

**REGULAR MEETING
DESTIN CITY COUNCIL
APRIL 1, 2019
ANNEX COUNCIL CHAMBERS
6:00 PM**

*****Core Value of the Month - Integrity*****

CALL TO ORDER

INVOCATION (Pastor Steve Farris - First Baptist Church)

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL *(Matters not specifically listed on the agenda may be added and acted upon with a super-majority vote of the Council members present and eligible to vote on the matter)*

1. APPROVAL OF MINUTES

- A. Approval of minutes of February 26, 2019 City Council Workshop
- B. Approval of minutes of February 4, 2019 Regular City Council Meeting

2. PROCLAMATIONS / RECOGNITIONS / **SPECIAL PRESENTATIONS / ANNOUNCEMENTS (No public comments)

- A. Proclamation - Water Conservation Month

3. PUBLIC COMMENTS ON AGENDA ITEMS THAT ARE NOT PUBLIC HEARINGS AND ANY OTHER MATTERS NOT ON THE AGENDA (All agenda items other than those under Number 5)

(Note: Individual speakers will be limited to 3 minutes. At the discretion of the Mayor, this 3 minute allowance may be adjusted depending on the level of business coming before the City Council)

4. CITY MANAGER REPORTS

- A. Strategic Visioning Session - Date
- B. Town Hall Meeting - Schedule
- C. Draft Memorandum of Understanding (MOU) - Okaloosa County, James Lee Park
- D. Announcements

5. PUBLIC HEARINGS

- A. First reading of Ordinance 19-05-LC - Amending Article 7 of the Land Development Code to create a Harbor District overlay
- B. First reading of Ordinance 19-06-LC - Establishing the Calhoun Center Mixed Use Village (CMUV) zoning district
- C. First reading of Ordinance 19-07-LC - Amending the Town Center Mixed Use (TCMU) zoning district
- D. First reading of Ordinance 19-08-CN - Livery Vessel Moratorium

6. ***CONSENT AGENDA** (No public comments)

- A. Request for Council Approval to Purchase FY19 Budgeted Equipment; 2019 Ford Escape 4x4, 2019 Ford F-550 4x4, 2019 30 ton trailer.

7. **COMMENTS/PRESENTATIONS FROM MAYOR, COUNCIL, LAND USE ATTORNEY AND CITY ATTORNEY** (No public comments)

- A. Councilmember Braden
- B. Councilmember Ramswell
- C. Councilmember Menchel
- D. Councilmember Overdier
- E. Councilmember Marler
- F. Councilmember Destin
 - 1. Discussion of pedestrian traffic at foot of bridge.
- G. Councilmember Morgan
- H. Mayor Gary Jarvis
- I. Land Use Attorney
- J. City Attorney

8. **ADJOURN**

All items listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and may be considered separately.

****To be placed on the Agenda under scheduled presentations, citizens must contact the City Manager or City Clerk's office one (1) week prior to the scheduled City Council Meeting by completing a Speakers Request Form and providing any accompanying documentation as requested in the form's instructions.**

***** Any invocation that is offered before the official start of the City Council meeting shall be the voluntary offering of a private person, to and for the benefit of the City Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council, or the City staff, and the City is not allowed by law to endorse the religious beliefs or views of this, or any other speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered. A person may exit the City Council Chambers and return upon completion of the opening invocation if a person does not wish to participate in or witness the opening invocation.**

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she may need a record of the proceedings, and for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. FS 286.0105.

Persons with disabilities who require assistance to participate in City meetings are requested to notify the City Clerk's Office at (850) 837-4242 in advance. Hearing Impaired: TTY: 711. Assistance also available through Human Resources, Title VI Coordinator, at (850) 837-4242.

Personas con discapacidades que necesitan asistencia o personas que necesiten ayuda con un idioma para participar en las reuniones de la ciudad, deberán notificar la oficina de la Secretaria Municipal al (850) 837-4242 antes de la reunión. Discapacidad auditiva: TTY: 711 (Solicitar Espanol CA). La ayuda tambien está disponible por Recursos Humanos, Coordinador del Título VI, al (850) 837-4242.

Note: *Persons who wish to provide public comments on agenda items are requested to fill out a blue speaker card and submit it to the City Clerk at the start of the meeting.*

Persons who wish to provide public comments on any other matters not on the agenda are requested to fill out a yellow speaker card and submit it to the City Clerk at the start of the meeting.

All regularly scheduled city council meetings will be streamed live via the city's YouTube channel, www.youtube.com/CityofDestin. Past council meetings can also be viewed here.

Please visit our agenda center on the city website at www.cityofdestin.com/agendas

**MINUTES
SPECIAL WORKSHOP
DESTIN CITY COUNCIL
FEBRUARY 26, 2019
CITY HALL ANNEX
COUNCIL CHAMBERS
5:00 PM**

The Council for the City of Destin met in special workshop session with the following members present:

Destin City Council

Mayor Gary Jarvis
Councilmember Parker Destin
Councilmember Cyron Marler
Councilmember Prebble Ramswell

Councilmember Chatham Morgan
Councilmember Skip Overdier
Councilmember Steven Menchel

Destin City Staff

City Manager Lance Johnson
Code Compliance Manager Joey Forgione
City Planner Dawn McDonald
Community Development Dir. Louis Zunguze
Building Official Noel Bell
Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey
IT Manager Webb Warren
City Planner Lauren Witt
Tim Whaler, 3TP Ventures
City Attorney Kyle Bauman

CALL TO ORDER

Mayor Gary Jarvis called the meeting to order at 5:00 PM. He called for a moment of silence; which was then followed by the Pledge of Allegiance.

1. Introduction/Workshop Overview

The Community Development Director Louis Zunguze discussed the ongoing 2019-2020 Evaluation and Appraisal Report (EAR) - Based Comprehensive Plan amendment process. He stated that the City's required EAR-based comprehensive plan amendment process has become due. State law requires municipalities to review their comprehensive plans every 7 years in order to ensure that any new State legislation is addressed as required in the current Comprehensive Plan. He stated they have submitted the City's required notification letter to the State and therefore the City is now in compliance with State law timelines for this process and can continue to process comprehensive plan amendments.

Mr. Zunguze then spoke of the current inconsistencies between the City's zoning map and the Comprehensive Plan Future Land Use Map. He stated that the City adopted a comprehensive plan; but, failed to prepare a set of regulatory mechanisms to drive that comprehensive plan submission. He continued that according to State requirements, as soon as a comprehensive plan is adopted, they have a year to accomplish that function; and that since they fell short in that regard, they now have a discrepancy between the Comprehensive Plan Future Land Use Map and the City's zoning map. He further stated that it is important for the Council to provide clarity as far as the development direction of this community so staff could confidently guide its development projects. He added that the goal of this evening's meeting is to align the City's Future Land Use Map with the Zoning Map.

Mr. Tim Whaler provided the following presentation on the 2020 Future Land Use Map and on managing future land use.

2020 Future Land Use Map

- New citywide map adopted with 2020 Comprehensive Plan update
- Florida Statutes require evaluation and appraisal of comprehensive plan
 - ❖ Address changes in State requirements since the last update of the comprehensive plan
 - ❖ Update the plan based on changes to local conditions
- Ordinance 15-17-PC
 - ❖ Adopted 2020 Comprehensive Plan Chapter 1- Future Land Use Element
 - ❖ Revised the Future Land Use Map (FLUM)
 - ❖ Added the planning areas and sub-areas
 - ❖ March 7, 2016
- Zoning map not updated to reflect amended FLUM

Managing Future Land Use/Management Tools and Criteria

- Measures
 - ❖ Allowable Uses
 - Residential Uses
 - Long-Term Residential – residential accommodation that is available for occupancy for 181 days or more
 - Short-Term Residential – residential accommodation that is available for occupancy for 180 days or less
 - Non-Residential Uses
 - Activities not defined as residential uses and connected with the sale, rental and distribution of products, or performance of services
 - Mixed Use
 - Different compatible uses located within a single structure or on the same development parcel
 - ❖ Height
 - Method of measuring building height
 - Starting from the higher of the three points
 - ✓ Crown of the road
 - ✓ Average grade of the subject property
 - ✓ Minimum Base Flood Elevation
 - Measured to the cornice line
 - Harbor Waterfront – average grade method
 - Pitched roof required in the comprehensive plan
 - ❖ Density
 - Residential uses
 - Dwelling units per acre (du/ac)
 - Maximum number of residential units allowed on a development site
 - Calculated by multiplying the gross residential land area of a proposed development project by the maximum number of residential units allowed in the FLUM designation

- Example: land area / number of dwelling units = du/ac
 $\frac{1}{4}$ acre x 9.0 dwelling units per acre = 2.25 du/ac
 2 dwelling units allowed
- ❖ Intensity
 - Non-residential uses
 - Floor Area Ratio (FAR)
 - Maximum square footage of uses allowed on a development site
 - A ratio obtained by dividing the floor area of buildings or structures by the land area of the site
 - Example: Floor area / land area = FAR
 $20,000 \text{ square feet} / 1 \text{ acre (43,560 sf)} = 0.459$
 FAR = 0.5
- ❖ Design Criteria
 - First comprehensive plan policy outlines design standards and criteria
 - Building siting
 - Off-street parking location
 - Pedestrian walkways and linkages
 - Bikeways within public ROW
 - Landscaping and open space
- Interaction of measures on site design
 - ❖ Example Development
 - 1 acre parcel
 - Town center Mixed Use (TCMU)
 - Maximum FAR = 1.5
 - Maximum height = 6 stories
 - Mixed use – retail/office and multi-family residential
 - Fronting Harbor Boulevard
 - ❖ Floor Area Ratio
 - FAR = 1.5
 - 2 story building
 - ❖ Open space and building location
 - FAR 1.5
 - 25% minimum open space
 - Frontage on public street
 - 2-story building
 - ❖ On-site parking and sidewalks
 - FAR 1.5
 - Open space 25%
 - Frontage on public street
 - Off-street parking side or rear
 - Pedestrian sidewalks
 - Required roof pitch 60%
 - 6-story building
 - ❖ Other constraints
 - FAR 1.0
 - Open space 30%
 - Frontage on public street
 - Off-street parking side or rear

- Pedestrian sidewalks
- Required roof pitch 60%
- 3-story

Next, City planners Lauren Witt and Dawn McDonald outlined zoning designations that conflict with the adopted Future Land Use Map set forth in the comprehensive plan

- Areas where the zoning is not the same as future land use
 - ❖ 484 parcels identified
 - ❖ 15 consolidated district areas
 - One area created with amendment for Capt. Leonard Destin Park
 - Area #1 - Capt. Leonard Destin Park issued August 25, 2017
 - ✓ FLUM: REC – Recreation
 - ✓ Zoning: CMU – Calhoun Mixed Use
 - Fourteen district areas created with the adoption of the 2020 Future Land Use Map (FLUM)
 - Area #2 – Land located between Calhoun and Sibert
 - ✓ No CMUV zoning category in LDC
 - ✓ FLUM: CMUV – Calhoun Mixed Use Village
 - ✓ Zoning: ROI GD – Residential Office & Institutional – General Development
 - Area #3 – Harbor Blvd just east of Marler Street
 - ✓ FLUM: NHMU – North Harbor Mixed Use
 - ✓ Zoning: INST – Institutional
 - Areas #4 & #5 – Areas south of Azalea Road stretching between Melvin and Benning
 - ✓ FLUM: ROI – Residential, Office & Institutional
 - ✓ Zoning: MDR-V – Medium Density Residential – Village
 - Area #6 – Location of the water tower
 - ✓ FLUM: ROI – Residential, Office & Institutional
 - ✓ Zoning: INST – Institutional
 - Area #7 – Area located at the corner of Beach and Harbor
 - ✓ FLUM: TCMU – Town Center Mixed Use
 - ✓ Zoning: CG – Commercial General
 - Area #8 – Post Office
 - ✓ FLUM: TCMU – Town Center Mixed Use
 - ✓ Zoning: INST – Institutional
 - Area #9 – Area located just south of Industrial Park Road
 - ✓ FLUM: IN – Industrial
 - ✓ Zoning: TCMU – Town Center Mixed Use
 - Area #10 – Area just west of Palm Street and Airport Road
 - ✓ FLUM: TCMU – Town Center Mixed Use
 - ✓ Zoning: CG - Commercial General
 - Area #11 – Area south of Quail Lake Blvd (Terrace Condo)
 - ✓ FLUM: TCMU – Town Center Mixed Use
 - ✓ Zoning: ROI GD – Residential, Office & Institutional – General Development
 - Area #12 – Office Bldg

- ✓ FLUM: TCMU – Town Center Mixed Use
- ✓ Zoning: CG – Commercial General
- Area #13 – Destin Water Users
 - ✓ FLUM: TCMU – Town Center Mixed Use
 - ✓ Zoning: INST – Institutional
- Area #14 – Crystal Beach area
 - ✓ FLUM: Crystal Beach Resort
 - ✓ Zoning: Crystal Beach Neighborhood
- Area #15 – Area adjacent to US Hwy 98
 - ✓ FLUM: CG – Commercial General
 - ✓ Zoning: ROI TD – Residential, Office & Institutional – Tourist Development

DISCUSSIONS:

Councilmember Ramswell noted that the United States Post Office parcel is marked Institutional in the 2010 FLUM. She asked why that designation was changed when clearly it is the proper designation; especially when the entire area, with the exception of that one parcel, did not change.

Mr. Zunguze stated that he has no history regarding this particular issue.

The Mayor noted that they have a lot of new employees, including a new director, in the Community Development Department; and so they could expect to run into similar issues as they move forward because they have lost a lot of the institutional knowledge and history surrounding these issues.

Mr. Zunguze stated there are two alternative approaches to resolving these conflicts. If the Council is comfortable with the current FLUM, the first alternative would be to rezone all conflicting parcels to match the FLUM. This process would involve bringing back a new zoning map which would then be in compliance with the FLUM. This would also involve at least a creation of a new zoning district in the Calhoun Mixed Use area, which is currently not available in the LDC; and then updating the LDC.

The Mayor asked what caused the conflicts.

Mr. Zunguze explains that he does not have the exact history in this case; but, speaking in general terms, every community updates its comprehensive plan time to time. Area designations that may be comfortable for Council today may be seen in a different light 5 years into the future and are given different designation, creating the disparity. He continued that the best practice is to update the zoning map so that it looks and matches the FLUM designations.

The Land Use Attorney added that the City did text amendments and addressed the specifics that would be allowed in each of the designation as far as height, intensity and density, but after the Comprehensive Plan FLUM was amended in 2015 and 2016, the rezoning did not occur.

Councilmember Marler pointed out that area #2 - land located between Calhoun and Sibert, as shown above, has a FLUM designation of CMUV and zoning of ROI GD. There are City-owned parking lots located across the street on the south side of Sibert Avenue. This is an area that they need to construct parking garages even though they are reluctant to do so at this

time. He continued that the area is not properly zoned for parking garages under the current zoning map.

According to Mr. Zunguze, they would be able to correct that problem when they perform the zoning change in the LDC. They could add uses in that particular area when they create the new zoning district.

Mr. Zunguze stated that the other alternative approach to resolving the inconsistencies between the FLUM and the zoning map is to go through a comprehensive plan amendment if the Council wishes to change something in the current FLUM.

Councilmember Destin stated that he supports rezoning the different parcels to match the current FLUM; however, he has some reservations with regards to some areas. One in particular is the TCMU area where he believes the density is still way too high and they do not have the road infrastructure to support it. He continued it is not to the public's benefit to continue to allow 3-story apartment complexes to be built. They should change the code to encourage more single-family residential homes. He added that the biggest fear for some members of this Council is for the old movie theater and Old Tyme Pottery, both with TCMU designation, to be redeveloped and encourage construction of large apartment buildings.

Mr. Zunguze noted that a master plan has supposedly been developed for the Town Center area; in which case, the Council should be able to dictate what is built in that area.

Councilmember Morgan stated that he shares Councilmember Destin's sentiments about the apartment buildings in the Town Center; adding that these apartments are not affordable housing for service industry employees and they are not good for the Town Center and the City of Destin.

Mr. Zunguze expressed that if the Council is comfortable with the majority of the current FLUM designations, they could go ahead and start updating the LDC. The Council could then identify their specific areas of concerns and staff could work on the two processes simultaneously.

Councilmember Ramswell mentioned that during her recent meeting with the owner of Old Tyme Pottery, she learned they are in negotiations with a national developer looking at different types of housing. She also stated that when the Council approved Comprehensive Plan 2020, they were very focused on the height, density and intensity. She does not recall any changes to specific parcel or on the FLUM being brought to their attention. She continued that when the zoning designation for Parcel B on Norriego Point mysteriously changed from ROI to CG, it caused major concerns among the residents in that area. She received several emails from residents of Sovereign Isle claiming they received no notice whatsoever and they are within 300 feet of the affected area, which is an LDC requirement. She now has grave concerns overall as to how and why these zoning conflicts occurred. She also pointed out that the area located at the corner of Beach and Harbor, marked as #7 on the slide, is actually part of a back parking lot to the United Methodist Church. That parcel was split in half; one part is Institutional and the other is TCMU.

Councilmember Destin opined that the comprehensive plan amendment in 2015 created a lot of the problems they are currently experiencing; adding they gave away their rights as a Council to review development by approving that amendment. He continued that they have been

trying to remedy this situation over the past two or three years and the Council has now reinserted itself in the development review process. He then expressed concern over area #15, a parcel adjacent to US Hwy 98; stating there may have been a plan to turn that area into an amusement park, which would not make the residents of Sovereign Isle very happy. He suggests staying with the current zoning for that particular parcel. He recommends directing staff to update the LDC for areas #1 thru #14, and then to pursue the process of addressing the TCMU densities because he does not want to see Old Tyme Pottery converted into apartment buildings.

Councilmember Morgan recommends addressing the densities in the TCMU expeditiously.

Councilmember Ramswell would like area #7 to be addressed as well.

The Land Use Attorney stated that if the Council wants to direct staff to do the administrative rezoning for the properties marked area #1 thru #14, except for areas #7 and #15, they could discuss and approve a motion to do so at the next regularly scheduled Council meeting. The Council could then discuss properties in areas #7 and #15 separately and request an amendment for the FLUM.

At this time, the Mayor announced he would allow public comments pertaining to this subject.

Ms. Marcie Bell, a Destin resident, asked if the Council has any recollection of the situation Ms. Diana Lynn discussed with the Council about the 2007 rezoning change to Parcel B without proper notification to the surrounding properties.

Councilmember Ramswell replied that she remembers having that discussion.

Ms. Bell noted there is no property currently zoned as Conservation within the City of Destin. The only parcel that was zoned as Conservation was Parcel B, and possibly Parcel C. In 2007, the zoning designation for these properties was changed to High Density Residential (HDR). She continued that Parcel B and Parcel C are both covered by sand dike placed there by the US Army Corps of Engineers to protect the jetties. It is a perpetual easement under private property ownership. She asked Council to consider changing the zoning designation of Parcel B and Parcel C back to Conservation.

Mr. Curtis Gwin, a Destin resident, stated that since the Council plans to pull areas #7 and #15, it would be beneficial to know which guideline to follow if they come in to apply for a development order for these areas. He suggests going through the administrative rezoning for all the identified areas to bring the zoning map into compliance with the current FLUM; adding that the Council would still have the authority to stop a development order application that comes in if they do not like what is being proposed. The only major issue is CMUV designation because there is nothing in the LDC that provides the rules and regulations for CMUV.

Ms. Rhonda Dossey, a property owner in Destin, stated that changing the zoning designation for area #15 to CG would be a nightmare for residents of Sovereign Isle. She continued that the area has been zoned ROI TD to match the area located across the street from it; which is a low density office park. If they change the zoning to CG, there could be 38 property owners that could be inconvenienced with what they decide to build on that property. She urged the Council to stay with the current zoning of ROI TD for that particular property.

Mr. Karl Seekamp, a Destin resident, noted that his home on Sovereign Isle physically borders the property in area #15; and that he has a significant concern about it. He noted that the 2010 Comprehensive Plan states that *“the primary objective of the future land use element is to preserve and enhance the City’s existing character and identity through appropriate management land use of urban design.”* He opined that changing the zoning designation for area #15 to CG would not enhance or preserve the character of his neighborhood; and he could end up having a gas station or McDonald Restaurant 10 feet from his home which would significantly lower its property value. He added it was not what he anticipated when he spent his entire life savings purchasing his property two years ago.

Councilmember Destin asked if the notice requirements for property owners also apply for FLUM changes.

According to the Land Use Attorney, the code requires sending notices in the mail to all affected property owners located within 300 feet if there is a change to the FLUM; but, they have not found any record that it was followed in the past. It seems the previous staff elected not to notify every affected property owner within the City because of the cost. However, there are proofs that all required newspaper advertising were accomplished.

Ms. Char Rohrer, a Destin resident, stated that previous staff knew about the zoning change for area #15 because she personally discussed this issue with them. She continued that she was provided a document showing proposed rezoning of that property to CG. She added that she never received an answer to her question to City staff whether affected property owners were going to be notified of the changes.

Mr. Shane Cannon, a Destin resident and a local developer, urged the Council to expedite the process of bringing the LDC to match the FLUM because it is limiting City staff’s ability to process development applications; thus putting a lot of applicants on hold. He also stated that the City has a tendency to focus on what large developers are developing while small developers such as him are getting caught in the system that is broken; and there had not been a lot of efforts on the part of the Council to help them. He asked the Council to be sensitive to other small residential areas in town.

The Mayor stated that they have a tendency to lose sight of small developers who also live in the community, and who have chosen this way of life not only to provide for their families but also to contribute to this community. He added that as they move forward they need to make sure they keep them in mind and not affect their ability to stay in business.

The Land Use Attorney noted that when someone wants to develop and the FLUM and the zoning map do not currently match, her advice to staff was not to halt anything but to process the application under the comprehensive plan to the extent there is a conflict between the comprehensive plan and the LDC. She continued there are zoning issues in the LDC that do not conflict with the comprehensive plan at all, such as setbacks, which staff would then process accordingly.

Mr. Cannon noted that when there are two zoning designations with nothing in common, such as a property with a previous zoning designation of MDR, and a new zoning designation of ROI, which does not allow single-family residential, the City staff has been directed to take the most stringent available language in the code that exists for an application. He also stated that developers are held to the FLUM; and when the zoning designation in the LDC does not match

the FLUM, City staff cannot provide a confident answer with regards to the number of units per acre because the code has not been adopted.

The Land Use Attorney noted that the FLUM takes precedence in this case. She also stated that if there is a zoning designation in the LDC that does not match a FLUM designation, the proper process is to request the rezoning of the property to match the FLUM designation. If there is zoning district that does not currently exist in the LDC for a FLUM designation, they would have to abide by the FLUM to the extent there is no conflict with the LDC.

Councilmember Marler noted that a lot of the same businesses are allowed in both CG and ROI; although a gas station, which was mentioned earlier, is only allowed in CG, not in ROI. He continued that residents of Sovereign Isle have to realize it might not benefit them much leaving the current zoning of area #15 to ROI.

