) calendar day from the date of the notice. If the issue is not rectified in thirty (30) calendar days, the operate shall be found in direct violation of any agreement and the City Manager may require either:

1. Work to be completed to rectify the issue at the operators' or owners' expense, or

2. The removal of the sign at the operators' or owners' expense

Chairman Wood opened the public portion for comments.

Mr. Trey Goodwin of 455 Clifford Drive, Shalimar, FL stated that he is representing Tier One Media, who owns the billboard at Fudpucker's, and they recommend keeping the billboard codes as they currently are written and recommends City Council to not adopt this ordinance. He further explained how the current codes were put in place earlier in the millennium with the intention to eventually phasing billboards out in the city and this current ordinance could potentially open the door for additional intensity within the city, that is not currently in place.

Motion by Agency member Purut to recommend City Council deny the adoption of Ordinance 24-09-LC with Agency member Jarvis providing the second. The motion passed with a unanimous vote of 5-0.

B. Floodplain Management LDC Amendment-Ordinance 24-12-LC

The Public Works Director Michael Burgess explained how he has been working with Rebbecca Quinn, who is the Flood Plain Consultant with FDEP, regarding the city's requirements to stay compliance with the National Flood Insurance Program and the Community Rating System,

by adding updated language to in the codes in order to meet the minimum requirements to stay in compliance with the programs and is the reasoning for this ordinance.

Motion by Chairman Wood to recommend City Council adopt ordinance 24-12-LC amending the Flood Plain Ordinance found in the Land Development Code, with Committee member Jarvis providing the second. Chairman Wood opened the hearing to the public for comment, with no one coming forward to speak, he closed the public portion of the hearing and called for a vote on the motion. **The motion passed with a unanimous vote of 5-0.**

C. Floodplain Management Code of Ordinance Amendment-Ordinance 24-18-CC

Mr. Burgess explained to the members that there was a lot of confounding language removed from the Code of Ordinances and this ordinance will make is easier to read and understand by the general public.

Chairman Wood made the motion to recommend City Council adopt Ordinance 24-18-CC by amending the Code of Ordinances, Chapter 6 - Buildings and Building Regulations, with Agency member Purut providing the second. In discussion. Agency member Bell questioned if this had anything to do with a flood zone designation for Holiday Isle and according to Mr. Burgess, it does not.

D. Ordinance 24-14-LC- Unsafe Building Abatement LDC Amendment

The Building Official, Noell Bell explained the reasoning for this ordinance is to remove old and outdated and conflicting language from the LDC regarding building abatement, Article 20.06, Unsafe Building Abatement Code.

Agency member Bell made the motion to recommend the adoption of Ordinance 24-14-LC, Unsafe Building Abatement, deleting Land Development Code Article 20.06.00 with the understanding a new Property Maintenance Code will replace it within the Code of Ordinance, once adopted. Agency member Ledbetter provided the second. Chairman Wood opened the hearing to the public for comment, with no one coming forward, he closed the public comments and called for the vote, **the motion passed 5-0.**

E. Ordinance 24-17-CC Property Maintenance Code

According to the Building Official Noell Bell, the current regulations do not fully capture all elements of public health, safety, welfare and the preservation of neighborhoods, as they apply only to structures, and do not address a property's general site conditions. Due to the limits of these regulations, the City's Code Compliance efforts are limited. Therefore, Staff is seeking to expand the regulations to include the property as a whole, including all exterior elements (yard),

as part of the current rewrite of the Land Development Code (LDC). Staff has also determined that the type of structural maintenance regulations currently located in LDC Article 20.06.00 Unsafe Building Abatement would be more appropriately located in the Code of Ordinances because, they are not regulations, but rather the enforcement of regulations for post development. Thus, staff has created Article V. - Property Maintenance Code under Chapter 6 - Building and Building Regulations in the Code of Ordinances and proposes expanding the scope of the regulations to also address general site conditions by adopting a Property Maintenance Code, modeled from the International Code Council (ICC) 2024 Property Maintenance Code.