The City Manager commented that the main goal for correcting the discrepancies between the FLUM and the zoning map is to give staff the tool they need to appropriately serve the public; adding that their top priority at this time is getting the LDC updated.

The Mayor stated that based on the comments by the Council members as well as the the public, it seemed there is a consensus to move forward with the zoning changes in the LDC for all the areas identified except for areas #7 and #15. And unless there are any objections, the Council could go ahead and adopt the appropriate motion giving formal direction to staff at the next regular Council meeting.

Councilmember Menchel suggests the information regarding the action they are taking is posted on the City's website in addition to advertising them in the newspaper because a lot of people do not subscribe to the newspaper.

Councilmember Ramswell recommends reaching out to the affected property owners for input, especially in area #7 where a parcel is being split in half, designating one part as Institutional and the other as TCMU.

Mr. Seekamp asked that they send a letter in the mail to each affected property owner aside from placing the information on the website and advertising it in the newspaper to make sure the public is properly notified of the actions being taken.

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 6:35 PM.

Gary Jarvis, Mayor

ATTEST:

Rey Bailey, City Clerk

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
FEBRUARY 4, 2019
CITY HALL ANNEX COUNCIL CHAMBERS
6:00 PM**

The Council of the City of Destin met in regular session with the following members and staff present:

Destin City Council

Mayor Gary Jarvis

Councilmember Steven Menchel

Councilmember Cyron Marler

Councilmember Parker Destin

Councilmember Chatham Morgan

Councilmember Skip Overdier

Councilmember Rodney Braden

Destin City Staff

City Manager Lance Johnson

Acting Public Services Director Tim Pietenpol

Code Compliance Manager Joey Forgione

Community Development Director Louis Zunguze

Public Information Manager Catherine Card

Parks & Recreation Director Lisa Firth

City Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey

IT Manager Webb Warren

Library Director Wen Livingston

Finance Director Bragg Farmer

Building Official Noell Bell

City Attorney Kyle Bauman

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Gary Jarvis called the meeting to order at 6:00 PM. Pastor Eric Partin of Shoreline Church gave the invocation; which was then followed by the Pledge of Allegiance.

AGENDA APPROVAL

Motion by Councilmember Menchel, seconded by Councilmember Overdier, to add “East Pass Gap Easements with Oceana” under City Attorney Comments passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted “yes”; Councilmember Ramswell was absent from the meeting).

Motion by Councilmember Braden, seconded by Councilmember Destin, to move agenda item 4A immediately after agenda item 2A passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted “yes”; Councilmember Ramswell was absent from the meeting).

Councilmember Menchel moved to approve the agenda as amended; seconded by Councilmember Overdier. Motion passed 6-0 (Council members Morgan, Destin, Marler,

Overdier, Menchel and Braden voted “yes”; Councilmember Ramswell was absent from the meeting).

1. APPROVAL OF MINUTES

A. Approval of minutes of December 3, 2018 Regular City Council Meeting

Motion by Councilmember Destin, seconded by Councilmember Marler, to approve minutes of December 3, 2018 regular City Council meeting passed 5-0 (Council members Morgan, Destin, Marler, Overdier and Braden voted “yes”; Councilmember Menchel abstained from voting; Councilmember Ramswell was absent from the meeting).

B. Approval of minutes of November 27, 2018 Special City Council Meeting

Motion by Councilmember Destin, seconded by Councilmember Marler, to approve minutes of November 27, 2018 regular City Council meeting passed 5-0 (Council members Morgan, Destin, Marler, Overdier and Braden voted “yes”; Councilmember Menchel abstained from voting; Councilmember Ramswell was absent from the meeting).

2. PROCLAMATIONS / RECOGNITIONS / **SPECIAL PRESENTATIONS / ANNOUNCEMENTS

A. Presentation RFQ 1815PS Airport Road Signing and Pavement Marking Project

- 1) Connelly & Wicker, Inc.
- 2) Dewberry Engineers, Inc.
- 3) Gortemoller Engineering, Inc.
- 4) Volkert, Inc.

The above listed firms provided the following presentation to the City Council:

Connelly & Wicker, Inc.

- Local office for 25 years
- Current local projects
 - ❖ South Walton County Fire District – Fire Station
 - ❖ Destin Commons – Engineer of Record
 - ❖ Apartments on SR 331 – Reserve at Washington
- Airport Road is an innovative project
 - ❖ Experience with FDOT Local Agency Program (LAP) for cities and counties
 - ❖ Team with Prosser, Inc. – safety experts
- Project scope
 - ❖ Curb warning signs
 - ❖ Pavement marking improvements
 - ❖ High friction surface treatment

- ❖ Guardrail
- ❖ Resurfacing
- High Friction Surface Treatment (HFST)
 - ❖ Cost - \$59 per square yard
 - ❖ Safety improvements
 - Reduction of wet weather crashes by 84% (current statistics)
 - ❖ Life – 5-10 years
- Experience
- Project management
 - ❖ On-schedule – deadline of July 12, 2019
 - ❖ Within budget
 - ❖ Staff available to meet deadline

Dewberry Engineers, Inc.

- Organization Information
 - ❖ Headquarters – Fairfax, Virginia
 - ❖ Year established – 1956
 - ❖ Family-owned
 - ❖ 50 locations in 18 states
 - ❖ Number of employees – 2000-plus
- Prior work experience
 - ❖ Scenic Gulf Drive Phase III Improvements/Walton County
 - ❖ 11th Street paved shoulders and sidewalks (FDOT LAP)/Bay County
 - ❖ Calhoun Avenue Drainage Improvements and Sidewalks (NFWF Grant)/City of Destin
 - ❖ Juanita Avenue, Kelly Street and Snapper Drive Drainage Improvements and Sidewalks (NFWF Grant)/City of Destin
- Project understanding of critical issues
 - ❖ Sidewalks and crosswalks not meeting standards
 - ❖ Excessive drop off at curbing
 - ❖ Inadequate signage and reflectivity
 - ❖ Vehicle runoffs
 - ❖ Lack of pedestrian safety-need for barriers and lighting
 - ❖ Pavement surface deterioration and lack of friction
- Design recommendations
 - ❖ Installation of raised curbing with inlets; installation of guardrail (as needed) to allow for vehicle recovery after loss of control
 - ❖ Replacement of sidewalks and crosswalks to meet FDOT, ADA, and City of Destin requirements
 - ❖ Re-designing roadside swales to remove drop off
 - ❖ Installation of high friction surface treatment to improve vehicle traction
 - ❖ Installation of new thermoplastic striping and high visibility audible / vibratory pavement markings to improve driver awareness
 - ❖ Replacement of all signage with retro-reflective posts and coatings

- ❖ Installation of additional roadway and sidewalk lighting to improve visibility

Gortemoller Engineering, Inc.

- Firm Information
 - ❖ Located in Panama City Beach
 - ❖ Formed in 2002
 - ❖ 14-15 experienced staff members
- Experience
 - ❖ Served FDOT, Bay County, City of Panama City Beach the past 6-10 years
 - ❖ Services ranged from drainage, roadways, sign and pavement parking
 - ❖ Resurfaced over 105 miles of FDOT projects in Northwest Florida
 - ❖ Currently designing State Road 20 from State Road 77 to US 231
 - ❖ 3R projects at Wakulla County
 - ❖ State Road 85 from Okaloosa County line to Alabama State line
 - ❖ State Road 81 from Walton County to Alabama State line – 22 mile resurfacing project
 - ❖ East Avenue in Panama City – sign and pavement markings
 - ❖ Sign and pavement markings on East Avenue in Panama City
 - ❖ Sign and pavement markings on State Road 388
 - ❖ Resurfacing and reconstruction of Frankfurt Avenue
 - ❖ Sign and pavement marking on State Road 4 in Santa Rosa County and State Road 71 in Gulf County
 - ❖ Currently working on 4 different safety projects for FDOT as a sub-consultant providing sign and pavement markings and drainage
- Goal – The following will be added to improve safety
 - ❖ High friction surface treatment
 - ❖ Chevron signs
 - ❖ Curb warning
 - ❖ Guardrail
 - ❖ RPMs

Volkert, Inc.

- Credentials
 - ❖ A leading roadway design firm in Northwest Florida and the nation
 - ❖ #19 in the US in highway design (*Engineering News Record*)
 - ❖ Long-term partner in Northwest Florida transportation projects (since 1994)
 - FDOT District 3 (leading provider)
 - Local municipalities
 - Eglin AFB
 - Gulf Island National Seashore

- Mid-Bay Bridge Authority
- ❖ Over two dozen PD&E studies for FDOT
- ❖ Hundreds of miles roadway for FDOT and municipality clients

➤ Understanding of Scope

- ❖ FDOT Local Agency Program (LAP) project to provide safety upgrades for Airport Road from Mattie Kelly Blvd to Quail Circle in accordance with the FDOT Road Safety Audit for Airport Road, dated September 2016. Safety upgrades to include:
 - High Friction Surface Treatment (HFST)
 - Enhanced delineation – signage and pavement marking
 - Chevron signs – oversized and highly retro-reflective
 - Curve warning signs – oversized and highly retro-reflective
 - Speed limit signs
 - Raised Pavement Markers (RPM)
 - Thermoplastic striping
 - Guardrail (if needed)
 - Recovery Zone Enhancements – identified in safety audit not currently in scope
 - Lighting – identified in safety audit not currently in scope
 - What is High Friction Surface Treatment (HFST)
 - Pavement surface treatment composed of extremely hard, polish and abrasive resistant aggregate bonded to the existing pavement
 - Increases skid resistance and friction characteristics of the road surface
 - Aggregate typically calcined bauxite adhered with polymer resign binder
 - “Spot treatment” where warranted
 - Surface treatment – minimal thickness – 1/8”-1/4”
 - Can be installed over virtually all pavement types with minimal lane closures required
 - Contractor selection and construction oversight very important to project success
 - First used in US during the 1970s, used throughout Florida FDOT 50-100 projects
 - Project safety benefits
 - Enhanced delineation – Signage and pavement markings
 - ✓ Non-intersection fatal and injury crashes reduced by 16%
 - ✓ Proper chevron signs have shown a reduction of nighttime crashes by 25%

- HFST
 - ✓ Wet pavement crashes reduced by 75%
 - ✓ Total crashes reduced by 32%
- Similar work experience
 - LAP project experience
 - King Middle School sidewalk improvements
 - ✓ Santa Rosa County
 - ✓ Provide safe pedestrian passage
 - ✓ ADA compliance upgrades
 - Glover Lane sidewalk improvements
 - ✓ Santa Rosa County
 - ✓ Provide safe pedestrian passage
 - ✓ ADA compliance upgrades
 - Front Beach Road sidewalk improvements
 - ✓ Bay County
 - ✓ Provide safe pedestrian passage
 - ✓ ADA compliance upgrades
 - FDOT D3 on-call safety contract
- Why choose the Volkert Team
 - ❖ Client satisfaction is the priority
 - ❖ One of the most experienced and trusted roadway design teams for FDOT D3 work
 - ❖ FDOT pre-certified in 3.1 Minor Roadway
 - ❖ Trusted local consultant with nationwide experts
 - ❖ High friction surface coating knowledge/training

Following the presentations the Mayor called for a 10 minute break while the City Clerk tallies the scores assigned by each member of the Council and then moved on to agenda item 4A.

3. PUBLIC COMMENTS ON AGENDA ITEMS THAT ARE NOT PUBLIC HEARINGS AND ANY OTHER MATTERS NOT ON THE AGENDA

Mr. Mike Chesser, attorney for the Destin Fishing Fleet, announced he has filed an objection in the court to the settlement agreement that was tendered between the City of Destin and BI, Inc. He continued it has always been their contention that there never was a legitimate easement adjacent to the Destin Fishing Fleet property; and that they feel the court would have agreed with this argument had the lawsuit was allowed to continue. But, the City scheduled an executive session to consider a settlement proposal that went far beyond the issues that were being litigated. He then read the following two sections of the settlement agreement:

Paragraph 4D: *“The City acknowledges and agrees that BI, Harborside LLC and 200 Harbor LLC qualify for exceptions to the development order process as stated in the City’s*

Land Development Code to permit all uses, construction and activities contemplated in this agreement and/or the BI 2018 Survey.”

Paragraph 8: *“The City acknowledges and agrees that any otherwise permitted use of construction on the BI Property or the 200 Harbor property shall not be denied a permit or development order by the City of Destin based upon any limitation in width, length, slope, adjacency to any other use, condition, construction material, side yard, drainage, or other City of Destin requirement or limitation for parking for businesses, residences or properties, created by the agreement”*

Mr. Chesser noted that he previously represented the owner of 200 Harbor Blvd, a large piece of property located adjacent to Dewey Destin Seafood Restaurant. The owner came before the City after the livery vessel ordinance was adopted and requested an ordinance waiver while he adjusts the use of his property; however, the City staff denied his request. He continued that 200 Harbor Blvd is not a party to the lawsuit, but it is somewhat a beneficiary of the settlement agreement. The settlement agreement releases the restriction on 200 Harbor Blvd and the owner of the property; adding that if the settlement agreement is approved tonight, this property is no longer restricted by the livery ordinance. He suggests the proposed settlement agreement not be voted on tonight; and that it be brought before the Local Planning Agency and the Board of Adjustment for review.

Ms. Lisa Minshew, special counsel for BI, Inc. and Dewey Destin, Harborside LLC, noted that Mr. Chesser is trying to prolong something that has already been resolved. He held up the settlement agreement for being entered into by the judge by filing a lengthy objection. She continued that the only reason this issue was brought up, and in agreement with the City’s insurance counsel and with the Land Use Attorney, was as a result of an annual Circuit Court rotation, the Circuit Court Judge assigned to the litigation has changed. They wanted to give the new judge some flexibility so they are not locked into the exact wording that was in the final judgment that they approved. She continued there was nothing new about the property; and that 200 Harbor Blvd is not a party to the litigation and cannot enforce anything about these terms. The only reason it is mentioned in the settlement agreement is that BI, Inc. has a lease to use part of the property so they could get access. She urged the Council to proceed forward with this issue.

4. CITY MANAGER REPORTS

A. Selection RFQ 18-15-PS Airport Road Signing and Pavement Marking Project

Councilmember Destin moved to award RFQ 18-15-PS (Airport Road Signage and Pavement) to Volkert, Inc., seconded by Councilmember Braden. Motion passed 5-1 (Council members Morgan, Destin, Marler, Menchel and Braden voted “yes”; Councilmember Overdier voted “no”; Councilmember Ramswell was absent from the meeting).

Following the vote, the Mayor returned to Agenda item #3 – Public Comments

B. Request to rescind Council motion to install temporary guardrail on Airport Road curve.

The City Manager noted that on December 17, 2018, Council approved a motion to install guardrails along portions of Airport Road near the curve location as a temporary safety measure. Staff is recommending that Council rescinds this motion based on the reasons outlined in the staff report.

Motion by Councilmember Overdier, seconded by Councilmember Marler, to rescind Council's previous motion to install temporary guardrail on Airport Road curve passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted "yes"; Councilmember Ramswell was absent from the meeting).

C. BI, Inc. Litigation Settlement Agreement

According to the Land Use Attorney, the Final Settlement Agreement both parties entered into on September 6, 2018 has not yet been approved by the Circuit Judge. It is subject to approval by the Circuit Judge at a future hearing. She continued that none of the substantive issues discussed as far as the land use on the property is affected by it. Since the Circuit Court Judge assigned to the litigation has changed, the relevant year for the judgment should be corrected to state "2019" instead of "2018." They would also offer two different options to the judge regarding the legal language for approval of the agreement that is set forth in the stipulated final judgment.

Councilmember Morgan asked the Land Use Attorney to explain the reason for the executive session and why the proposed settlement agreement had to be discussed in private.

The Land Use Attorney explained that the Sunshine Law has an exception to the requirement to hold public meetings and to allow them to be held at the executive session during certain limited circumstances; which includes discussions pertaining to litigation strategies and negotiations. The executive session was recorded by a certified court reporter verbatim; which record will be available to the public as soon as the litigation concludes. She added that the City has the right to negotiate a settlement outside of a public meeting; and that the City does not agree with some of the statements made by Mr. Chesser tonight.

Councilmember Overdier moved to approve the Amended Settlement Agreement, including the exhibits; seconded by Councilmember Menchel.

Councilmember Destin announced he would abstain from voting as he is related to one of the litigants in this case.

Motion passed 3-2 (Council members Morgan, Menchel and Overdier voted "yes"; Council members Marler and Braden voted "no"; Councilmember Destin abstained from voting; Councilmember Ramswell was absent from the meeting).

D. Schedule of Fees

Motion by Councilmember Overdier, seconded by Councilmember Menchel, to adopt Resolution 19-01 and the associated Schedule of Fees for Fiscal Year 2019 passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted “yes”; Councilmember Ramswell was absent from the meeting).

E. Discussion on draft ordinance for privately-owned pay-to-park facilities.

The City Manager noted that at their previous meeting, the City Council directed staff to draft an ordinance for privately-owned pay-to-park facilities. The draft ordinance is before the Council tonight for their review, and that staff is seeking direction from the Council as to whether to proceed to finalize a draft of this ordinance for consideration by the LPA, and ultimately, by the Council. He also noted that the City has its own parking facilities and would fall under the same rules; and so he would recommend looking at the ordinance holistically across the City for both commercial and public parking.

According to the Land Use Attorney, there is currently no City ordinance that covers this particular issue. The draft ordinance would need more work especially with respect to the entrance to the facility. It currently states that acceptance of payments will not be permitted at the entrance to the facility, but it can be required anywhere in the parking facility, or at the exit point. She continued that they would need to provide clear definition of entrances or come up with other requirements to pay for the parking spot to prevent vehicles from backing up.

Councilmember Marler noted that according to the proposed ordinance, a pay-to-park facility that causes or allows vehicles to back-up and spillover on to any City, State or federal highway, road or street is subject to civil or criminal penalties. He pointed out that traffic will always back up, especially during the summer months, even if they do not collect payments at the entrance point if the driveway only holds a few cars and there are dozens of cars trying to turn into the same property.

Councilmember Overdier asked if there is a plan to meet and obtain inputs from parking lot owners along US Hwy 98.

The Land Use Attorney stated they have recently met with a representative from the Emerald Grande; but, unless directed otherwise by the Council, the goal is to continue working on the ordinance without focusing on any specific property since this is a city-wide ordinance.

Councilmember Menchel pointed out that all the constructions on US Hwy 98 would create a significant issue no matter what they do within the next two years. He also stated that if a particular lot is full, someone should put up a sign stating so to prevent others from turning into that lot.

The Land Use Attorney recommends coming up with a clear definition for entrances and setting measurable distances as collection points that would apply to public and private parking

lots. She asked if the Council wants to see the ordinance again before it goes to the Local Planning Agency.

There was a general consensus to allow staff to make appropriate amendments to the draft ordinance, bring it before the Local Planning Agency for review and recommendation, and then to the City Council for first reading.

F. Actions resulting from City-owned Paid Parking Workshop

The City Manager noted that a workshop was held earlier this evening regarding City-owned parking facilities; and that the City Council arrived at some consensus on some of the items discussed at that workshop. He asked the Council to consider making some motions with regards to those items and giving official directions to staff.

Councilmember Destin moved to instruct staff to bring back a fee ordinance to reflect parking fees to be charged for Fiscal Year 2019; seconded by Councilmember Overdier. Motion passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted “yes”; Councilmember Ramswell was absent from the meeting).

Motion by Councilmember Destin, seconded by Councilmember Overdier, to fund 108 Sibert parcel improvements for Fiscal Year 2019 from the fund balance, solicit bids, make the appropriate budget amendments, and bring the bids back for final approval by the Council, passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted “yes”; Councilmember Ramswell was absent from the meeting).

Councilmember Destin moved to instruct staff to solicit bids for the installation of a gate system in parking management plan in Fiscal Year 2020 and then bring them back for final approval by Council; seconded by Councilmember Menchel. Motion passed 6-0. (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted “yes”; Councilmember Ramswell was absent from the meeting).

G. Announcements

The City Manager announced that the Florida Fish and Wildlife Conservation Commission Coyote Presentation is scheduled for Thursday, February 7th, 5:00 PM, at the Destin Community Center.

5. PUBLIC HEARINGS

- A. Second reading of Ordinance 18-23-LC – Amend Section 7.12.01(A) 2 of the Land Development Code changing the designation of an 11.543 acre parcel of land located on U.S. Highway 98 from Commercial General (CG) to Town Center Mixed Use (TCMU).

The City Attorney read proposed Ordinance 18-23-LC by title, and then presented it to the City Council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATION OF AN 11.543 ACRE AREA OF LAND LOCATED ON U.S. HIGHWAY 98, DESTIN, FLORIDA FROM COMMERCIAL GENERAL (CG) TO TOWN CENTER MIXED USE (TCMU); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Land Use Attorney explained that the City Council approved this ordinance on first reading. It went before the City Council on second reading on January 21, 2019, and was continued to tonight's meeting at the request of the applicant. The ordinance is now back before the Council on second reading. The applicant has requested that the Council approves the ordinance with a provision that caps multi-family residential density at 192 units. She continued that two versions of the ordinance are provided to the Council. They are identical except that one version includes the language requested by the applicant.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor closed the public hearing and turned the matter over to the Council for discussion and consideration.

Councilmember Overdier moved to approve Ordinance 18-23-LC on second reading, and include the language requested by the applicant capping multi-family residential density at 192 units; seconded by Councilmember Morgan. Motion passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted "yes"; Councilmember Ramswell was absent from the meeting).

6. CONSENT AGENDA

A. Amendment to the Okaloosa County Public Library Cooperative Interlocal Agreement

Motion by Councilmember Menchel, seconded by Councilmember Overdier, to approve Consent Agenda item 6A, as printed above, passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted "yes"; Councilmember Ramswell was absent from the meeting).

7. COMMENTS/PRESENTATIONS FROM MAYOR, COUNCIL, LAND USE ATTORNEY AND CITY ATTORNEY

- A. Councilmember Braden
- B. Councilmember Ramswell

C. Councilmember Menchel

1. Discussion on holding a public question and answer meeting with staff

Councilmember Menchel stated that the City now has an incredible staff that is providing excellent customer service. If elected as permanent City Council member, he plans to schedule a town hall meeting, possibly an hour in the morning and an hour in the afternoon, where he, the City Manager and department directors meet with the citizens and allow the citizens to come and discuss ideas and issues with them. He feels this is something they ought to do on a regular basis.

Councilmember Menchel noted that he conducted an audit of street signs in 2016 and discovered there were 16 missing signs along US Hwy 98. He worked with Okaloosa County, and the County actually replaced and paid for all the signs. He recently noticed there are two signs, on Gulf Shore Drive and Beach Drive, which are in dire need of replacement. He asked staff to contact the County and asked if they could replace those signs.

D. Councilmember Overdier

1. Motion to Consider Rescission of previous action of the council: *"Motion to adopt a recommendation of purchasing wayfinding signs and installing them in the Crystal Beach area according to the diagram provided by Mr. Stephen Deranian, which passes 6-1"*

Councilmember Overdier moved to rescind a previous action of the Council to adopt a recommendation of purchasing wayfinding signs and installing them in the Crystal Beach area according to the diagram provided by a citizen; seconded by Councilmember Braden.

Councilmember Overdier explained there have been a lot of complaints from citizens of Crystal Beach about the proposed number and size of these signs. During their discussions with the citizens, staff has come up with a different approach of possibly placing fewer and smaller wayfinding signs in that area of Crystal Beach.

Motion passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted "yes"; Councilmember Ramswell was absent from the meeting).

E. Councilmember Marler

F. Councilmember Destin

G. Councilmember Morgan

H. Mayor Gary Jarvis

I. Land Use Attorney

J. City Attorney

1. East Pass Gap Easement with Oceana - update

The City Attorney announced that he and Mr. Ken Oertel, the special counsel for the City, are drafting some language in the easement agreement that would be protective of the City, the

Army Corps of Engineers and the “gap” property owners which are providing easements for the placement of sand on Reach 2. He continued that Oceana, which is one of the “gap” properties, has been skeptical of executing the easement agreement as it currently existed and wanted more protections; and that they have received a proposed language to the easement agreement from Oceana’s attorney. They are essentially asking for \$3,000 for upfront cost for execution of the easement; and then \$1,000 in liquidated damages for every day the project goes passed April 15th. Though it is not the final language, they have given an indication they are not willing to budge too much off this language. He also stated that he does not believe the current iteration would be in the City’s best interest as it could place the City in a large financial and legal risk. It could be a very expensive proposition especially not knowing for sure how long the project could last. He asked the Council for direction on how to proceed; and whether to continue trying to obtain these easements or divert their efforts elsewhere.

The Mayor inquired as to Oceana’s motivation behind this provision and holding them at ransom while there are many people in need in this community.

The City Attorney stated that he would not speculate as to Oceana’s motivation other than they wanted to be sufficiently protected, and they see this provision as a way to provide that protection. He also noted some engineering issues with the easement. Though it allows for heavy equipment to go across the property, it would be impossible to lay the pipes down to spread the sand on Reach 2; and so for this reason, he recommends Council directing him to stop pursuing the “gap” easements and focusing their attention elsewhere.

According to Mr. Guy Tadlock, he had been talking to some of the residents of Oceana as well as with the County; and that he is optimistic there could be a chance they would approve the agreement if they could alleviate some of the concerns about the temporary easements. He also stated there are 22 “gap” properties; 3 of which are condominiums. The other 19 are single family homes; some of which are observing what Oceana would do before they sign the agreement.

Councilmember Morgan stated that he personally think the whole idea behind the “gap” properties is just irrational, considering the fact they are receiving the benefits of their tax dollars. He recommends withholding sand until the property owners get on board or declare customary use and move forward.

Councilmember Overdier asked how this would affect federal funding if they cannot get the sand to Reach 2.

According to the City Attorney, the Army Corps of Engineers (USACE) performs the project and the initial \$1.5 million in federal funding is available. The 3 parties involved in the agreement – Okaloosa County, the petitioners, and FDEP – all need to come to terms before they could proceed with the project under the USACE’s permit. He also stated that the agreement is not contingent upon being able to obtain all 22 easements. Depending on whether they were able to get to Reach 2 would affect the amount of sand that would be placed on Destin and on Okaloosa Island.

The Mayor stated that the City has its own dredging permit; and that they would try to put their permit in a position where they could execute it and be minimally invasive to avoid legal actions. He also stated that he has declared a State of Emergency as Mayor, and they hope FDEP would do the same thing.

The City Attorney believes the financial conditions are unacceptable from the City's risk standpoint.

Ms. Marcie Bell stated that spring break is coming and there is no place to put the people on the beach. They should not allow 19 property owners in Oceana to affect a critical beach serviced by so many people at Sandpiper Cove. She continued that Sandpiper Cove is a huge rental community, and so if they are worried about being sued, there are many more property owners at Sandpiper Cove than Oceana that could file a lawsuit.

The City Attorney stated they are devising some strategies to avoid this type of situation in the future; which he would discuss with the Council at a later date. They are also trying to make sure the East Pass gets dredged by early March at the latest.

The Mayor stated that the East Pass needs to be dredged; and that the sand needs to go where it is most needed in accordance with the Florida Land Management Plan. He also believes that is the exact position of this Council and it is the direction to where they need to focus their attention. He also stated that if the agreement the County made with FDEP is not reached, they may have to go before the County TDC and asked that they fund the entire project.

Having no further business at this time, the meeting was adjourned at 8:35 PM.

Gary Jarvis, Mayor

ATTEST:

Rey Bailey, City Clerk



City of Destin

Proclamation

WATER CONSERVATION MONTH

WHEREAS, water is a basic and essential need of every living creature; and

WHEREAS, the State of Florida, Water Management Districts and Destin Water Users are working together to increase awareness about the importance of water conservation; and

WHEREAS, the City of Destin and the State of Florida has designated April, typically a dry month when water demands are most acute, Florida's Water Conservation Month, to educate citizens about how they can help save Florida's precious water resources; and

WHEREAS, Destin Water Users has always encouraged and supported water conservation, through various educational programs and special events, and

WHEREAS, every business, industry, school and citizen can help by saving water and thus promote a healthy economy and community;

NOW, THEREFORE, I, Mayor Gary Jarvis, on behalf of the Destin City Council, do hereby proclaim the month of April 2019 as

Water Conservation Month

The City of Destin, Florida is calling upon each citizen and business to help protect our precious resource by practicing water saving measures and becoming more aware of the need to save water.

SO DONE THIS 1ST DAY OF APRIL 2019
BY:

Gary Jarvis, Mayor

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: April 1, 2019

TYPE OF AGENDA ITEM: Announcement

TO: City Council

THRU: Webb Warren, IS & Process Manager
Lance Johnson, City Manager

FROM: Catherine Card, Public Information Manager

DATE: March 26, 2019

SUBJECT: Town Hall Meeting - Schedule

I. BACKGROUND: The City of Destin will host a Town Hall meeting on Thursday, April 18th, 2019, from 9 to 10 a.m. at the Destin Library's Calhoun room located at 150 Sibert Avenue. At this meeting, the public will have an opportunity to engage with Councilman Menchel and city staff in an open forum setting. Topics covered during this meeting will include current city projects and accomplishments. For more information, please contact the Public Information Manager at 850.460.8538.

II. DISCUSSION: This will be an open meeting to the public and will be advertised accordingly. This Town Hall meeting was requested by Councilmember Menchel.

- A. Link to Strategic Goals / Objectives:** Service Excellence
- B. Effect on Budget (EOB):** None
- C. Level of Service (LOS):** None

III. CONCLUSION:

IV. RECOMMENDED MOTION: N/A

Attachments:
None

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: April 1, 2019

TYPE OF AGENDA ITEM: City Manager Report

TO: City Council

THRU: Kimberly Kopp, Land Use Attorney

FROM: Lance Johnson, City Manager

DATE: March 28, 2019

SUBJECT: Draft Memorandum of Understanding (MOU) - Okaloosa County, James Lee Park

I. BACKGROUND: Okaloosa County has identified a need for parking improvements at James Lee Park. Since a portion of the parking area is located within the City's right-of-way the County has requested a MOU before they proceed with the project.

II. DISCUSSION:

- A. Link to Strategic Goals / Objectives:
- B. Effect on Budget (EOB):
- C. Level of Service (LOS):

III. CONCLUSION: The City Manager recommends that the City Council approve the requested MOU, and authorize the City Land Use Attorney to finalize the document with the County Attorney. The City Land Use Attorney desires to include some additional protections for the City in the MOU, and to work with the County Attorney relating to same.

IV. RECOMMENDED MOTION: I recommend that the City Council approve the MOU as requested, contingent on authorizing the City Land Use Attorney to finalize negotiations with the County Attorney.

Attachments:

1. 2019-03-11 James Lee Park MOU
2. Exhibit "A" Civil Design Drawings for James Lee Park Parking Lot Improvements

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING is entered into this ____ day of _____, 2019, between the City of Destin, a municipal corporation of the State of Florida (the “City”), and Okaloosa County, Florida (the “County”).

WHEREAS, the County owns and maintains James Lee Park and its adjacent parking area a portion of which is on the City’s right of way; and

WHEREAS, there is a need to provide improvements to the parking area, including expansion of the parking surface area which would be located on the City’s right of way; and

WHEREAS, the parties have worked together and arrived at a mutual agreement as to the responsibility for the conducting of the improvements and expansion of the parking area; and

WHEREAS, the proposed improvements do not constitute a change in the use or commercial square footage of the existing County park; and

WHEREAS, the expansion to the parking lot will provide additional public parking spaces available for City residents, County residents, or the general public for no charge; and

WHEREAS, the County has agreed to improve and continue maintenance at its cost the parking area including that which will encroach on the City’s right of way.

NOW, THEREFORE, it is agreed by the parties as follows:

1. The above recitals are true and correct and incorporated into this MOU.

2. The City hereby authorizes the County to utilize the portion of its right of way depicted in Exhibit “A” attached hereto, for purposes of expanding the parking surface of the parking area of James Lee Park. All improvements shall be done and completed at the County’s expense.

3. Once improvements are made, the County shall maintain, at its cost, the improvements along with the rest of its parking area. The City shall not interfere with the County's use of the portion of the right of way nor create an impediment to its use. The County shall ensure that it does not intentionally damage any adjacent contiguous City right of way to the portion it is permitted to utilize.

4. The parties upon mutual agreement may expand the scope of the contract when appropriate pursuant to a written amendment to this MOU. The written amendment must be mutually agreed to by the parties and executed by both parties.

5. This MOU will continue unless terminated by either party. Either party may terminate this MOU upon 180 days' notice in writing to the other party.

6. Each party agrees that it shall be solely responsible for the negligent or wrongful acts of its employees and agents. However, nothing contained herein shall be constructed to waive either party's immunity from liability under the doctrine of sovereign immunity or Section 768.28, Florida Statutes.

DONE AND AGREED this _____ day of _____, 2019.

Okaloosa County, Florida

Chairman

City of Destin, Florida

Mayor

JAMES LEE PARK PARKING LOT IMPROVEMENTS

PARCEL ID: 00-2S-22-0000-0033-0010

OKALOOSA COUNTY, CITY OF DESTIN, FL

PROJECT LOCATION
JAMES LEE PARK
OKALOOSA CO, FLORIDA

North

VICINITY MAP

N.T.S.

PROJECT LOCATION

SCENIC 98

James Lee Park

James Lee Park Beach

The Crab Trap, Destin

Destiny Beach

Destiny by the Sea

2378

Destiny Villor

Destiny Days Vacation Rentals

Tuscany Italian Bistro

Papa John's Pizzas

Coffee Kitchen - Wine Bar

Ethan Allen

Windstar Dr

Sunsail Circle

Wind Dr

Begatta Bay Blvd

John Ave

Dolphin St

Tarpon St

Lee Wren Circle

Whole Foods Market

Legendary Dr

Calusa

Destiny Dr

1 Circle

Cove

North

Emerald Coast Pkwy

Emerald Coast Pkwy

Four Prong Lake

Kokomo Bay

Silver Pointe

Destiny Way

Tranquility Ln

Bonaire Cay

Ocean Blvd

St. Johns Bay

James Lee Park

The Crab Trap, Destin

Destiny Beach

Destiny by the Sea

2378

Destiny Villor

Destiny Days Vacation Rentals

Tuscany Italian Bistro

Papa John's Pizzas

Coffee Kitchen - Wine Bar

Ethan Allen

Windstar Dr

Sunsail Circle

Wind Dr

Begatta Bay Blvd

John Ave

Dolphin St

Tarpon St

Lee Wren Circle

Whole Foods Market

Legendary Dr

Calusa

Destiny Dr

1 Circle

Cove

North

Emerald Coast Pkwy

Emerald Coast Pkwy

Four Prong Lake

Kokomo Bay

Silver Pointe

Destiny Way

Tranquility Ln

Bonaire Cay

Ocean Blvd

St. Johns Bay

James Lee Park

The Crab Trap, Destin

Destiny Beach

Destiny by the Sea

2378

Destiny Villor

Destiny Days Vacation Rentals

Tuscany Italian Bistro

Papa John's Pizzas

Coffee Kitchen - Wine Bar

Ethan Allen

Windstar Dr

Sunsail Circle

Wind Dr

Begatta Bay Blvd

John Ave

Dolphin St

Tarpon St

Lee Wren Circle

Whole Foods Market

Legendary Dr

Calusa

Destiny Dr

1 Circle

Cove

North

Emerald Coast Pkwy

Emerald Coast Pkwy

Four Prong Lake

Kokomo Bay

Silver Pointe

Destiny Way

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2378

BEG 67.65 FT S OF SE COR BLK 1 CRYSTAL BCH S/D E 896 FT S 33 FT TO POB E 1500 FT S TO W/E WLY ALG W/E TO PT S OF BEG N TO POB 1132-1558 LAND ONLY/BLDGs ON 0033-001X CONSERVATION LAND, DEP ID# CL54292, SHOAL RIVER LAND ACQUISITION, JAMES LEE PARK BEACH.

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AVCON

MUNICIPALITY: CITY OF DESTIN
WATER/WASTE WATER: DESTIN WATER USERS, INC.
POWER: GULF POWER
GAS: OKALOOSA GAS



**TRANSFORMING TODAY'S IDEAS
INTO TOMORROW'S REALITY**

[illegible]

JAMES LEE PARK

PREPARED FOR

OKALOOSA COUNTY

PUBLIC WORKS

DESIGNED BY: TDN/VMB
DRAWN BY: VMB
CHECKED BY: TDN
APPROVED BY: VCL
PROJECT NO: 18.0125.01
DATE: JANUARY 17, 2019

SHEET NUMBER
C-1

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- CONTRACTOR SHALL PRESERVE AND PROTECT ALL EXISTING PERMANENT REFERENCE MONUMENTS, PERMANENT CONTROL POINTS, PERMANENT BENCHMARK MARKS AND PROPERTY CORNERS. IN THE EVENT THE MONUMENTS, POINTS OR MARKERS ARE DISTURBED THE CONTRACTOR SHALL EMPLOY A FLORIDA REGISTERED LAND SURVEYOR TO RESET OR REPLACE THEM.
- CONTRACTOR SHALL PROTECT ALL EXISTING LANDSCAPING, SIDEWALKS, PAVEMENTS, CURBS, AND SOD NOT SPECIFIED FOR REMOVAL IN THESE PLANS. ANY DAMAGE TO THE EXISTING IMPROVEMENTS SHALL BE RESTORED BY THE CONTRACTOR AT NO COST TO THE OWNER, UNLESS OTHERWISE SPECIFIED HEREIN.
- UNLESS OTHERWISE SPECIFIED, ALL WORK SHALL BE PERFORMED CONSISTENT WITH THE FOLLOWING SPECIFICATIONS: CITY OF DESTIN AND FDOT.
- THIS DESIGN HAS BEEN BASED UPON SURVEY INFORMATION PROVIDED BY:
SAM SURVEYING AND MAPPING, LLC PROJECT NO.: 1018045394 DATE: OCTOBER 22, 2018.
GEOTECH BY: NOVA ENGINEERING AND ENVIRONMENTAL, LLC SEPTEMBER 27, 2018
AVCON INC. MAKES NO ASSURANCES REGARDING THE ACCURACY OF SUCH SURVEY.
- CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE SITE, INCLUDING ALL SURFACE AND SUB-SURFACE CONDITIONS, THE WORK REQUIRED AND ALL OTHER CONDITIONS THAT MAY EFFECT THE SUCCESSFUL COMPLETION OF THE JOB PRIOR TO COMMENCEMENT OF WORK.
- THE CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND PERMIT CONDITIONS BEARING ON THE CONDUCT OF THE WORK, AS DRAWN AND SPECIFIED. IF THE CONTRACTOR OBSERVES THAT THE DRAWINGS AND SPECIFICATIONS ARE AT VARIANCE THEREWITH, HE SHALL PROMPTLY NOTIFY THE ENGINEER, IN WRITING, AND ANY NECESSARY CHANGES SHALL BE ADJUSTED, AS PROVIDED IN THE AGREEMENT FOR CHANGES IN THE WORK.
- THE CONTRACTOR SHALL BE RESPONSIBLE TO THE OWNER AND THE ENGINEER FOR THE ACTS AND OMISSIONS OF CONTRACTOR'S EMPLOYEES AND ALL HIS SUBCONTRACTORS AND THEIR AGENTS AND EMPLOYEES AND OTHER PERSONS PERFORMING ANY OF THE WORK UNDER A CONTRACT WITH THE CONTRACTOR.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING ALL NECESSARY ARRANGEMENTS WITH GOVERNMENTAL DEPARTMENTS, PUBLIC UTILITIES, PUBLIC CARRIERS, SERVICE COMPANIES, AND CORPORATIONS OWNING OR CONTROLLING ROADWAYS, RAILWAYS, WATER, SEWER, GAS, ELECTRICAL, TELEPHONE, AND TELEGRAPH FACILITIES SUCH AS PAVEMENTS, TRACKS, PIPING, WIRES, CABLES, CONDUITS, POLES, GUYS, OR OTHER SIMILAR FACILITIES, INCLUDING INCIDENTAL STRUCTURES CONNECTED THEREWITH THAT ARE ENCOUNTERED IN THE WORK IN ORDER THAT SUCH ITEMS MAY BE PROPERLY SUPPORTED, PROTECTED OR LOCATED.
- UNLESS OTHERWISE SPECIFIED IN THE GENERAL CONDITIONS, ALL CONSTRUCTION IS TO BE GOVERNED BY THE PLANS, APPLICABLE PERMITS, AND SPECIFICATIONS HEREIN, AND ALL APPLICABLE FEDERAL, STATE AND LOCAL BUILDING AND SAFETY CODES, LAWS AND ORDINANCES.
- PRIOR TO PERFORMING ANY WORK WITHIN ANY PUBLIC RIGHT-OF-WAY, CONTRACTOR SHALL DEVELOP AND IMPLEMENT A TRAFFIC CONTROL PLAN CONSISTENT WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" PUBLISHED BY THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION.
- PRIOR TO PERFORMING ANY WORK WITHIN ANY UTILITY RIGHT-OF-WAY, CONTRACTOR SHALL OBTAIN AUTHORIZATION AND PERMIT FROM JURISDICTION RESPONSIBLE FOR SUCH RIGHT-OF-WAY.
- IN THE EVENT THE CONTRACTOR DISCOVERS ANY ERRORS OR OMISSIONS IN THE PLANS, HE SHALL IMMEDIATELY NOTIFY THE ENGINEER.
- THE OWNER, OWNER'S AGENT AND INSPECTORS OF APPLICABLE GOVERNMENT JURISDICTIONS, SHALL AT ALL TIMES HAVE ACCESS TO THE WORK WHEREVER AND WHENEVER IT IS IN PREPARATION OR PROGRESS, AND THE CONTRACTOR SHALL PROVIDE PROPER FACILITIES FOR SUCH ACCESS AND FOR THE INSPECTION.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO TAKE ALL REASONABLE AND PRUDENT PRECAUTIONS TO ENSURE THAT ALL COMPLETED WORK, MATERIALS AND EQUIPMENT STORED ON SITE ARE SAFE AND SECURED FROM UNAUTHORIZED ACCESS OR USE. SUCH PRECAUTIONS MAY INCLUDE INSTALLATION OF SIGNS, FENCES, OR POSTING OF SECURITY GUARDS.
- CONTRACTOR SHALL, AT ALL TIMES, UTILIZE ALL NORMALLY ACCEPTED AND REASONABLY EXPECTED SAFETY PRACTICES AND COMPLY WITH ALL FEDERAL, STATE AND LOCAL REGULATIONS, ORDINANCES AND GUIDELINES PERTAINING TO SAFE UTILIZATION OF EQUIPMENT OR MATERIALS AS PUBLISHED BY MANUFACTURER.
- PRIOR TO INITIATING ANY EXCAVATION (INCLUDING BUT NOT LIMITED TO TUNNELS, DITCHES, STORMWATER PONDS, CANALS) CONTRACTOR SHALL INSTALL FENCES AND TAKE ALL OTHER REASONABLE AND PRUDENT STEPS TO ENSURE THAT ACCESS TO EXCAVATION BY UNAUTHORIZED PERSONNEL IS PREVENTED.
- THE CONTRACTOR SHALL TAKE ALL REASONABLE PRECAUTIONS FOR THE SAFETY OF, AND SHALL PROVIDE ALL REASONABLE PROTECTION TO PREVENT DAMAGE, INJURY OR LOSS TO:
 - ALL EMPLOYEES ON THE WORK SITE AND ALL OTHER PERSONS WHO MAY BE AFFECTED THEREBY;
 - ALL WORK AND ALL MATERIALS AND EQUIPMENT TO BE INCORPORATED THEREIN, WHETHER IN STORAGE ON OR OFF THE SITE, UNDER THE CARE, CUSTODY OR CONTROL OF THE CONTRACTOR OR ANY OF ITS SUBCONTRACTORS;
 - ANY OTHER PROPERTY AT THE SITE OR ADJACENT THERETO, INCLUDING TREES, SHRUBS, LAWNS, WALKS, PAVEMENTS, ROADWAY, STRUCTURES AND UTILITIES NOT DESIGNATED FOR DEMOLITION IN THE COURSE OF CONSTRUCTION.
- CONTRACTOR SHALL MAINTAIN PUBLIC ACCESS ON MAIN AIRPORT ENTRANCE ACCESS ROAD AT ALL TIMES.
- THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE SAFETY CODES AND WITH ALL APPLICABLE LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC, QUASI-PUBLIC OR OTHER AUTHORITY HAVING JURISDICTION FOR THE SAFETY OF PERSONS OR PROPERTY OR FOR THEIR PROTECTION AGAINST DAMAGE, INJURY OR LOSS, OR DESIGNED TO PROTECT THE ENVIRONMENT. THE

20. ALL DAMAGE OR LOSS TO ANY PROPERTY REFERRED TO IN CLAUSES 19.2 AND 19.3 CAUSED IN WHOLE OR IN PART BY THE CONTRACTOR, A SUBCONTRACTOR, OR BY ANYONE FOR WHOSE ACTS ANY OF THEM MAY BE LIABLE, SHALL BE REMEDIED BY THE CONTRACTOR, EXCEPT DAMAGE OR LOSS PROPERLY ATTRIBUTABLE SOLELY TO THE ACTS OR OMISSIONS OF THE OWNER, OR THE ENGINEER OR ANYONE EMPLOYED BY THEM, OR FOR WHOSE ACTS ANY OF THEM MAY BE LIABLE, AND NOT PROPERLY ATTRIBUTABLE IN WHOLE OR IN PART, TO THE FAULT OR NEGLIGENCE OF THE CONTRACTOR.

22. THOSE PARTS OF WORK IN PLACE WHICH ARE SUBJECT TO DAMAGE BECAUSE OF OPERATIONS BEING CARRIED ON ADJACENT THERETO SHALL BE COVERED, BOARDED UP OR SUBSTANTIALLY ENCLOSED WITH ADEQUATE PROTECTION BY THE CONTRACTOR AT CONTRACTOR'S EXPENSE.