Agency member Jarvis spoke of how he hoped there would be more language in this ordinance for staff to be able to enforce some of the issues that have been ongoing for years regarding accumulation of trash and debris in the city, which is a public health, safety, and welfare issue.

According to the Principal Planner Steve O'Connor, nuisance is all encompassing and if they put the nuisance abatement in the property code, it would only apply to what that property code applies to, therefore, keeping them separate enables for them to not get lost or buried in the code, such has been the case.

Agency member Bell questioned issues such as left over construction materials that have been basically abandoned and asked if that was included in this ordinance. According to Mrs. Noell Bell, it is.

Motion by Agency member Jarvis the Local Planning Agency recommend City Council approve and adopt the creation of Ordinance 24-17-CC, creating Chapter 6, Article V. – Property Maintenance Code in the Code of Ordinances. Agency member Bell provided the second.

Chairman Wood opened the public portion of the hearing, with no public coming forward to speak, he closed the public and called for the vote, **the motion passed 5-0.**

Motion by Agency member Jarvis for Council to direct staff to look into establishing a separate nuisance abatement ordinance for noncompliant properties. Agency member Bell provided the second.

Agency member Purut questioned if someone did nothing after a Special Magistrate ruling, and if other than the liens placed on the property, could the owner possibly be arrested and sent to jail for contempt of court.

The City Attorney explained that a nuisance process is not a judicial process however, in certain circumstances, an injunctive relief could be sought, if a property gets in a certain state of

disrepair, which could require the property owner to take some certain action and if they are still noncompliant, they could be in contempt of court, if done so through a judge. However, homesteaded property is not typically something that a municipality can enforce foreclosure.

Agency member Jarvis spoke of how some municipalities have language written in their Codes where they can, after a certain timeframe is placed on a property to be cleaned up, and after such a time it has not, the municipality can go in with bulldozers can clean them up. He further stated that he wants to make sure the necessary verbiage is written in this ordinance so that whatever needs to be done, can be legally done for the properties that continue to be out of compliance. **With no further comment, Chairman Wood called for the vote and the motion passed 5-0.**

5. PUBLIC COMMENTS:

None

6. DIRECTOR'S REPORT:

A. Planning Staff

Mr. O'Connor informed the members of the LPA that the planning staff is now back up to 100% and introduced the new planners.

7. ADJOURNMENT:

Having no further discussion at this time, the meeting adjourned at 6:20 p.m.

Adopted and approved this _____ day of _____ 2024.

James Wood, Jr. Chairman

Kimberly Montgomery City Clerk

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5. PUBLIC COMMENTS:

None

6. DIRECTOR'S REPORT:

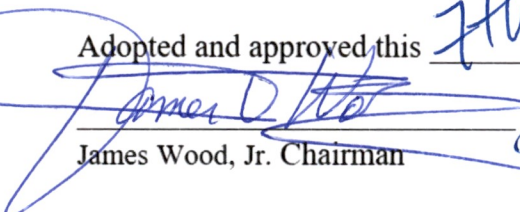
A. Planning Staff

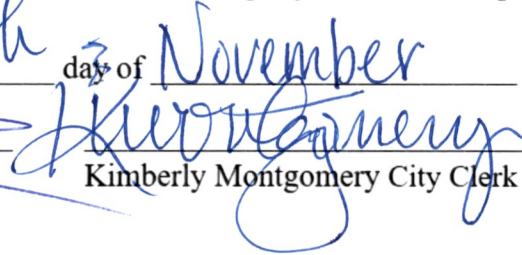
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7. ADJOURNMENT:

Having no further discussion at this time, the meeting adjourned at 6:20 p.m.

Adopted and approved this 7th day of November 2024.


James Wood, Jr. Chairman


Kimberly Montgomery City Clerk