24. ADEQUATE TRAFFIC CONTROL, BARRICADES AND FLAGMAN SERVICES SHALL BE FURNISHED AND MAINTAINED BY THE CONTRACTOR AT ALL POINTS WHERE CONVEYING EQUIPMENT ENGAGED ON THE WORK REGULARLY ENTERS ONTO OR CROSSES TRAFFIC-CARRYING ROADS.

26. THE CONTRACTOR SHALL PROTECT AND KEEP OWNER (INCLUDING THEIR AGENTS AND EMPLOYEES) FREE AND HARMLESS FROM ANY AND ALL LIABILITY, PUBLIC OR PRIVATE, PENALTIES, CONTRACTUAL OR OTHERWISE, LOSSES, DAMAGES, COSTS, ATTORNEY'S FEES, EXPENSES, CAUSES OF ACTION, CLAIMS OR JUDGMENTS RESULTING FROM THE FEDERAL OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AS AMENDED OR ANY RULE OR REGULATION PROMULGATED THEREUNDER OR OF ANY STATE LAWS OR REGULATIONS PERTAINING TO JOB SAFETY AND HEALTH ARISING OUT OF OR IN ANY WAY CONNECTED WITH THE PERFORMANCE OF WORK OR WORK TO BE PERFORMED UNDER THIS CONTRACT, AND CONTRACTOR SHALL INDEMNIFY OWNER FROM ANY SUCH CLAIMS, PENALTIES, SUITS OR ACTIONS, PUBLIC OR PRIVATE, ADMINISTRATIVE OR JUDICIAL, INCLUDING ATTORNEY'S FEES PAID OR INCURRED BY OR ON BEHALF OF OWNER, JOINTLY OR SEVERALLY, AND/OR THEIR AGENTS AND EMPLOYEES. THE CONTRACTOR FURTHER AGREES, IN THE EVENT OF A CLAIMED VIOLATION OF ANY FEDERAL OR STATE SAFETY AND HEALTH LAW OR REGULATION ARISING OUT OF OR IN ANY WAY CONNECTED WITH THE PERFORMANCE OF WORK OR WORK TO BE PERFORMED UNDER THIS CONTRACT, OWNER MAY IMMEDIATELY TAKE WHATEVER ACTION IS DEEMED NECESSARY BY OWNER TO REMEDY THE CLAIMED VIOLATION, AND ANY AND ALL COSTS OR EXPENSES PAID OR INCURRED BY OWNER IN TAKING SUCH ACTION SHALL BE BORNE BY CONTRACTOR, AND CONTRACTOR AGREES TO PROTECT, HOLD HARMLESS AND INDEMNIFY OWNER AGAINST ANY AND ALL SUCH COSTS OR EXPENSES.

28. THE CONTRACTOR SHALL DEVELOP AND IMPLEMENT AN EROSION CONTROL PLAN TO MINIMIZE EROSION AND ENSURE FUNCTIONING OF STORMWATER MANAGEMENT SYSTEM UPON COMPLETION OF CONSTRUCTION.

30. CONTRACTOR FURTHER AGREES THAT CONTRACTOR AND ITS SUBCONTRACTORS SHALL NOT CAUSE THE DISCHARGE, RELEASE OR DISPOSAL OF ANY HAZARDOUS MATERIAL CREATED BY ITS WORK ON OR ABOUT THE JOB SITE. IN THE EVENT OF ANY SPILL, RELEASE OR ANY OTHER REPORTABLE OCCURRENCE, CONTRACTOR SHALL NOTIFY THE APPROPRIATE GOVERNMENTAL AGENCY AND SHALL TAKE SUCH ACTION AS MAY BE NECESSARY TO MINIMIZE THE DELETERIOUS EFFECT OF SUCH SPILL ON PERSONS OR PROPERTY.

32. CONTRACTOR AGREES TO INDEMNIFY, DEFEND, PROTECT AND HOLD THE OWNER HARMLESS FROM AND AGAINST ANY CLAIMS INCLUDING, WITHOUT LIMITATION, ACTUAL ATTORNEY'S FEES AND ANY COSTS OF INVESTIGATION, SOILS TESTING, GOVERNMENTAL APPROVALS, REMEDIATION AND CLEAN-UP ARISING OUT OF OR IN ANY WAY CONNECTED WITH THE FAILURE OF CONTRACTOR OR ITS SUBCONTRACTORS, OR THEIR AGENTS, EMPLOYEES, OFFICERS, OR REPRESENTATIVES, TO COMPLY WITH THE TERMS OF THIS ARTICLE.

34. IN THE EVENT OF ANY SPILL, RELEASE OR ANY OTHER REPORTABLE OCCURRENCE, CONTRACTOR SHALL NOTIFY THE APPROPRIATE GOVERNMENTAL AGENCY AND SHALL TAKE SUCH ACTION AS MAY BE NECESSARY TO MINIMIZE THE DELETERIOUS EFFECT OF SUCH SPILL ON PERSONS OR PROPERTY. IN THE EVENT CONTRACTOR OR ITS SUBCONTRACTORS ENCOUNTER ON THE PREMISES ANY PIPELINE, UNDERGROUND STORAGE TANK OR OTHER CONTAINER, OF ANY KIND, THAT MAY CONTAIN A

35. IF CONTRACTOR OR ITS SUBCONTRACTORS DO NOT COMPLY WITH FEDERAL AND STATE REQUIREMENTS, OWNER MAY, BUT IS NOT OBLIGATED TO, GIVE WRITTEN NOTICE OF VIOLATION TO CONTRACTOR. SHOULD CONTRACTOR OR ITS SUBCONTRACTORS FAIL TO COMPLY WITH THE REQUIREMENTS WITHIN TWENTY-FOUR (24) HOURS FROM THE TIME OWNER ISSUES SUCH WRITTEN NOTICE OF NONCOMPLIANCE OR WITHIN THE TIME OF AN ABATEMENT PERIOD SPECIFIED BY ANY GOVERNMENTAL AGENCY, WHICHEVER PERIOD IS SHORTER, CONTRACTOR SHALL BE IN MATERIAL DEFAULT OF THIS CONTRACT.

37. THE EXISTING UTILITIES SHOWN ARE APPROXIMATE. THE CONTRACTOR SHALL FIELD LOCATE ALL EXISTING UTILITIES AS TO SIZE, LOCATION, AND ELEVATION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY AND ALL CONFLICTS PRIOR TO BEGINNING CONSTRUCTION.

38. IF ANY TESTING, INSPECTION OR APPROVAL REVEAL DEFECTIVE WORK, CONTRACTOR SHALL NOT BE ALLOWED TO RECEIVE ANY ASSOCIATED COSTS AND THE OWNER SHALL BE ENTITLED TO DEDUCT FROM THE CONTRACT PRICE, BY ISSUING A CHANGE ORDER, OWNER'S COSTS ARISING OUT OF THE DEFECTIVE WORK, INCLUDING COSTS OF REPEATED PROCEDURES, COMPENSATION FOR ENGINEER'S AND DESIGN ENGINEER'S SERVICES AND OTHER RELATED COSTS.

[illegible]

GENERAL NOTES
DRAFT
90% DESIGN DRAWINGS

JAMES LEE PARK
PREPARED FOR
OKALOOSA COUNTY
PUBLIC WORKS

DESIGNED BY: TDN/VMB
DRAWN BY: VMB
CHECKED BY: TDN
APPROVED BY: VCL
PROJECT NO: 18.0125.01
DATE: JANUARY 17, 2019

SHEET NUMBER
C-2

AVCON, INC.
ENGINEERS & PLANNERS

320 BAYSHORE DRIVE, SUITE A
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OFFICE: (850) 678-0050
CORPORATE CERTIFICATE OF
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TONIA D. NATION
FL LICENSE NO.: 64631
FBPR CERTIFICATE OF
AUTHORIZATION NO. 5057

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BASE BID: SUMMARY OF QUANTITIES

BID ITEM	ITEM DESCRIPTION	UNIT	BID QUANTITY
101-1	MOBILIZATION	EA	1
102-1	MAINTENANCE OF TRAFFIC	EA	1
104-1	EROSION & POLLUTION CONTROL	LS	1
110-1	MISC DEMO (TREES, GUARDRAIL, SAWCUTTING)	LS	1
110-2	PAVEMENT MILLING, 1"	SY	1,430
285-1	6" BASE COURSE	SY	660
290-1	6" STABILIZED SUBGRADE	SY	726
334-1	1" BITUMINOUS SURFACE COURSE	TN	80
334-2	2" BITUMINOUS SURFACE COURSE	TN	10
520-1	CONCRETE MODIFIED TYPE "F" CURB	LF	1,460
522-1	CONCRETE SIDEWALK	SY	52
710-1	PARKING LOT STRIPING (WHITE)	SF	1,480
710-1	PARKING LOT STRIPING (YELLOW)	SF	95
710-2	PARKING LOT STRIPING (HANDICAP)	EA	0
981-1	LANDSCAPING	LS	1

ADDITIVE ALTERNATIVE #1: SUMMARY OF QUANTITIES

BID ITEM	ITEM DESCRIPTION	UNIT	BID QUANTITY
101-1	MOBILIZATION	EA	1
110-2	PAVEMENT MILLING, 1"	SY	4,970
334-1	1" BITUMINOUS SURFACE COURSE	TN	275
710-1	PARKING LOT STRIPING (WHITE)	SF	1,270
710-1	PARKING LOT STRIPING (YELLOW)	SF	350
710-2	PARKING LOT STRIPING (HANDICAP)	EA	6

NOTES:

1. PAY ITEM 101-1 SHALL INCLUDE ALL MOBILIZATION COSTS. SIGN REPLACEMENT, RELOCATION, AND REMOVAL DURING ANY SIGN REMOVAL/REPLACEMENT CONSTRUCTION SHALL BE INCIDENTAL TO PAY ITEM 101-1.
2. PAY ITEM 102-1 SHALL INCLUDE MAINTENANCE OF TRAFFIC FOR BOTH VEHICLES AND PEDESTRIANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING PARKING LOT ACCESS DURING CONSTRUCTION. A SUGGESTED PHASING PLAN HAS BEEN PROVIDED FOR DRIVE CLOSURES. CONTRACTOR SHALL ALSO PROVIDE TEMPORARY FENCING/BARRIERS TO PROTECT PEDESTRIANS AND VEHICLES DURING CONSTRUCTION. PROTECTIVE BARRIERS SHALL BE INCIDENTAL TO THE PAY ITEM. TEMPORARY FENCING SHALL BE 6' HIGH CHAIN LINK.
3. PAY ITEM 104-1 SHALL INCLUDE PROTECTION OF EXISTING UTILITY AND STORM STRUCTURES WITHIN THE LIMITS OF CONSTRUCTION THAT ARE TO REMAIN AND NOT BE MODIFIED AS PART OF THE PROPOSED SCOPE OF WORK.
4. PAY ITEM 800-1 SHALL BE AN ALLOWANCE. THE CONTRACTOR SHALL ONLY RECEIVE REIMBURSEMENT FROM THE ALLOWANCE FOR THE AMOUNT WHICH IS INVOICED BY AN INDEPENDENT PARTY OR AS OTHERWISE APPROVED IN WRITING BY THE OWNER PRIOR TO WORK. AS A RESULT, THE AMOUNT PAID TO THE CONTRACTOR FROM THE ALLOWANCE MAY BE LESS THAN THE ALLOWANCE AMOUNT.

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TONIA D. NATION
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FBPR CERTIFICATE OF
AUTHORIZATION NO. 505

[illegible]

**SUMMARY OF
QUANTITIES**

DRAFT

90% DESIGN DRAWINGS

JAMES LEE PARK

PREPARED FOR

OKALOOSA COUNTY

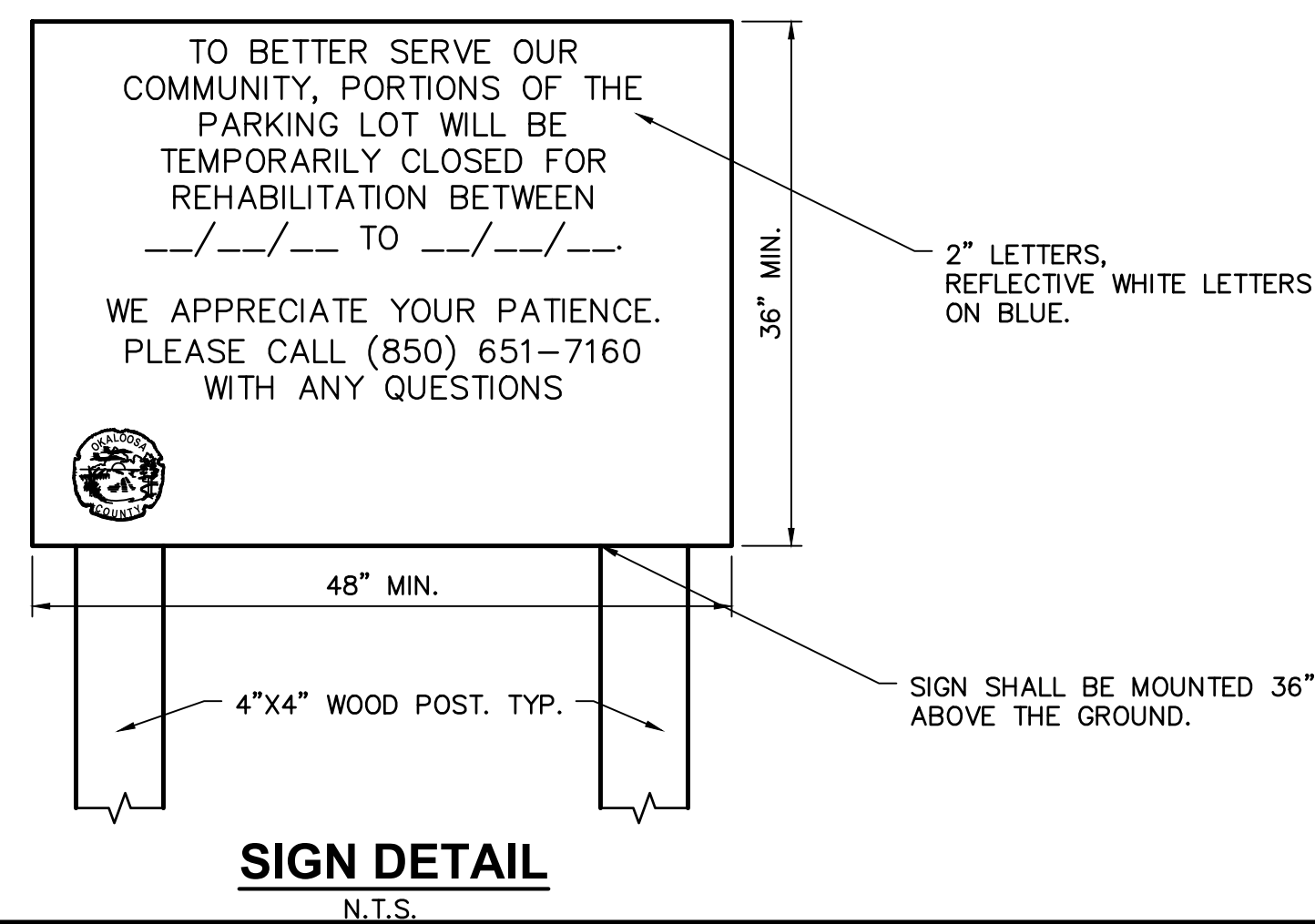
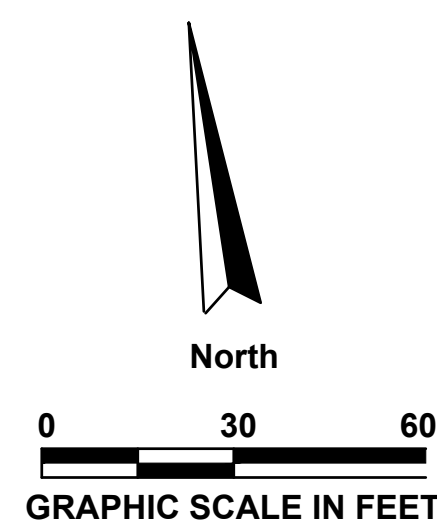
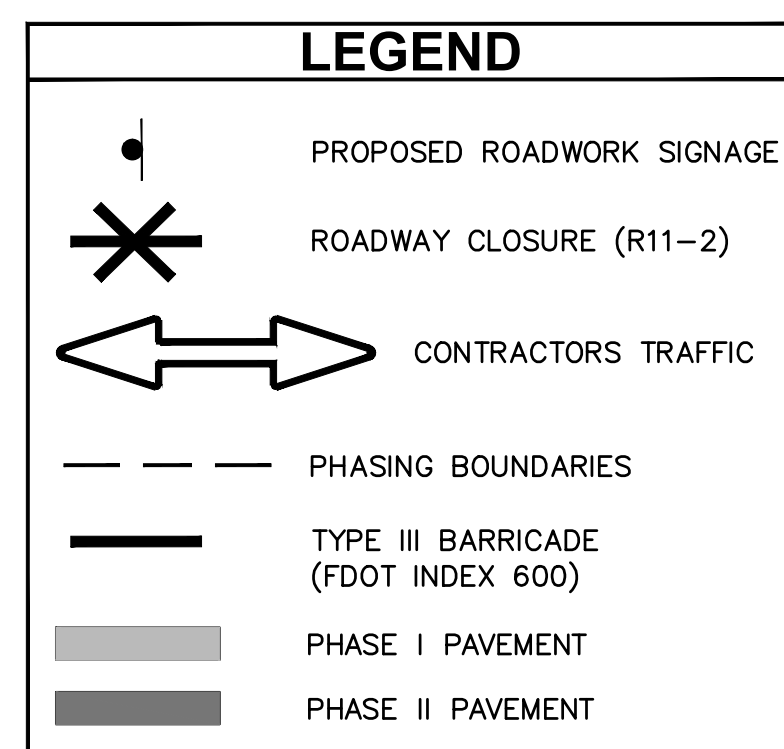
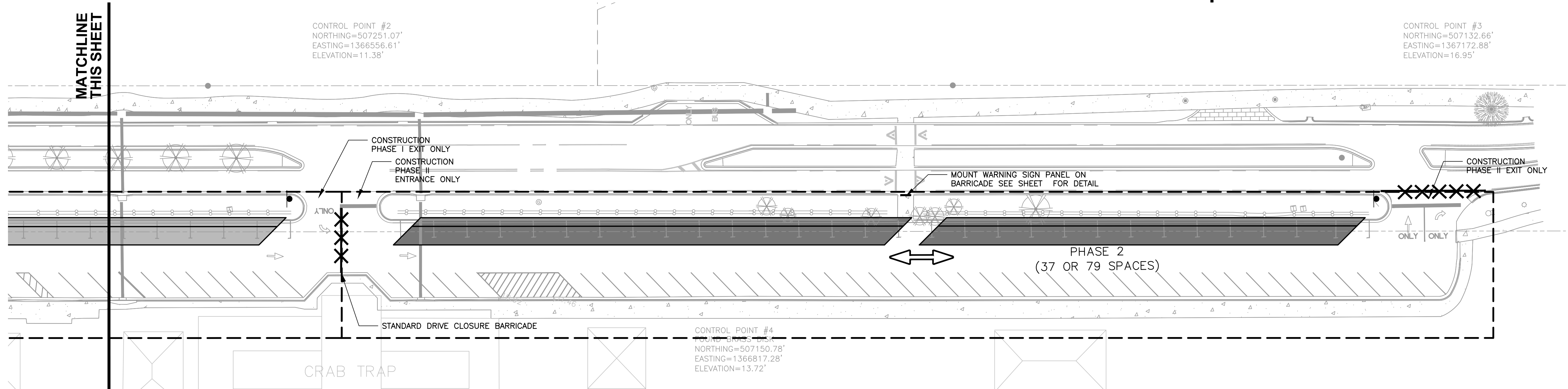
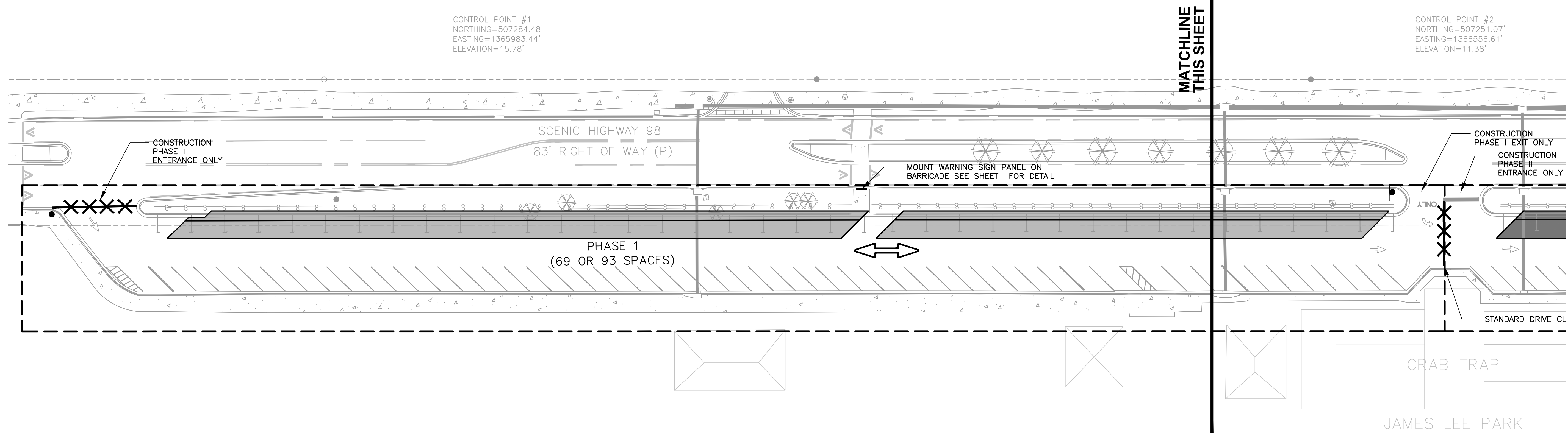
PIIRI JC WORKS

DESIGNED BY: TDN/VM
DRAWN BY: VM
CHECKED BY: TD
APPROVED BY: VC
PROJECT NO: 18.0125.0
DATE: JANUARY 17, 2018

SHEET NUMBER

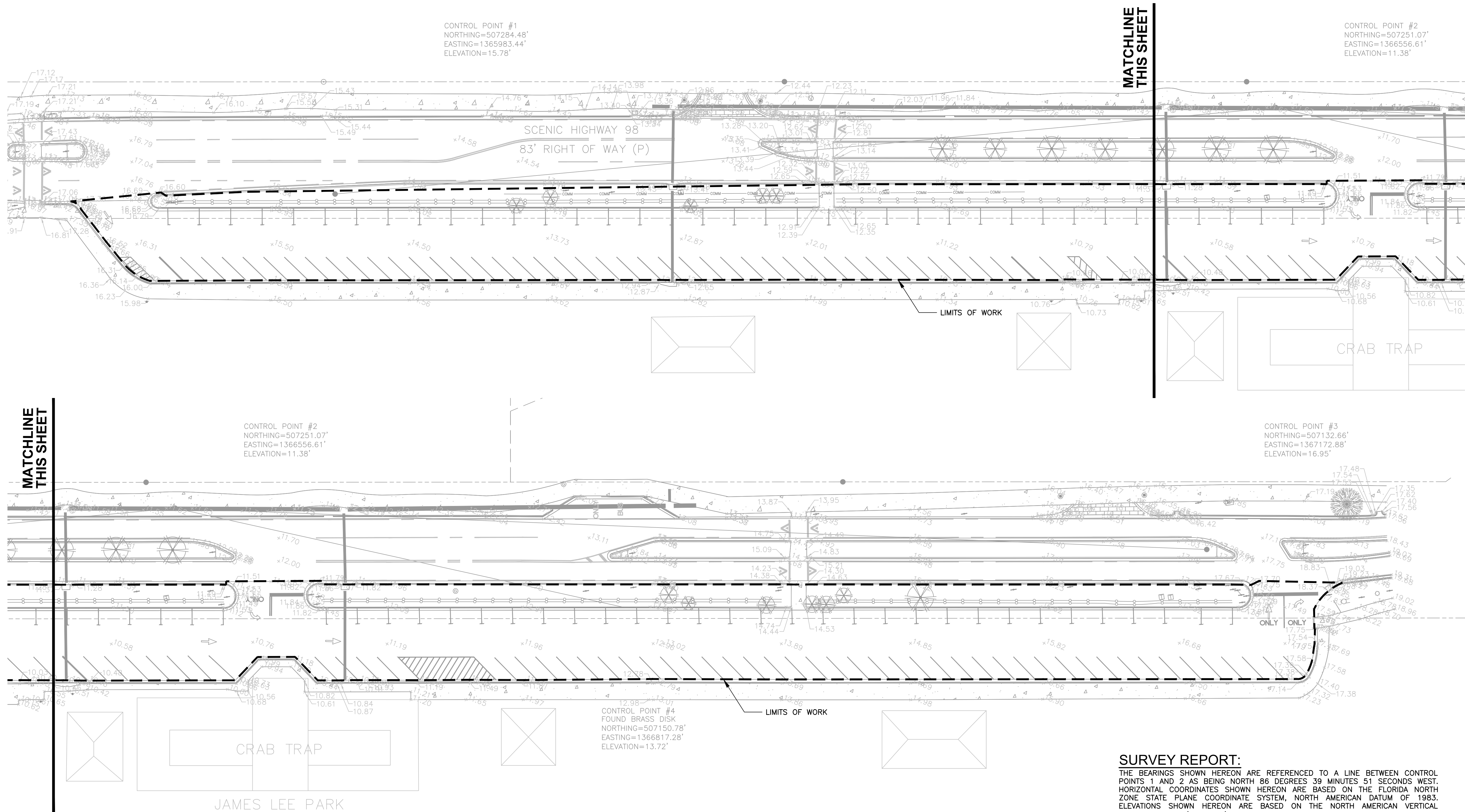
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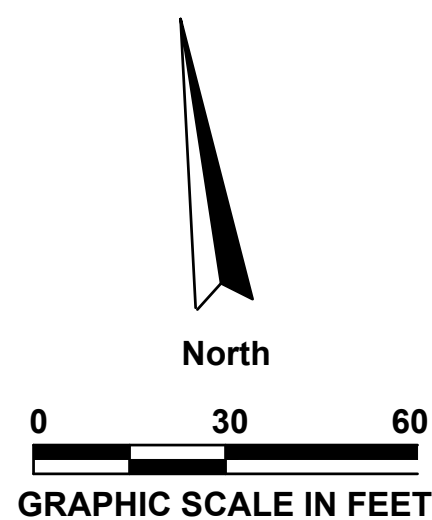


- NOTES:**

1. PROJECT PHASING SHALL BE BASED ON AVAILABLE FUNDING.
2. PHASE I AND PHASE II LIMITS OF CONSTRUCTION MAY VARY BASED ON BID AMOUNTS. PHASE I IS CONSIDERED THE BASE BID.
3. EACH PHASE SHALL BE CONSTRUCTED SEPARATELY.
4. THE PROJECT MUST BE CONSTRUCTED IN PHASES. PHASE I AND II MUST BE COMPLETED SEPARATELY WITHIN THREE DAYS PER PHASE TO MINIMIZE IMPACTS TO RESIDENTS AND BUSINESSES. SIGNS SHALL BE PROVIDED TO NOTIFY RESIDENTS OF ACTIVITY AND ROAD CLOSURES. ALL SIGNS, BARRICADES, AND OTHER EQUIPMENT OR LABOR REQUIRED TO PHASE THE CONSTRUCTION SHALL BE PAID UNDER PAY ITEM 102-1.
5. CONTRACTOR SHALL PROVIDE TEMPORARY ACCESS POINTS BETWEEN PHASES I AND II.
6. ROADWAY CLOSURES TO BE REMOVED UPON COMPLETION OF EACH PHASE.
7. ROADWAY CLOSURE AND DETOUR SIGNS SHALL BE RELOCATED OR REMOVED AFTER EACH PHASE.
8. CONTINUOUS FULL-WIDTH BARRICADES SHALL BE INSTALLED ACROSS BOTH LANES FOR ROAD CLOSURE A AND B DURING WORK ON RESPECTIVE PIPE CROSSINGS.



FAX: (850) 678-9936



LEGEND	
 = BOLLARD  = CONTROL POINT  = CORRUGATED PLASTIC PIPE  = ELECTRIC TRANSFORMER  = FIRE HYDRANT  = FLOOD LIGHT  = GAS VALVE COVER  = HANDICAP PARKING SPACE  = HIGH DENSITY POLYETHYLENE PIPE  = INVERT ELEVATION  = IRON ROD & CAP  = LIGHT POLE  = MAILBOX  = NAIL & DISK  = OFFICIAL RECORDS BOOK  = POLYVINYL CHLORIDE PIPE  = 3' TALL PVC REFLECTOR  = REINFORCED CONCRETE PIPE  = SANITARY SEWER MANHOLE	 = SIGN  = SPOT ELEVATION  = SERVICE BOX  = STORM DRAIN INLET  = STORM SEWER MANHOLE  = ELEVATION AT TOP OF STRUCTURE  = UNKNOWN VALVE COVER  = WIRE PULL BOX  (F) = VALUE DERIVED FROM FIELD SURVEY  (P) = VALUE DERIVED FROM PLAT  (S) = VALUE DERIVED FROM PREVIOUS SURVEY  = 3' TALL GUARD RAIL  COMM = BURIED COMMUNICATION LINE  = CONCRETE  = LIMITS OF WORK

THERE MAY BE ADDITIONAL RIGHTS OF WAY, EASEMENTS, BUILDING SETBACKS, OR OTHER RESTRICTIONS OF RECORD THAT ARE NOT SHOWN. THE SURVEYOR HAS NOT BEEN FURNISHED A TITLE COMMITMENT, THEREFORE NO CERTIFICATION IS GIVEN THAT ALL RESTRICTIONS OF RECORD ARE SHOWN. ALSO, NO CERTIFICATION IS GIVEN THAT DEED OVERLAPS AND UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS DO NOT EXIST.

AVCON
 TRANSFORMING TODAY'S IDEAS
 INTO TOMORROW'S REALITY

AVCON, INC.
 ENGINEERS & PLANNERS
 320 BAYSHORE DRIVE, SUITE A
 NICEVILLE, FL 32578-2425
 OFFICE: (650) 578-0050
 CORPORATE CERTIFICATE OF
 AUTHORIZATION NUMBER: 5057
www.avconinc.com

TONIA D. NATION
FL LICENSE NO.: 64631
FBPR CERTIFICATE OF
AUTHORIZATION NO. 5057

[illegible]

**EXISTING
CONDITIONS
PLAN**

DRAFT

90% DESIGN DRAWINGS

JAMES LEE PARK

PREPARED FOR

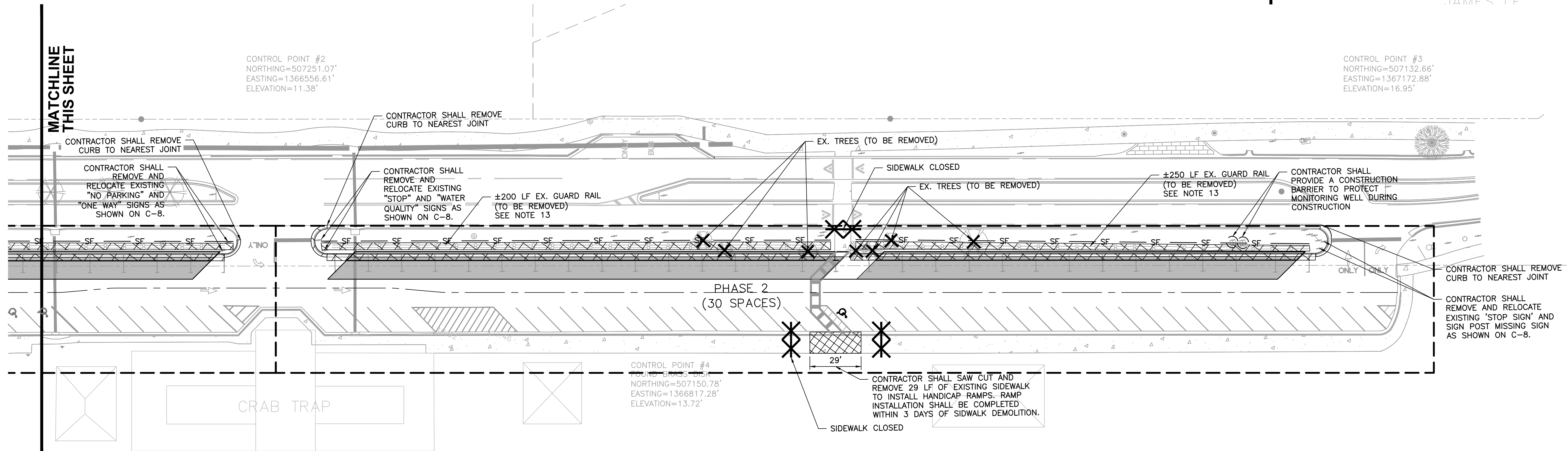
OKALOOSA COUNTY

PUBLIC WORKS

DESIGNED BY: TDN/VME
DRAWN BY: VME
CHECKED BY: TDN
APPROVED BY: VCL
PROJECT NO: 18.0125.01
DATE: JANUARY 17, 2019

SHEET NUMBER
C-5

CONTROL P
NORTHING=
EASTING=13
ELEVATION=



1. CONTRACTOR SHALL INSTALL SILT FENCE PRIOR TO COMMENCING IN ANY CONSTRUCTION ACTIVITIES AND MAINTAIN SILT FENCE THROUGHOUT CONSTRUCTION AND UNTIL SITE STABILIZED.
2. CONTRACTOR SHALL NOTIFY THE ENGINEER IF EROSION CONTROL ISSUES DEVELOP ONSITE.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR EROSION CONTROL MEASURES ON SITE 24 HOURS A DAY THROUGHOUT CONSTRUCTION.
4. CONTRACTOR SHALL PROVIDE INLET PROTECTION THROUGHOUT CONSTRUCTION.
5. SEE GEOMETRY PLANS FOR LOCATION/LAYOUT OF ALL PROPOSED FEATURES.
6. SAW-CUT CLEAN EDGES AND MATCH EXISTING GRADE FOR ALL DEMOLITION TIE-IN LOCATIONS. APPLY TACK COAT ON ALL EDGES PER FDOT 300.
7. STRIPPINGS INTENDED FOR USE AS TOPSOIL PER FDOT 987.
8. SAW CUT MIN 2 FOOT BACK OR PER FLEX BUTT JOINT DETAIL, TYPICAL PAVEMENT SECTION AND DETAILS SHEET(S), WHICHEVER IS GREATER. BUTT JOINT REQUIRES TACK AND CLEAN SAW CUT FOR THE FULL LENGTH OF THE TIE-IN.
9. CONTRACTOR TO PROVIDE ADEQUATE BRACED SHORING OR SHEETPIILING PER OSHA REQUIREMENTS DURING CONSTRUCTION.
10. SEE C-13 FOR SILT FENCE AND INLET PROTECTION DETAILS.
11. HORIZONTAL AND VERTICAL DATUMS ARE REFERENCED TO THE FLORIDA PERMANENT REFERENCE NETWORK (FPRN) VIRTUAL REFERENCE STATION (VRS) SOLUTION, BASED ON REAL TIME KINEMATIC (RTK) OBSERVATIONS TAKEN ON OCTOBER 8, 2018. ELEVATIONS DERIVED FROM GPS MEASUREMENTS ARE NOT THE SAME AS, AND MAY DIFFER FROM, DIFFERENTIAL LEVELING MEASUREMENTS AND ARE SUBJECT TO POSSIBLE INACCURACIES DUE TO ANOMALIES THAT MAY EXIST IN THE GEODIAL SURFACE THAT CANNOT BE MODELED ACCURATELY USING THE NGS GEOD MODEL OF 2012 (GEOID12B).
12. THIS PARCEL APPEARS TO LIE IN FLOOD ZONE "X" AS DETERMINED BY SCALE FROM FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 12091 C 0493 H, CITY OF DESTIN, DATED DECEMBER 6, 2002. THE SUBJECT PARCEL LIES MOSTLY WITHIN THE COASTAL BARRIER AREA.
13. CONTRACTOR SHALL REMOVE EXISTING GUARDRAIL AND DELIVER TO THE CITY OF DESTIN PUBLIC WORKS FACILITY AT 3949 COMMONS DR. BEFORE 3PM.

North

0 30 60

GRAPHIC SCALE IN FEET



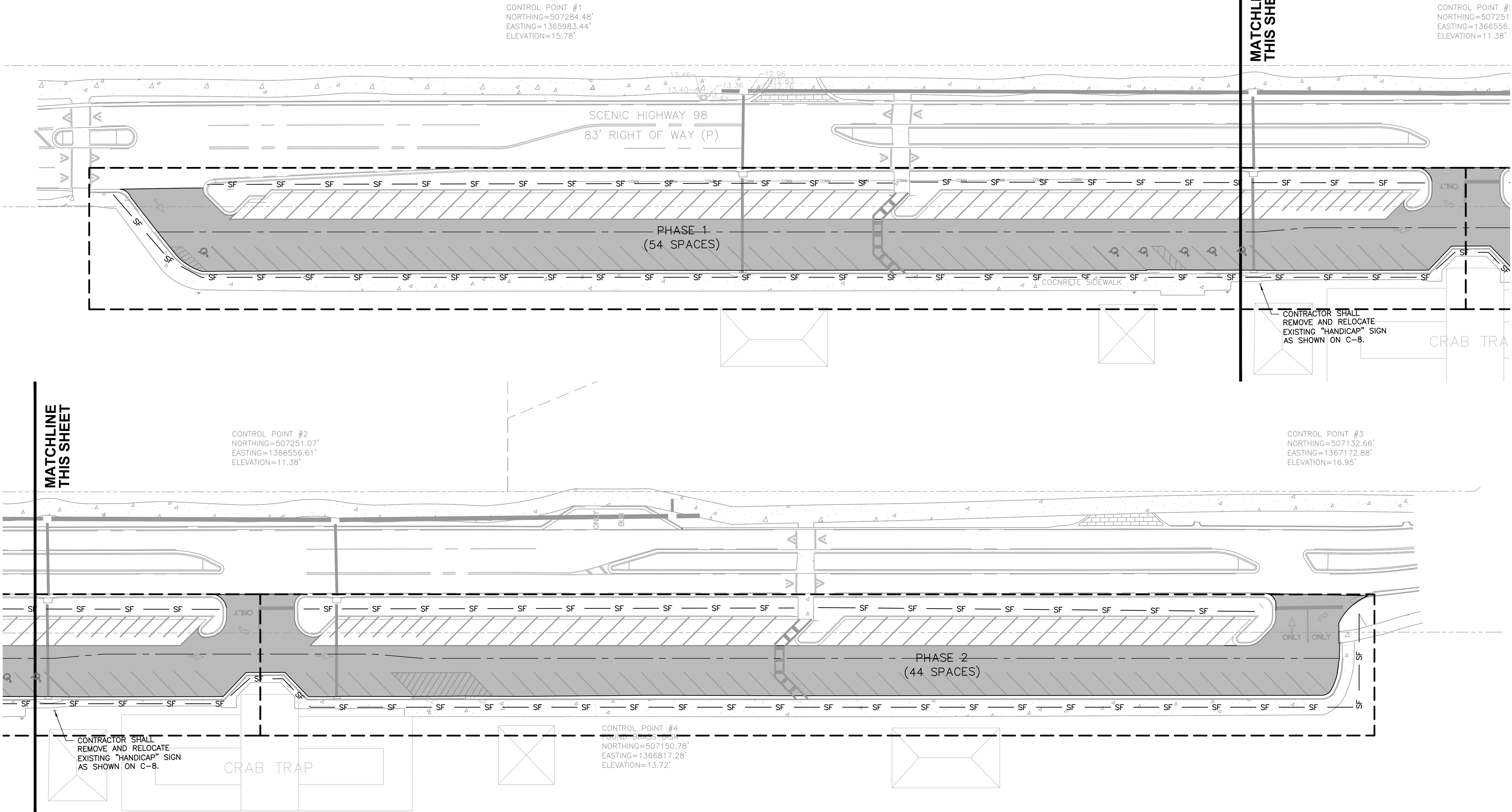
AVCON

[illegible]

JAMES LEE PARK
PREPARED FOR
OKALOOSA COUNTY
PUBLIC WORKS

SHEET NUMBER
C-6

\\SERVER-NILLE2\NICEVILLE-AVCON\NICEVILLE-PROJECTS\125-OKALOOSA COUNTY PUBLIC WORKS\2018.0125.01--JAMES LEE PARK\000 CAD\1812501_DEMO--BID ALT.DWG 1/17/2019 1:40 PM



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NO.	DATE	REVISION	BY

DEMOLITION AND
EROSION CONTROL
PLAN
(ADDITIVE ALT. NO. 1)
DRAFT
90% DESIGN DRAWINGS

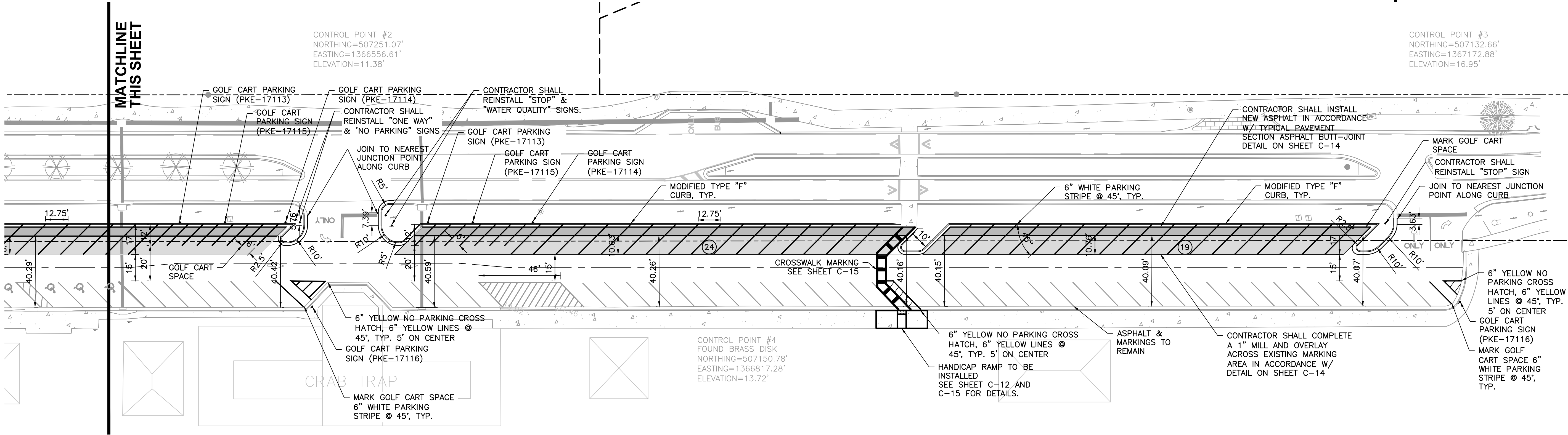
JAMES LEE PARK
PREPARED FOR
OKALOOSA COUNTY
PUBLIC WORKS

DESIGNED BY: TDN/VMB
DRAWN BY: VMB
CHECKED BY: TDN
APPROVED BY: VCL
PROJECT NO: 18.0125.01
DATE: JANUARY 17, 2019

SHEET NUMBER
C-7

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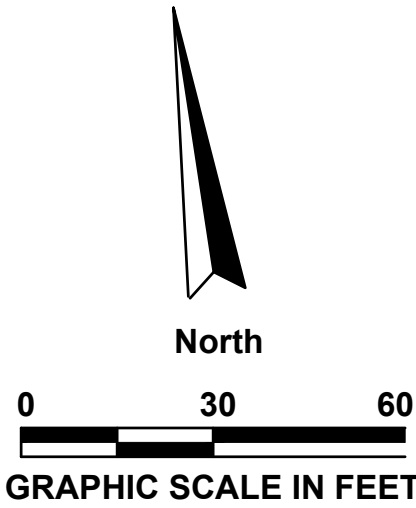


NOTES:

- REFER TO SHEET C-15 FOR PARKING STRIPING DETAILS.
- ALL CURBING IS 2' TYPE F-CURB UNLESS OTHERWISE NOTED.
- ALL PROPOSED RIGHT-OF-WAY IMPROVEMENTS SHALL HAVE AN 18 MONTH WARRANTY PERIOD AND WILL BE DEDICATED TO OKALOOSA COUNTY AND THE CITY OF DESTIN.
- A PUBLIC INGRESS/EGRESS EASEMENT SHALL BE PROVIDED FOR THE SIDEWALK LOCATED WITHIN THE PRIVATE PROPERTY ADJACENT TO THE RIGHT-OF-WAY.

SITE DATA TABLE	
LAND USE:	COUNTY
FUTURE LAND USE:	COUNTY
ZONE:	X
PARCEL IDENTIFICATION NUMBER:	00-25-22-0000-0033-0010
ADDITIONAL ASPHALT:	5,912 SF
EXISTING IMPERVIOUS:	60,503 SF
EXISTING TOTAL PARKING PROVIDED:	164
PARKING PROVIDED:	
GOLF CART	20
HANDICAP	6
TOTAL PARKING	198

LEGEND	
	EXISTING CONCRETE SIDEWALK
	EXISTING BRICK DRIVEWAY
	PROPOSED ASPHALT PAVEMENT
	MILL AND OVERLAY
	LOADING/ NO PARKING ZONE
	R/W LINE
	LIMITS OF MILL
	MODIFIED F-CURB
	DENOTES PARKING SPACE COUNT



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TONIA D. NATION
FL LICENSE NO.: 64631
FBPR CERTIFICATE OF
AUTHORIZATION NO. 5057

NO.	DATE	REVISION	BY

SITE PLAN
(BASE BID)
DRAFT
90% DESIGN DRAWINGS

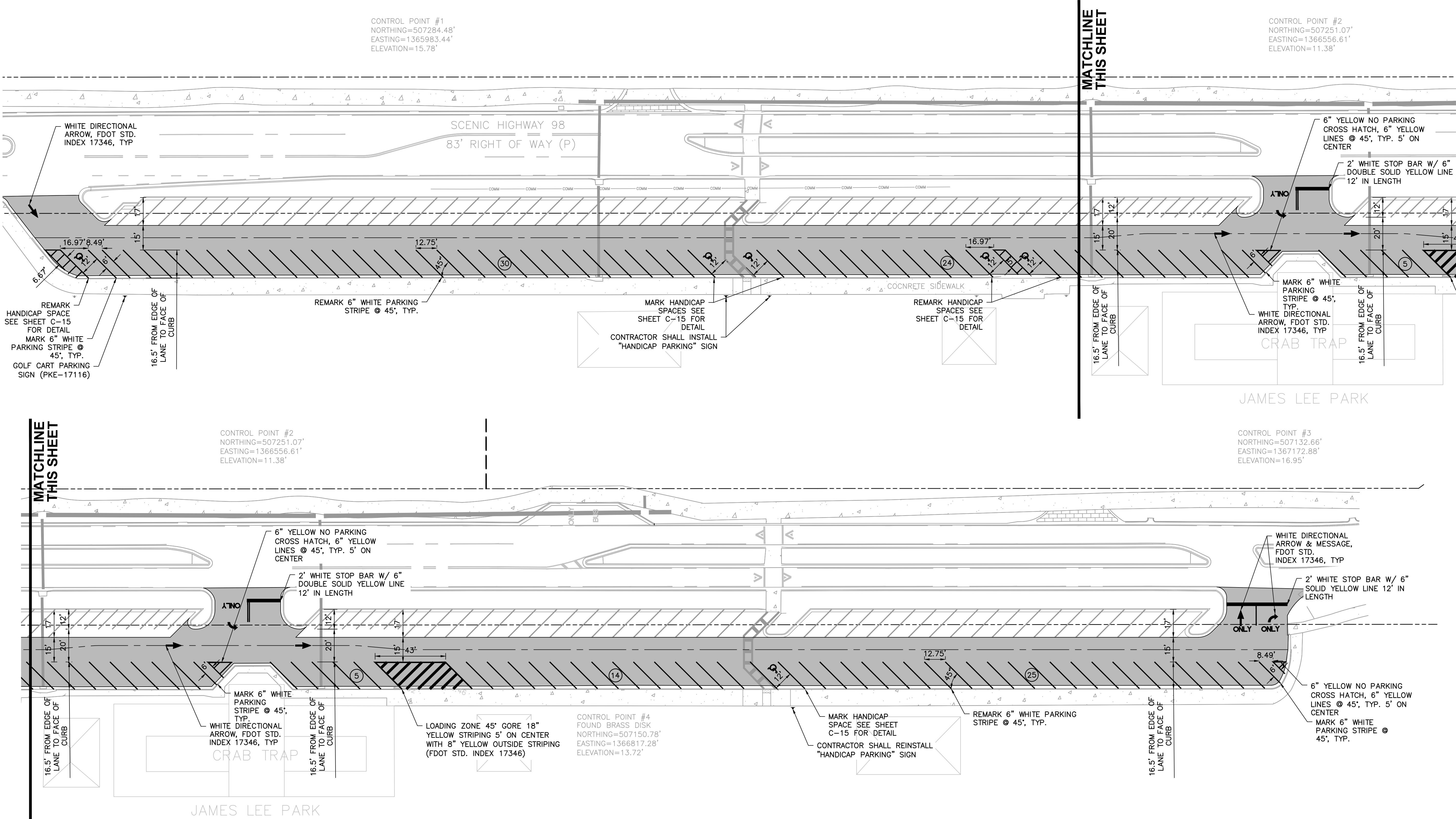
JAMES LEE PARK
PREPARED FOR
OKALOOSA COUNTY
PUBLIC WORKS

DESIGNED BY: TDN/VMB
DRAWN BY: VMB
CHECKED BY: TDN
APPROVED BY: VCL
PROJECT NO: 18.0125.01
DATE: JANUARY 17, 2019

SHEET NUMBER
C-8

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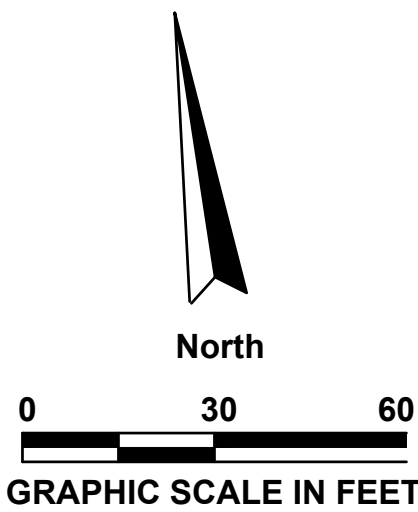


NOTES:

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- A PUBLIC INGRESS/EGRESS EASEMENT SHALL BE PROVIDED FOR THE SIDEWALK LOCATED WITHIN THE PRIVATE PROPERTY ADJACENT TO THE RIGHT-OF-WAY.

SITE DATA TABLE	
LAND USE:	COUNTY
FUTURE LAND USE:	COUNTY
ZONE:	X
PARCEL IDENTIFICATION NUMBER:	00-25-22-0000-0033-0010
MILL:	44,734 SF
EXISTING IMPERVIOUS:	60,503 SF
EXISTING TOTAL PARKING PROVIDED:	164
PARKING PROVIDED:	
GOLF CART	21
HANDICAP	6
TOTAL PARKING	201

LEGEND	
	EXISTING CONCRETE SIDEWALK
	EXISTING BRICK DRIVEWAY
	PROPOSED ASPHALT PARKING
	LOADING/ NO PARKING ZONE
	R/W LINE
	LIMITS OF MILL
	DENOTES PARKING SPACE COUNT



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TONIA D. NATION
FL LICENSE NO.: 64631
FBPR CERTIFICATE OF
AUTHORIZATION NO. 5057

NO.	DATE	REVISION	BY

SITE PLAN
(ADDITIVE BID
ALTERNATE NO. 1)
DRAFT
90% DESIGN DRAWINGS

JAMES LEE PARK
PREPARED FOR
OKALOOSA COUNTY
PUBLIC WORKS

DESIGNED BY: TDN/VMB
DRAWN BY: VMB
CHECKED BY: TDN
APPROVED BY: VCL
PROJECT NO: 18.0125.01
DATE: JANUARY 17, 2019

SHEET NUMBER
C-9

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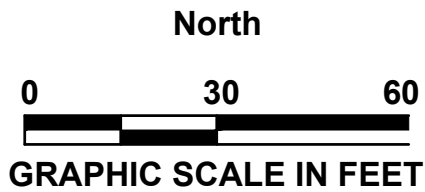
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DRAFT
90% DESIGN DRAWINGS

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SHEET NUMBER
C-10

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**CALL 2 WORKING
DAYS BEFORE YOU DIG**

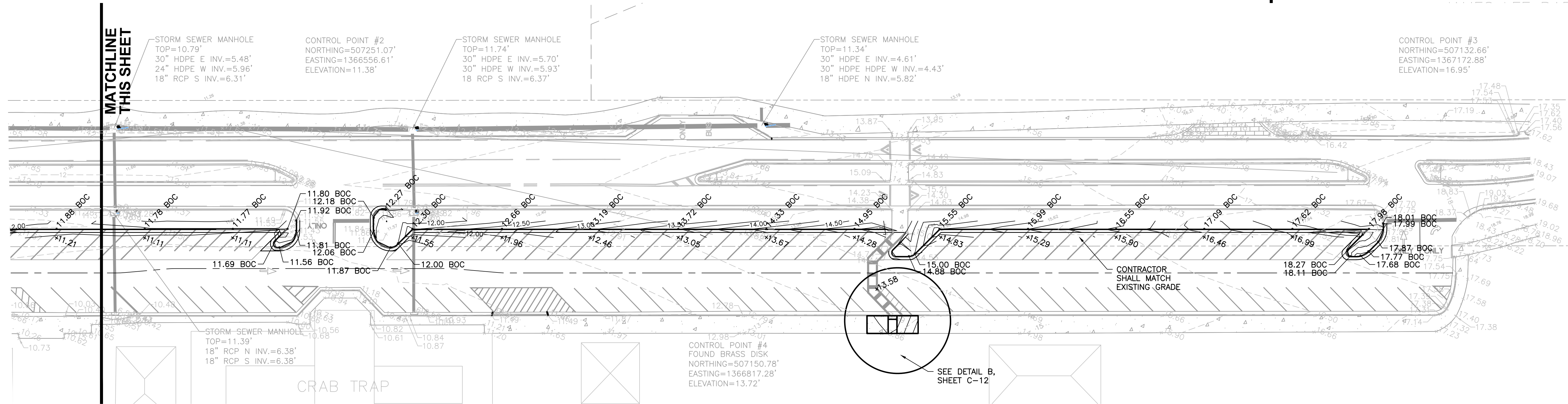
**IT'S THE LAW!
DIAL 811**

**Know what's below.
Call before you dig.**

SUNSHINE STATE ONE CALL OF FLORIDA, INC.



1. ALL WORK DETAILED IN CONSTRUCTION DRAWINGS SHALL CONFORM TO FDOT STD. INDEXES AND SPECIFICATIONS, LATEST EDITION.
2. CONTRACTOR SHALL MAINTAIN PUBLIC ACCESS AT ALL TIMES ALONG ALL PUBLIC RIGHT-OF-WAYS.
3. ALL PAVEMENT MARKINGS SHALL CONFORM TO FDOT STD. INDEXES 17346.
4. ALL SIGNS AND PLACEMENTS OF SIGNS SHALL CONFORM TO FDOT STD. INDEXES 11860 AND 17302.
5. REFER TO STD. INDEXES 600 AND 613 FOR PLACEMENT OF TRAFFIC CONTROL DEVICES.
6. ALL DISTURBED AREAS SHALL BE SODDED WITHIN TWO WEEKS AFTER FINAL GRADING IS COMPLETED.
7. PAVEMENT SUBGRADE SHALL HAVE ALL UNSUITABLE MATERIALS REMOVED TO A DEPTH OF TWO FEET BELOW TOP OF SUBGRADE, AND 2.5 FEET BEYOND EDGE OF PAVEMENT OR BACK OF CURB. BACKFILL WITH SUITABLE MATERIAL.
8. THE SUBGRADE SHALL BE PREPARED IN ACCORDANCE WITH SECTION 160 OF THE FLORIDA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS.
9. THE BASE SHALL BE IN ACCORDANCE WITH APPLICABLE SECTIONS OF THE FLORIDA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS. ALLOWABLE BASE MATERIALS ARE INDICATED ON THE DRAWINGS.
10. ALL EXCAVATION AND EMBANKMENT CONSTRUCTION SHALL BE IN ACCORDANCE WITH SECTION 120 OF THE FLORIDA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS.
11. WHERE DAMAGED OR REQUIRED TO BE CUT BY THE CONTRACTOR'S OPERATIONS, SIDEWALKS AND DRIVEWAYS SHALL BE REPAIRED TO CONFORM TO THE EXISTING TYPE OF CONSTRUCTION IN ACCORDANCE WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS.
12. PROVIDE CONTRACTION JOINTS AT 10' O.C. AND EXPANSION JOINTS AT 50' O.C. ON ALL EXTERIOR SIDEWALKS AND CURBING.
13. ALL PERMANENT PAINT STRIPING WITHIN THE RIGHT-OF-WAY SHALL BE THERMO-PLASTIC REFLECTIVE PAINT, AND BE IN ACCORDANCE WITH THE CURRENT EDITION OF THE FDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
14. THERMO-PLASTIC PAINT SHALL BE INCIDENTAL TO THE PARKING LOT PAVEMENT MARKING PAY ITEM. NO SEPARATE PAYMENT SHALL BE MADE FOR THERMO-PLASTIC MARKINGS.



SHEET NUMBER
C-11

North

0 10 20

GRAPHIC SCALE IN FEET

LEGEND	
— 15 —	EXISTING CONTOUR
— 14.00 —	PROPOSED CONTOUR
×	EXISTING SPOT ELEVATION
○	PROPOSED SPOT ELEVATION

Technical drawing of a bridge structure, showing a plan view and a detailed circular inset of the bridge deck and approach.

The main plan view shows a bridge structure with a central span and two side spans. The dimensions are as follows:

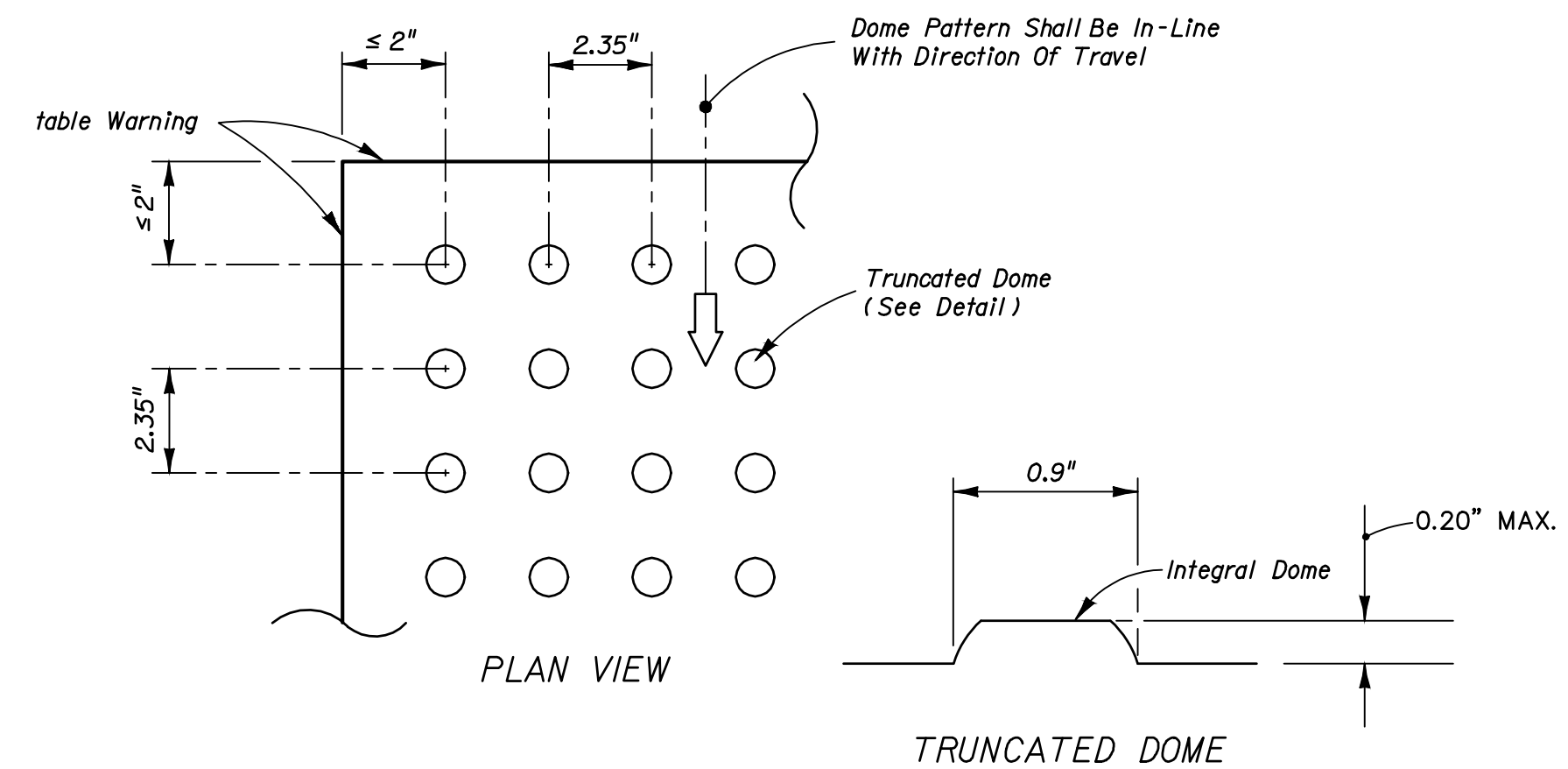
- Overall width: 10.01'
- Left side span width: 12'
- Central span width: 5'
- Right side span width: 12'
- Left side span depth: 13.59'
- Central span depth: 13.29'
- Right side span depth: 13.35'
- Left side span depth (bottom): 13.77'
- Central span depth (bottom): 13.49'
- Right side span depth (bottom): 13.55'
- Left side span depth (bottom): 13.50'
- Right side span depth (bottom): 14.00'
- Left side span depth (bottom): 14.15'

The circular inset provides a detailed view of the bridge deck and approach, showing the bridge structure, the approach, and the surrounding terrain. The inset shows a cross-section of the bridge deck with a width of 10.01' and a depth of 13.59'. The approach is shown with a width of 12' and a depth of 13.77'. The surrounding terrain is shown with a width of 12' and a depth of 13.50'.

Diagram illustrating a ramp and landing configuration with transition slopes and detectable warnings. The diagram shows a ramp leading up to a landing, then down to another ramp. Key features include:

- TRANSITION SLOPE 1:12**: Indicated for the slopes leading up to and down from the landing.
- 0.05**: A slope indicator for the transition area.
- 0.02**: A slope indicator for the landing area.
- 2' DETECTABLE WARNINGS**: A rectangular area on the landing.
- LANDING**: The flat area between the two ramps.
- RAMP**: The inclined areas leading up to and down from the landing.
- C**: A small rectangular area at the bottom of the diagram.

SIDEWALK CURB RAMP DETAIL
N.T.S.
PER FDOT STANDARD INDEX 304



All Sidewalk Curb Ramps Shall Have Detectable Warning Surfaces That Extend The Full Of The Ramp And In The Direction Of Travel 24 Inches (610 mm) From The Back Of C

NTS – COLOR BY LOCAL ORDINANCE

[illegible]

GRADING DETAILS

DRAFT

90% DESIGN DRAWINGS

JAMES LEE PARK
PREPARED FOR
OKALOOSA COUNTY
PUBLIC WORKS

DESIGNED BY: TDN/VMB
DRAWN BY: VMB
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APPROVED BY: VCL
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SHEET NUMBER
C-12

GROUNDWATER CONTROL NOTES:

1. GROUNDWATER WILL BE ENCOUNTERED DURING CONSTRUCTION OPERATIONS. DEWATERING SHALL BE REQUIRED DURING PERIODS OF NORMAL GROUNDWATER LEVELS, SEASONAL HIGH GROUNDWATER, OR DURING AND SHORTLY FOLLOWING THE PASSING OF SIGNIFICANT STORM EVENTS, TO ALLOW FOR PROPER SUBGRADE STABILIZATION AND THE INSTALLATION OF SUBSURFACE UTILITIES.

2. AT THE TIME OF CONSTRUCTION, GROUNDWATER SHALL BE LOWERED AND CONTINUOUSLY MAINTAINED AT A MINIMUM DEPTH OF TWO FEET BELOW THE DEEPEST EXCAVATION TO PERMIT CONSTRUCTION. THE DEWATERING SYSTEM SHALL BE INSTALLED AND OPERATIONAL PRIOR TO EXCAVATION BENEATH THE WATER TABLE. THE DEWATERING SYSTEM SHALL OPERATE CONTINUOUSLY (7 DAYS PER WEEK, 24 HOURS PER DAY) UNTIL THE BELOW GRADE CONSTRUCTION IS COMPLETE.

3. THE CONTRACTOR SHALL BE PREPARED TO ACCOUNT FOR SHALLOW PERCHED/LATERALLY FLOWING GROUNDWATER CONDITIONS WHICH MAY BE PRESENT DURING CONSTRUCTION, PARTICULARLY IF THE SITE IS NOT PROPERLY GRADED DURING CONSTRUCTION TO PREVENT THE ACCUMULATION OF STORMWATER RUNOFF DURING AND SHORTLY FOLLOWING SIGNIFICANT RAIN EVENTS FROM PERCHING ON THE UNDERLYING AND CLAYEY SOILS. THE CONTRACTOR SHALL GRADE ALL AREAS TO FLOW TO THE PROPER INLETS DURING CONSTRUCTION. SHOULD PERCHED GROUNDWATER CONDITIONS BE ENCOUNTERED DURING THE EARTHWORK PHASE OF THIS DEVELOPMENT, MOST LIKELY LOCALIZED DEWATERING EFFORTS (E.G., CONSTRUCTION DITCHES, TEMPORARY SUMPS, ETC.) WILL SUFFICE TO ALLOW FOR EARTHWORK OPERATIONS TO BE PERFORMED IN DRY CONDITIONS.

4. MAINTAINING PROPER GRADES (I.E., POSITIVE DRAINAGE PATHS) DURING THE CONSTRUCTION PHASE OF THIS PROJECT WILL BE CRITICAL TO AVOID THE DEVELOPMENT OF "BIRD BATHS" WITHIN THE FOOTPRINTS OF THE PROPOSED PAVEMENT AREAS, WHICH WOULD DEGRADE THE UNDERLYING SILTY AND CLAYEY SOILS AND REQUIRE UNDERCUTTING TO MORE FIRM UNDERLYING SOILS. EXCAVATIONS SHOULD NOT BE LEFT OPEN FOR A PROLONGED PERIOD OF TIME FOR THE SAME REASON.

5. DESIGN AND IMPLEMENTATION OF TEMPORARY DEWATERING SYSTEMS, AND ANY TEMPORARY SHORING WALL OR CUT-OFF WALL SYSTEMS, ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHOULD ALSO BE RESPONSIBLE FOR DETERMINING THE ACTUAL GROUNDWATER ELEVATIONS AT THE TIME OF CONSTRUCTION. SINCE DEWATERING SYSTEM CONSTRUCTION IS PARTIALLY DEPENDENT ON THE TECHNIQUE AND EXPERIENCE OF THE CONTRACTOR, THE SYSTEM SHOULD ONLY BE INSTALLED BY A CONTRACTOR WITH A MINIMUM OF FIVE (5) YEARS OF EXPERIENCE IN DEWATERING SYSTEM DESIGN AND INSTALLATION. DESIGN FLEXIBILITY SHOULD BE ALLOWED FOR THE SPECIALTY CONTRACTOR TO CHOOSE THE MOST APPROPRIATE DEWATERING SYSTEM, INCLUDING THE WELL DEPTHS AND SPACING.

6. AS PREVIOUSLY NOTED, GROUNDWATER LEVELS ARE SUBJECT TO SEASONAL, CLIMATIC AND OTHER VARIATIONS AND MAY BE DIFFERENT AT OTHER TIMES AND LOCATIONS. THE EXTENT AND NATURE OF ANY DEWATERING REQUIRED DURING CONSTRUCTION WILL BE DEPENDENT ON THE ACTUAL GROUNDWATER CONDITIONS PREVALENT AT THE TIME OF CONSTRUCTION AND THE EFFECTIVENESS OF CONSTRUCTION DRAINAGE TO PREVENT RUN-OFF INTO OPEN EXCAVATIONS.

7. PAYMENT FOR ALL GROUNDWATER CONTROL AND DEWATERING REQUIRED TO CONSTRUCT THE SUBSURFACE IMPROVEMENTS SHALL BE INCIDENTAL TO THE PAY ITEMS OF WHICH THIS WORK IS A PART OF. NO SEPARATE MEASUREMENT OR PAYMENT WILL BE MADE FOR GROUNDWATER CONTROL AND DEWATERING.

DUST CONTROL REQUIREMENTS NOTES:

1. GRADING OPERATIONS WILL NOT BE CONDUCTED WHEN WINDS EXCEED 30 MILES PER HOUR.

2. WATER SHALL BE APPLIED WITH HOSE OR WATER TRUCK, AS NECESSARY, DURING EXCAVATION ACTIVITIES.

3. CONTRACTOR SHALL ENSURE THAT ANY OPEN-BODIED TRUCKS, TRAILERS OR OTHER VEHICLES TRANSPORTING PARTICULATE MATTER SHALL BE COVERED OR WETTED TO MINIMIZE DUST GENERATION DURING TRANSPORT.

4. STOCKPILED MATERIAL SHALL BE COVERED OR WETTED, AS REQUIRED, TO MINIMIZE DUST GENERATION DURING HIGH WIND CONDITIONS.

5. CONTRACTOR SHALL MINIMIZE THE HEIGHTS INVOLVED IN TRANSFER PROCESSES INVOLVING FREE FALL OF SOIL OR OTHER PARTICULATE MATTER TO MINIMIZE DUST EMISSIONS.

6. WATER SHALL BE APPLIED BY HOSE OR WATER TRUCK, AS NECESSARY, TO UNPAVED SURFACES, INCLUDING ADJACENT RIGHT-OF-WAYS, OR ANY OTHER SURFACE THAT COULD CREATE AIRBORNE DUST.

7. GROUND COVER SHALL BE PLACED FOR ALL OPEN AREAS IMMEDIATELY AFTER CONSTRUCTION ACTIVITIES HAVE BEEN COMPLETED.

8. DESIGNATED ROUTES WITHIN THE JOB SITE THAT WILL BE USED BY VEHICLES TRANSPORTING SOIL OR OTHER MATERIALS TO AND FROM THE SITE SHALL BE CLEARLY INDICATED.

9. CONTRACTOR SHALL PROVIDE BRUSHES, BROOMS, WATER, OR PRESSURE WASHERS, AS REQUIRED, TO REMOVE SOIL, SAND, DIRT AND ANY OTHER PARTICULATE MATTER FROM VEHICLE TIRES AND UNCERCARRIAGES PRIOR TO LEAVING THE SITE IN ORDER TO PREVENT THE TRACKING OUT OF SAID SOIL, SAND, DIRT AND ANY OTHER PARTICULATE MATTER ONTO THE ADJACENT RIGHT-OF-WAYS.

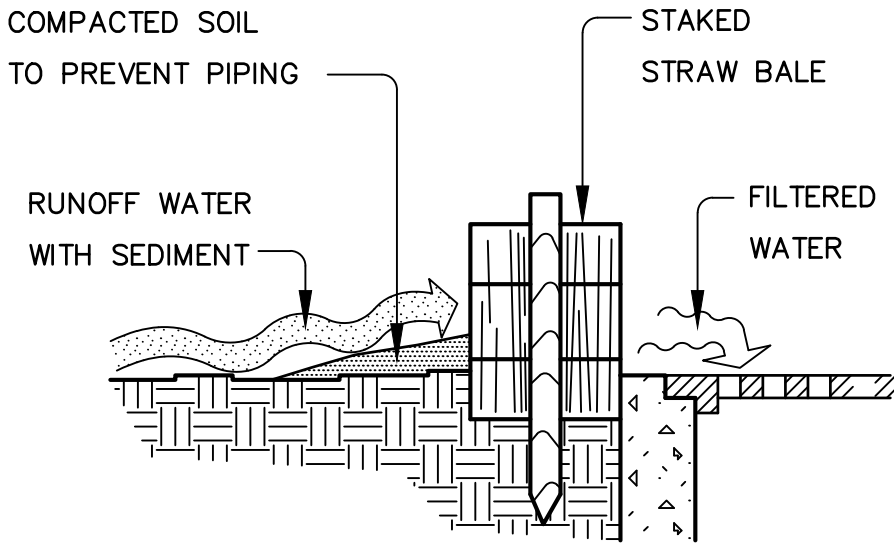
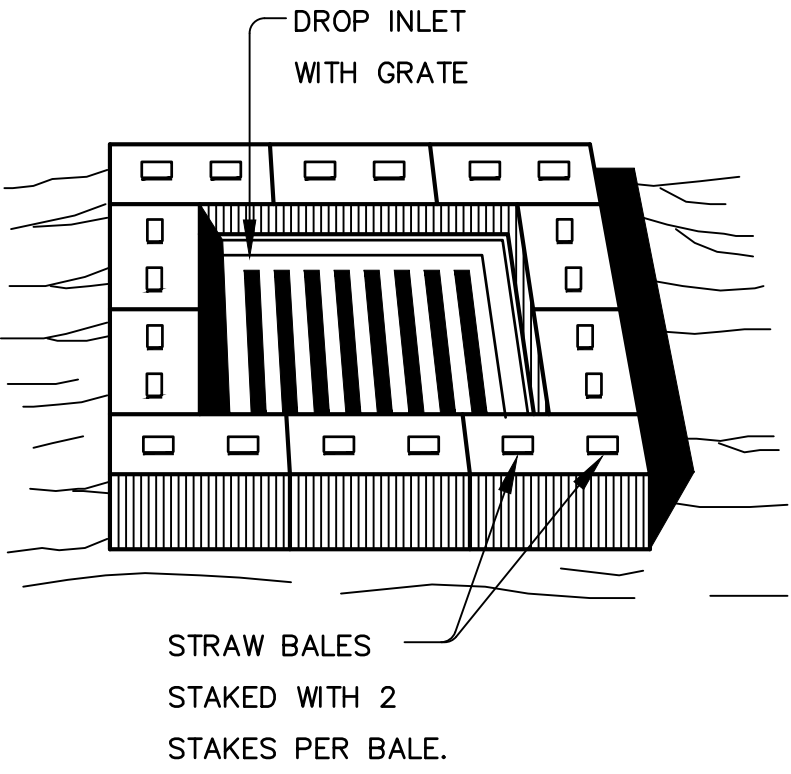
10. MAXIMUM SPEED OF CONSTRUCTION EQUIPMENT OR MATERIAL DELIVERIES SHALL BE 20 MILES PER HOUR.

11. ANY SOIL, SAND AND OTHER MATERIAL DEPOSITED OR EMITTED ONTO ANY RIGHT-OF-WAYS NEAR THE SITE SHALL BE REMOVED WITHIN 48 HOURS.

12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ENSURING THAT DUST CONTROL SYSTEMS AND/OR DEVICES, INCLUDING BUT NOT LIMITED TO WATER APPLICATION SYSTEMS, FILTER REPLACEMENT, OR DAILY REMOVAL OF EXCESS DUST FROM CONTAINMENT AREAS ARE IN PROPER WORKING CONDITIONS PER MANUFACTURER'S REQUIREMENTS OR STANDARD INDUSTRY PRACTICE.

13. THE CONTRACTOR SHALL MONITOR DUST EMISSIONS TO ENSURE COMPLIANCE WITH RELEVANT REGULATORY REQUIREMENTS.

14. THE CONTRACTOR SHALL MAINTAIN A DAILY DUST CONTROL CHECKLIST AND SHALL PROVIDE TO THE CITY UPON REQUEST TO DOCUMENT COMPLIANCE WITH THESE REQUIREMENTS, AND MAINTAIN AT THE JOB SITE AT ALL TIMES.



STRAW BALE DROP INLET SEDIMENT FILTER

N.T.S.

SPECIFIC APPLICATION

THIS METHOD OF INLET PROTECTION IS APPLICABLE WHERE THE INLET DRAINS A RELATIVELY FLAT AREA (SLOPES NO GREATER THAN 5 PERCENT) WHERE SHEET OR OVERLAND FLOWS (NOT EXCEEDING 0.5 CFS) ARE TYPICAL. THE METHOD SHALL NOT APPLY TO INLETS RECEIVING CONCENTRATED FLOWS, SUCH AS IN STREET OR HIGHWAY MEDIANS.

VIBRATION IMPACT MITIGATION REQUIREMENTS:

1. NO VIBRATORY COMPACTION EQUIPMENT SHALL BE USED.

2. METHODS FOR ANY PILE DRIVING, EARTHWORK, COMPACTION, CONCRETE AND ASPHALT BREAKING WILL NOT TRANSMIT VIBRATIONS TO SENSITIVE RECEPTORS AT OR ABOVE THE FEDERAL TRANSIT ADMINISTRATION (FTA) APPROXIMATE VIBRATION DAMANGE THRESHOLD OF 95 VIBRATION DECIBELS (VdB).

3. CONTRACTOR SHALL PROVIDE A WRITTEN DESCRIPTION FOR HOW TO MINIMIZE THE IMPACT ON SURROUNDING PROPERTIES FOR ANY ACTIVITY EXCEEDING THE APPROXIMATE FTA VIBRATION ANNOYANCE THRESHOLD OF 80 VdB.

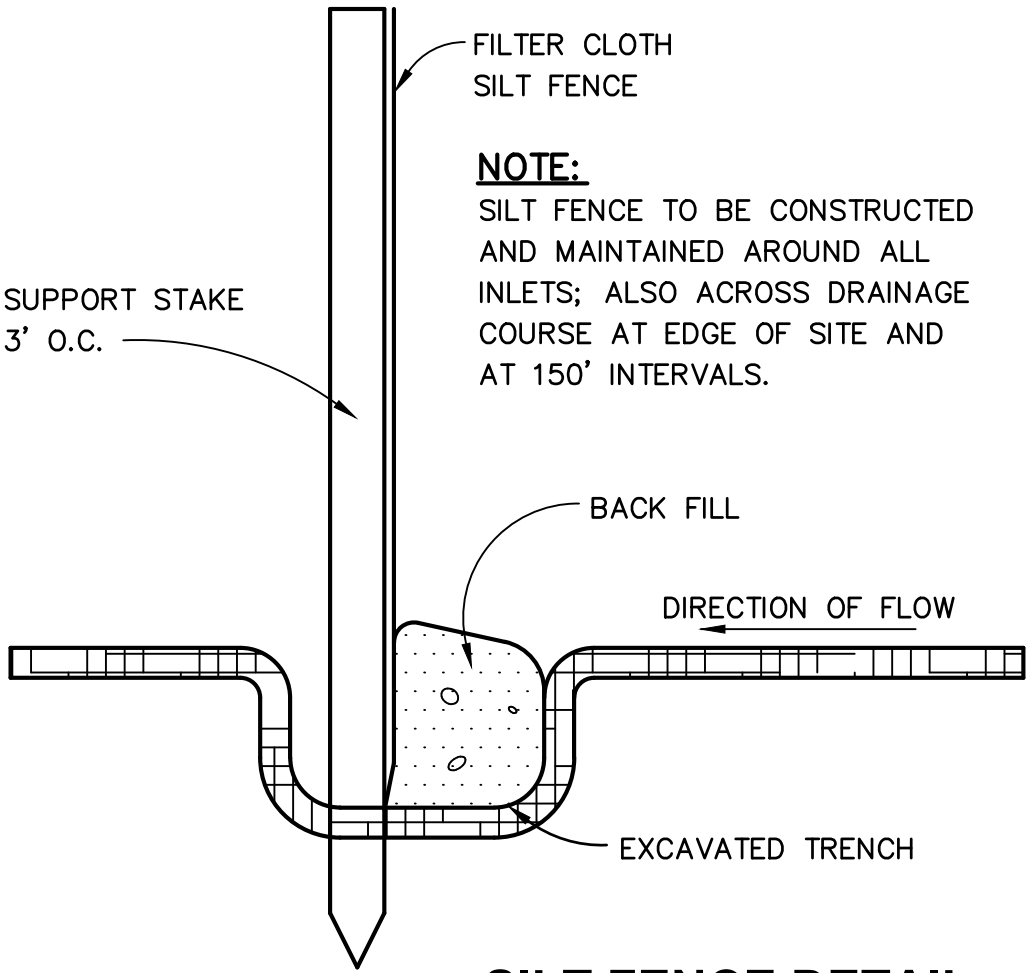
CONSTRUCTION SCREENING NOTES:

1. CONTRACTOR SHALL PROVIDE A CONSTRUCTION SCREEN AROUND SITE DURING CONSTRUCTION IN ACCORDANCE WITH DESTIN CODE OF ORDINANCES 6-51.

2. THE SCREEN MATERIAL SHALL BE MADE OF AN OPAQUE MATERIAL CAPABLE OF ALLOWING AIR TO PASS BUT SEMI-PERVIOUS TO DUST AND DIRT. THE SCREENING SHALL BE OF A FINENESS SUCH THAT NO MATERIAL OVER ONE-EIGHTH (1/8) INCH IN SIZE SHALL PASS THROUGH THE MESH.

3. SUCH SCREENING SHALL BE SECURELY AFFIXED TO THE CONSTRUCTION FENCE. THE SCREENING MATERIAL SHALL BE MAINTAINED IN GOOD CONDITION AND TAUT THROUGHOUT THE ALLOTTED PERMIT TIME. THE SCREENING MUST BE KEPT SECURE FROM ANY WIND ACTION.

4. FENCE SCREENING SHALL HAVE A MINIMUM HEIGHT OF FIVE (5) FEET AND A MAXIMUM HEIGHT OF EIGHT (8) FEET. IN CASES WHERE THE FINISHED GRADE OF THE DEVELOPMENT SITE IS HIGHER BY MORE THAN ONE (1) FOOT OR MORE THAN THE GRADE OF THE ADJOINING PROPERTIES, SAID FENCE SCREENING SHALL BE PLACED AT THE FINISHED GRADE AND NOT THE EXISTING GRADE.



SILT FENCE DETAIL

N.T.S.

NOTE:
SILT FENCE TO BE CONSTRUCTED AND MAINTAINED AROUND ALL INLETS; ALSO ACROSS DRAINAGE COURSE AT EDGE OF SITE AND AT 150' INTERVALS.

EROSION NOTES:

1. EROSION PROTECTION: SOIL EROSION SEDIMENTATION MUST BE CONTROLLED AND RETAINED ON SITE DURING CONSTRUCTION. THEREFORE, EROSION PROTECTION, SUCH AS STAKED BALED HAY AND SILT FENCE BARRIERS, MUST BE INSTALLED PRIOR TO START OF CONSTRUCTION.

2. SILT FENCE BARRIER SHALL BE INSTALLED AS SHOWN ON PLANS, AND IN ALL AREAS SUBJECT TO SOIL EROSION SEDIMENTATION.

3. STORMWATER DETENTION AREAS SHALL BE SODDED.

4. ALL GRADES AT CURBS ARE AT FLOWLINE.

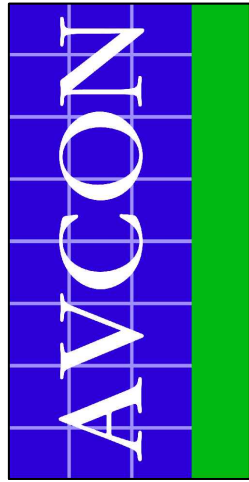
5. SYNTHETIC FILTER FABRIC SHALL BE A PERVIOUS SHEET OF PROPYLENE, NYLON, POLYESTER, OR POLYETHYLENE YARN. IT SHALL CONTAIN ULTRAVIOLET RAY INHIBITORS AND STABILIZERS TO PROVIDE A MINIMUM OF 6 MONTHS OF EXPECTED USABLE CONSTRUCTION LIFE AT A TEMPERATURE RANGE OF 0°F TO 120°F.

6. THE STAKES FOR A SILT FENCE SHALL BE 1 X 2 INCHES (2.5 X 5 CM) WOOD (PREFERRED), OR EQUIVALENT METAL WITH A MINIMUM LENGTH OF 3 FEET.

7. WIRE FENCE REINFORCEMENT FOR SILT FENCES USING STANDARD-STRENGTH FILTER CLOTH SHALL BE A MINIMUM OF 36 INCHES (90 CM) IN HEIGHT, SHALL BE A MINIMUM OF 14 GAUGE, AND SHALL HAVE A MAXIMUM MESH SPACING OF 6 INCHES (15 CM).

8. ALL EROSION CONTROL MEASURES SHALL BE IN ACCORDANCE WITH THE LATEST VERSION OF THE FLORIDA STORMWATER, EROSION AND SEDIMENTATION CONTROL INSPECTOR'S MANUAL, CHAPTER 4.

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NO.	DATE	REVISION	BY

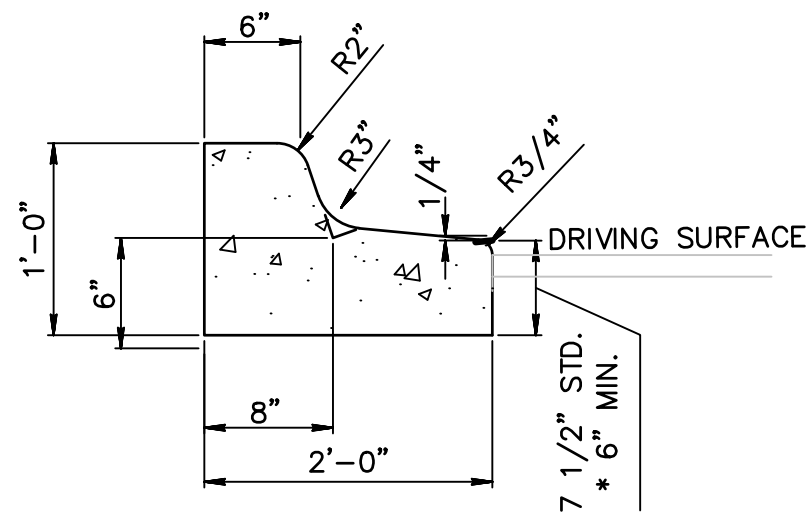
MISCELLANEOUS
DETAILS (1 OF 3)
DRAFT
90% DESIGN DRAWINGS

JAMES LEE PARK
PREPARED FOR
OKALOOSA COUNTY
PUBLIC WORKS

DESIGNED BY: TDN/VMB
DRAWN BY: VMB
CHECKED BY: TDN
APPROVED BY: VCL
PROJECT NO: 18.0125.01
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SHEET NUMBER

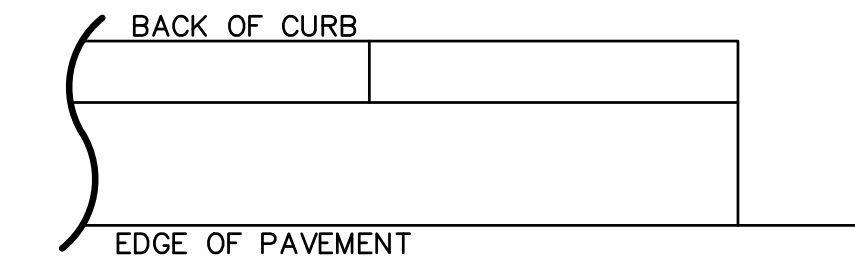
C-13



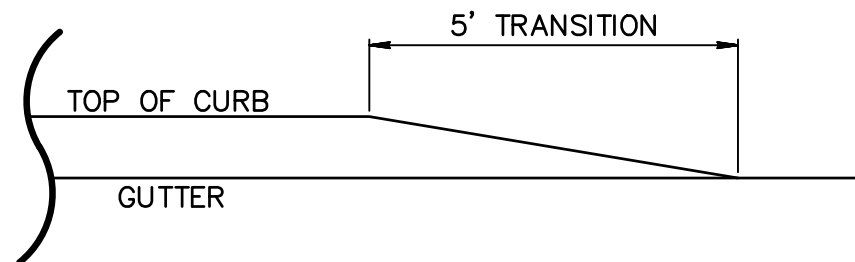
* NOTE: WHEN USED ON HIGH SIDE OF ROADWAYS, THE CROSS SLOPE OF THE GUTTER SHALL MATCH THE CROSS SLOPE OF THE ADJACENT PAVEMENT. THE THICKNESS OF THE LIP SHALL BE 6", UNLESS OTHERWISE SHOWN ON PLANS.

MODIFIED TYPE "F" CURB DETAIL

N.T.S.
PER FDOT STANDARD INDEX 300



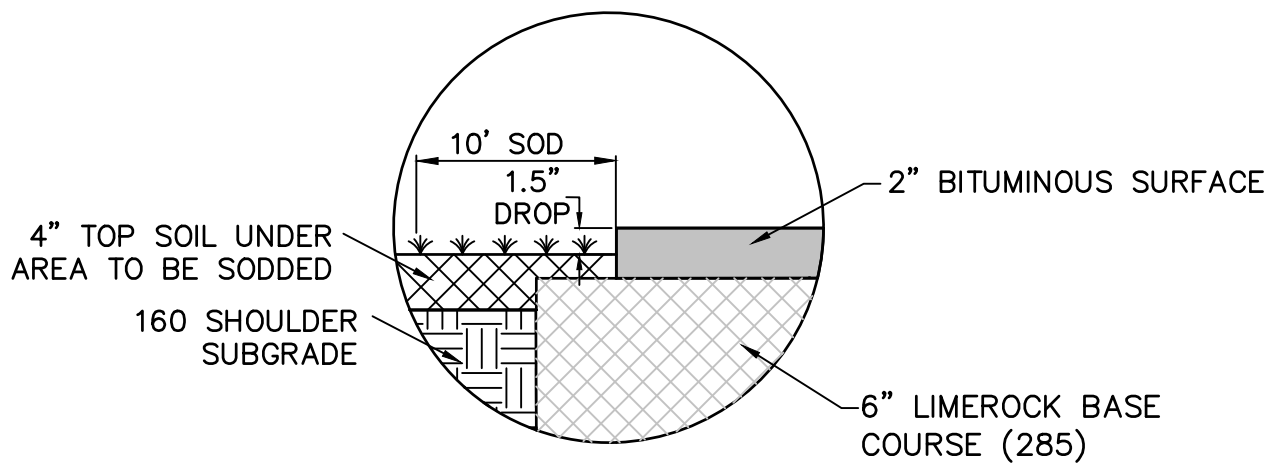
PLAN VIEW



PROFILE VIEW

CURB TAPER DETAIL

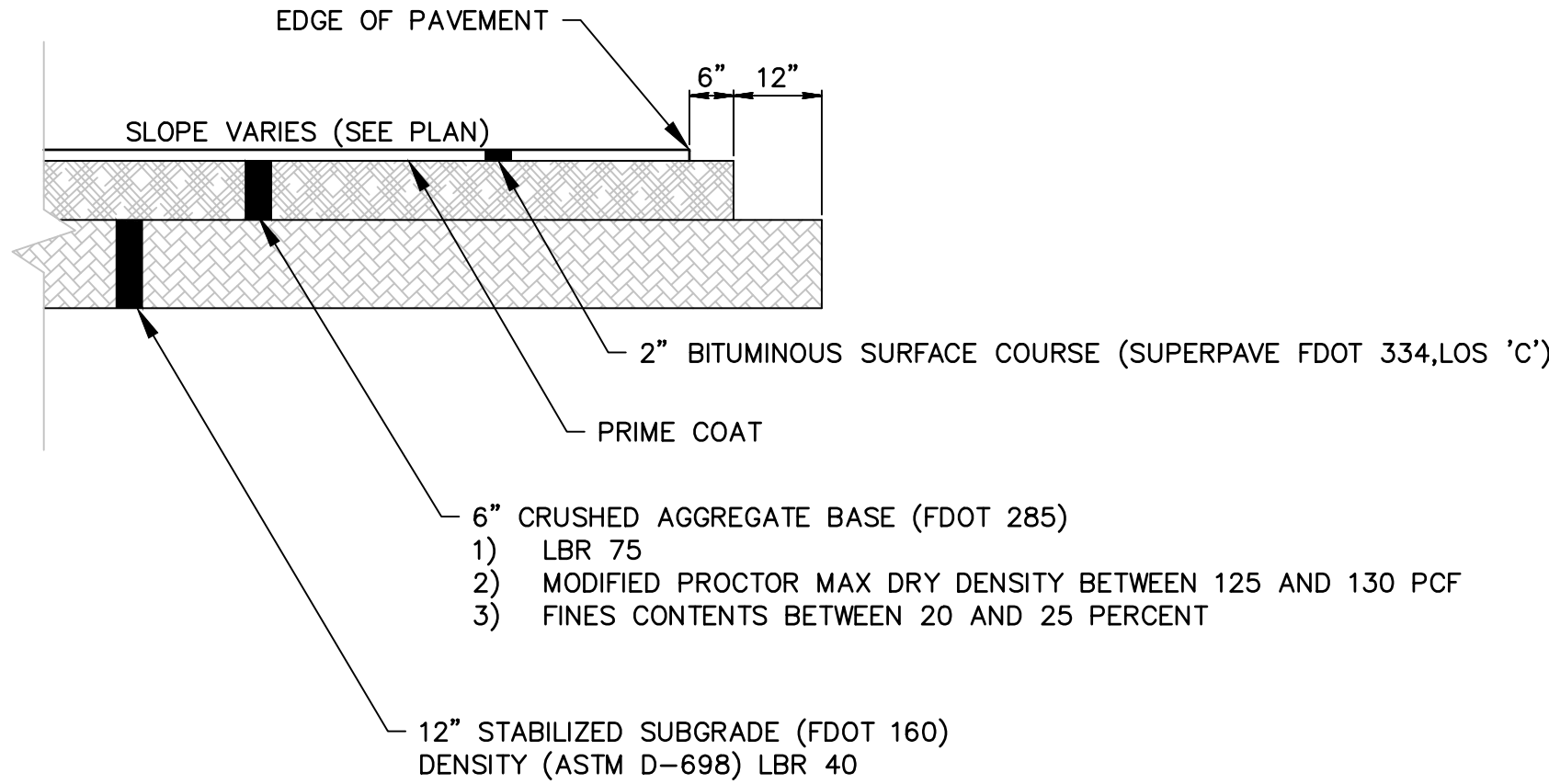
N.T.S.



DETAIL A

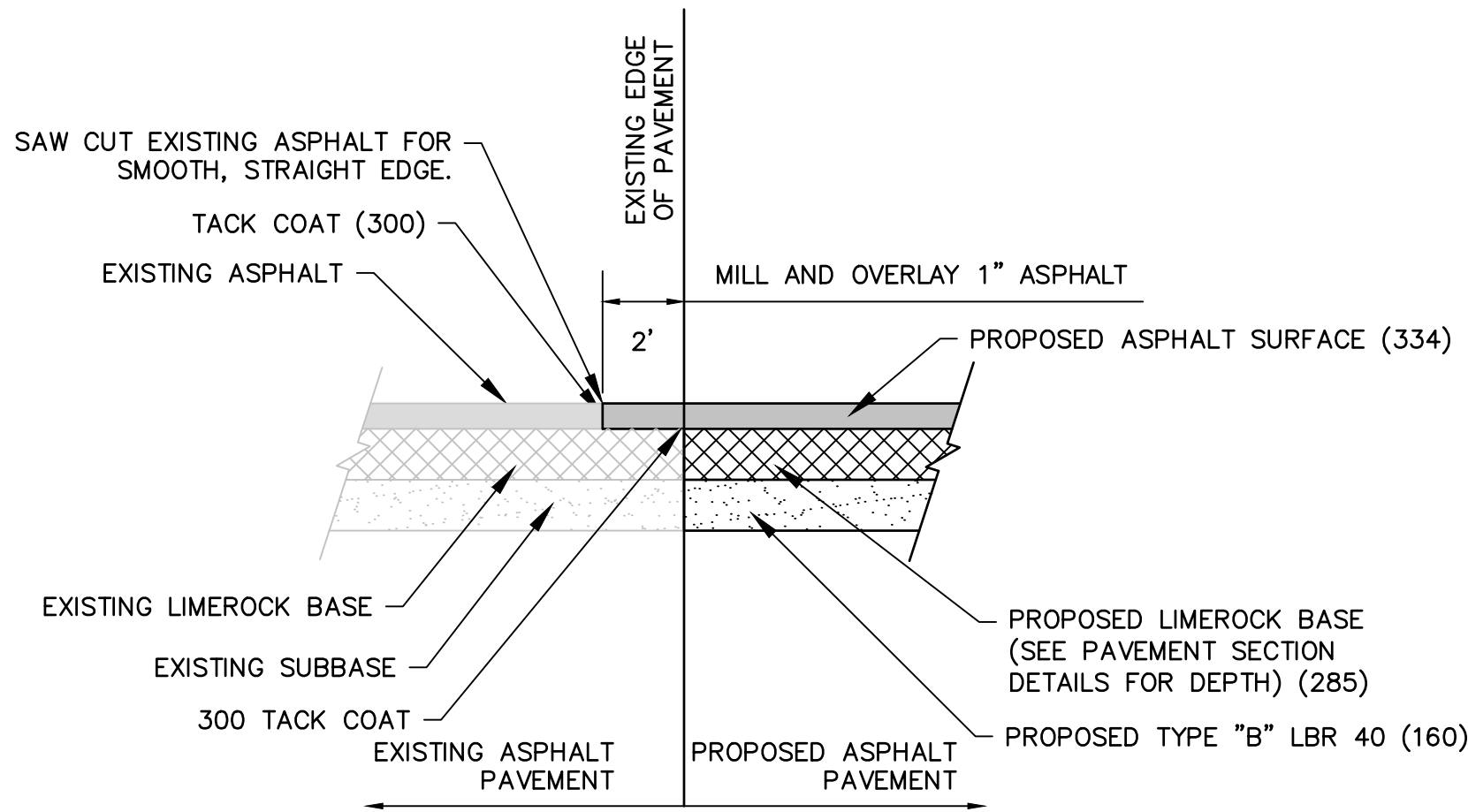
TRANSITION COMPACTED SHOULDER TO EDGE OF PAVEMENT

N.T.S.



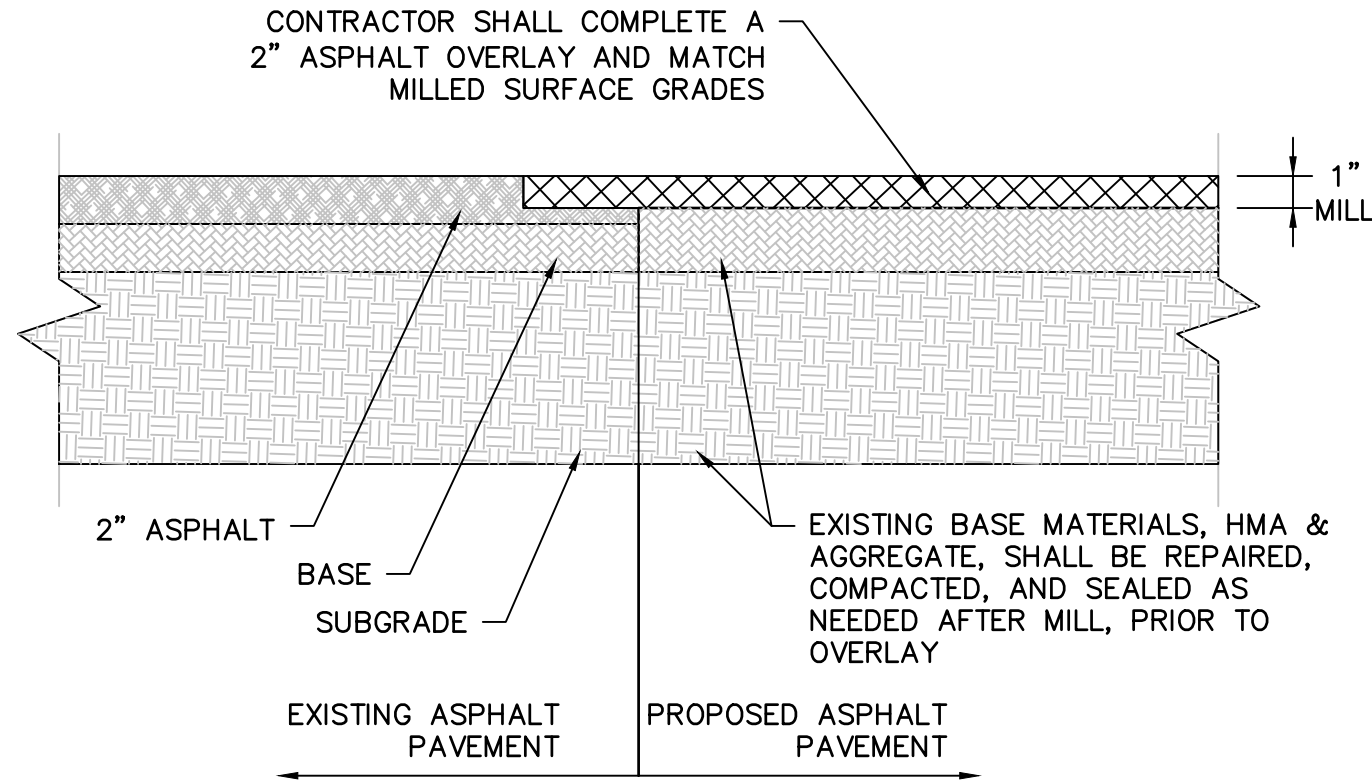
TYPICAL PAVEMENT SECTION

N.T.S.



ASPHALT/ASPHALT PAVEMENT BUTT JOINT DETAIL

N.T.S.

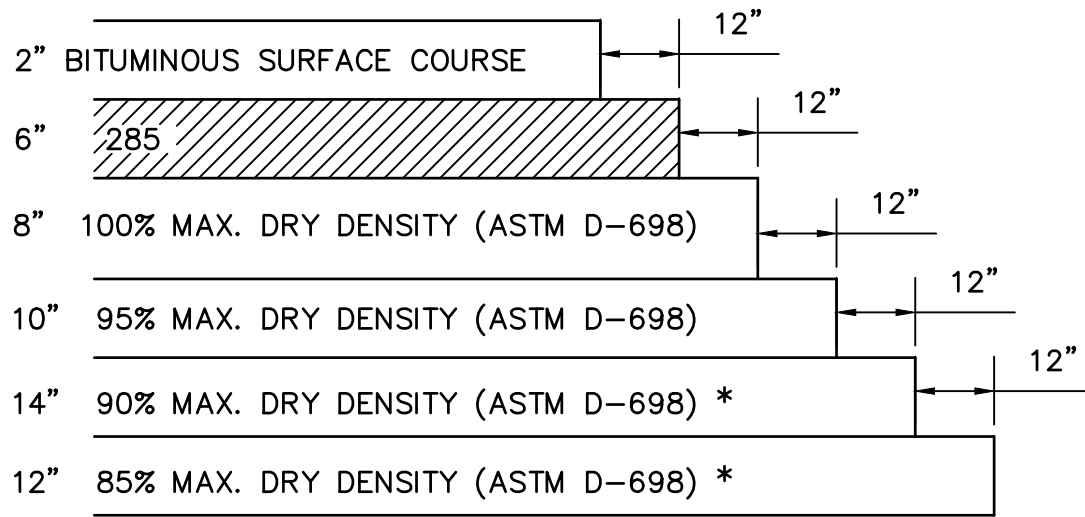


NOTES:

1. CONTRACTOR SHALL COMPLETE A 1" MILL ACCROSS EXISTING PAVEMENT TO REMAIN
2. CONTRACTOR SHALL REPAIR AND SEAL ALL JOINTS PRIOR TO OVERLAY
3. CONTRACTOR SHALL COMPLETE THE 1" OVERLAY AT THE TIME OF NEW PAVEMENT INSTALLATION
4. NEW PAVEMENT 1" HMA BASE SHALL BE AT SAME ELEVATION OF MILLED SURFACE PRIOR TO OVERLAY/HMA TOPCOAT INSTALLATION.

MILL / OVERLAY SECTION

N.T.S.

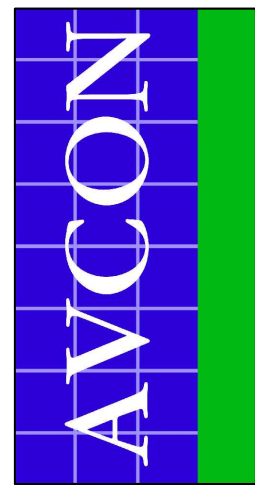


NATURAL DENSITY
* MINIMUM COMPACTION AT LEAST 95% OF MODIFIED PROCTOR MAX. DENSITY (ASTM D-1557) REQUIRED FOR ALL BACKFILLED MATERIALS BENEATH PAVEMENT.

**DETAIL B
SUBGRADE COMPACTION**

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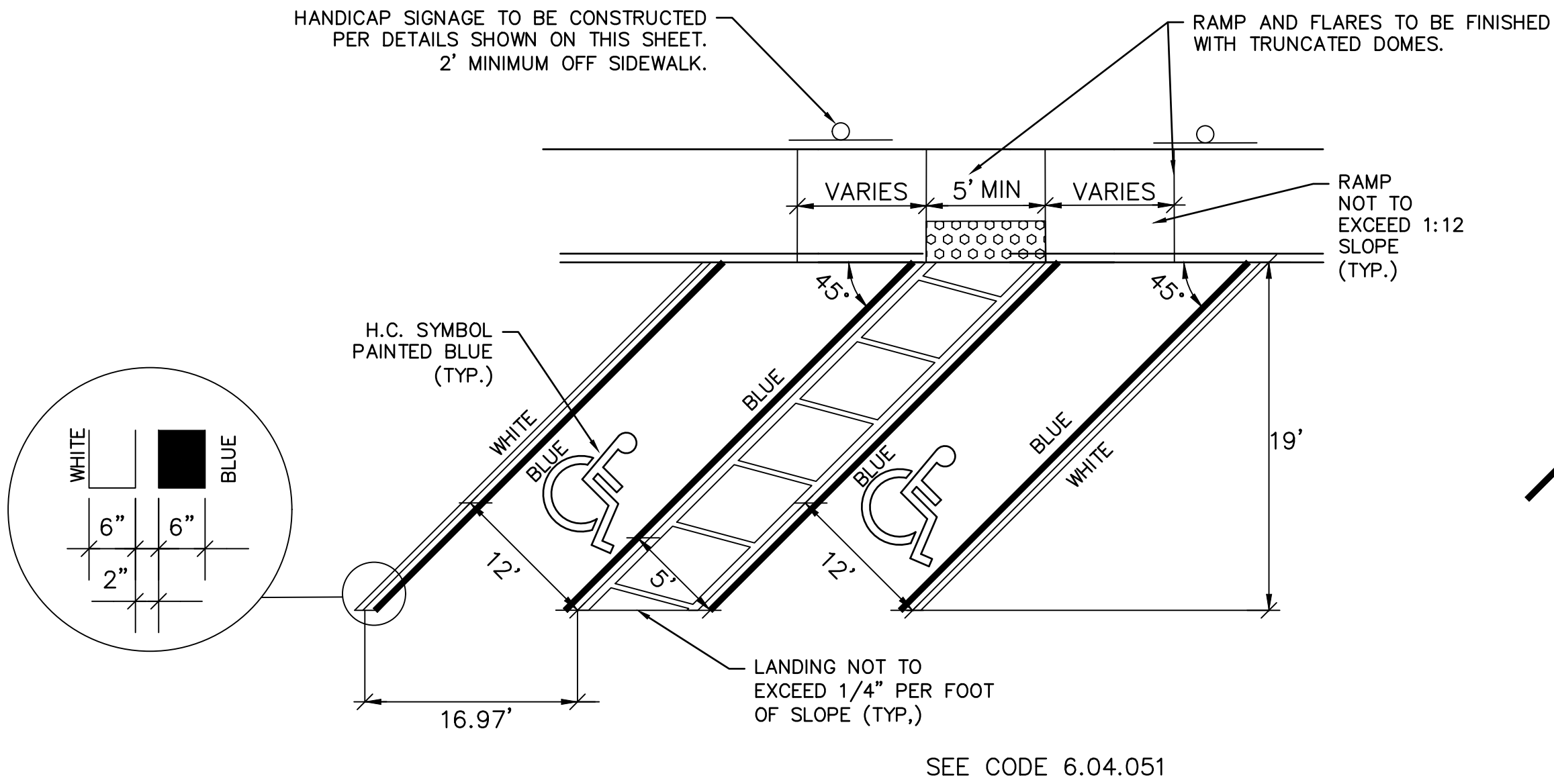
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**MISCELLANEOUS
DETAILS (2 OF 3)**
DRAFT
90% DESIGN DRAWINGS

JAMES LEE PARK
PREPARED FOR
**OKALOOSA COUNTY
PUBLIC WORKS**

DESIGNED BY: TDN/VMB
DRAWN BY: VMB
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PROJECT NO: 18.0125.01
DATE: JANUARY 17, 2019

**SHEET NUMBER
C-14**

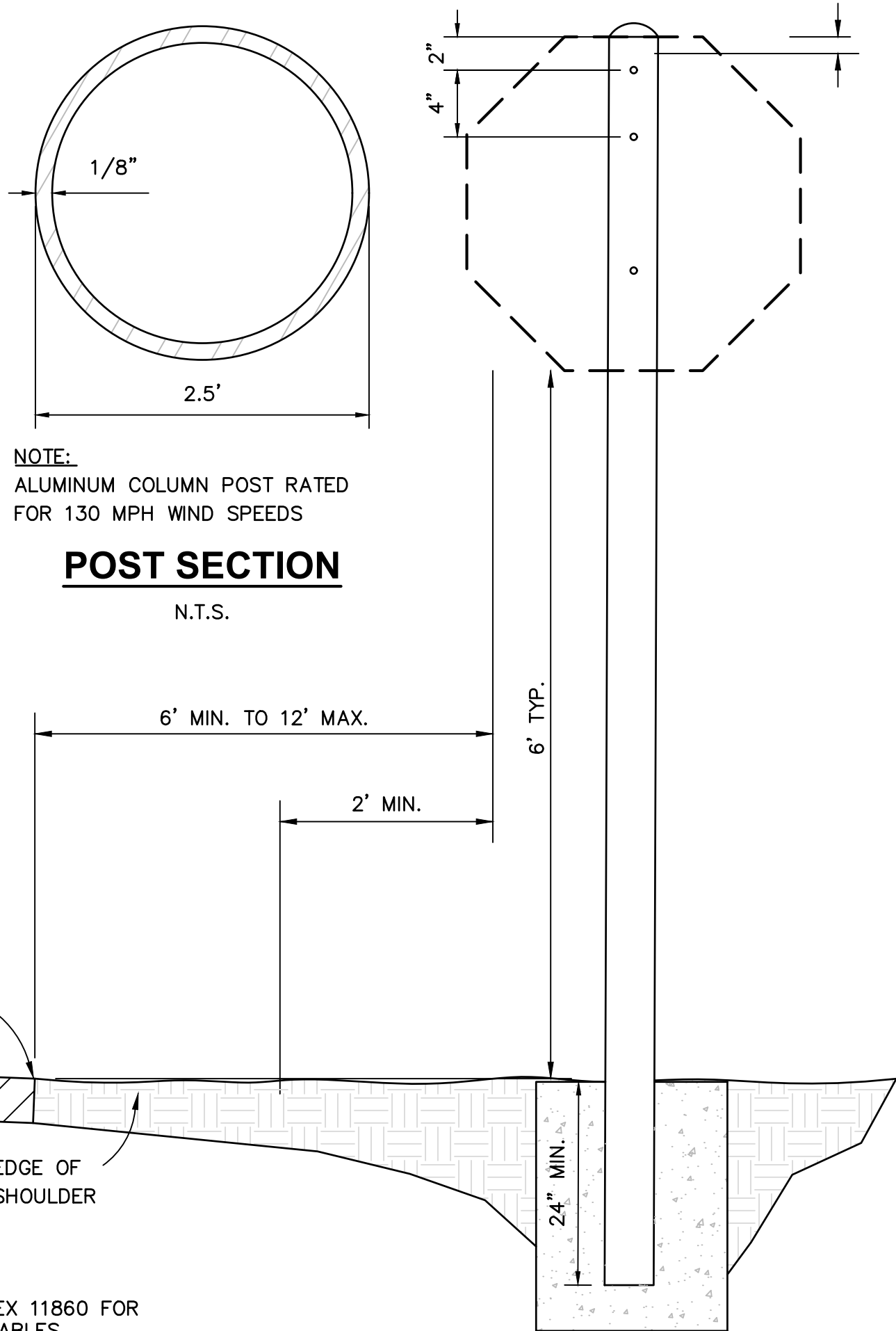


TYPICAL HANDICAPPED STRIPING AND RAMP DETAIL

N.T.S.

NOTES:

1. EACH SUCH PARKING SPACE SHALL BE CONSPICUOUSLY OUTLINED IN BLUE PAINT OR THERMOPLASTIC, AND SHALL BE POSTED AND MAINTAINED WITH A PERMANENT, ABOVE GRADE SIGN BEARING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY, OR THE CAPTION "PARKING BY DISABLED PERMIT ONLY," OR BEARING BOTH SUCH SYMBOL AND CAPTION. SUCH SIGNS SHALL NOT BE OBSCURED BY A VEHICLE PARKED IN THE SPACE. ALL HANDICAPPED PARKING SPACES MUST BE SIGNED AND MARKED IN ACCORDANCE WITH THE STANDARDS ADOPTED BY THE DEPARTMENT OF TRANSPORTATION.
2. F.D.O.T. RECOMMENDS MEASURING PARKING SPACE WIDTH FROM CENTER TO CENTER BETWEEN BLUE STRIPES.
3. CONTRACTOR SHALL INSTALL TRUNCATED DOMES AT THE EXISTING SIDEWALK TRANSITION FROM THE RIGHT-OF-WAY WHERE THE SIDEWALK TRAVERSES THE MAIN ENTRANCE ROADWAY AND COMMONS DRIVE.



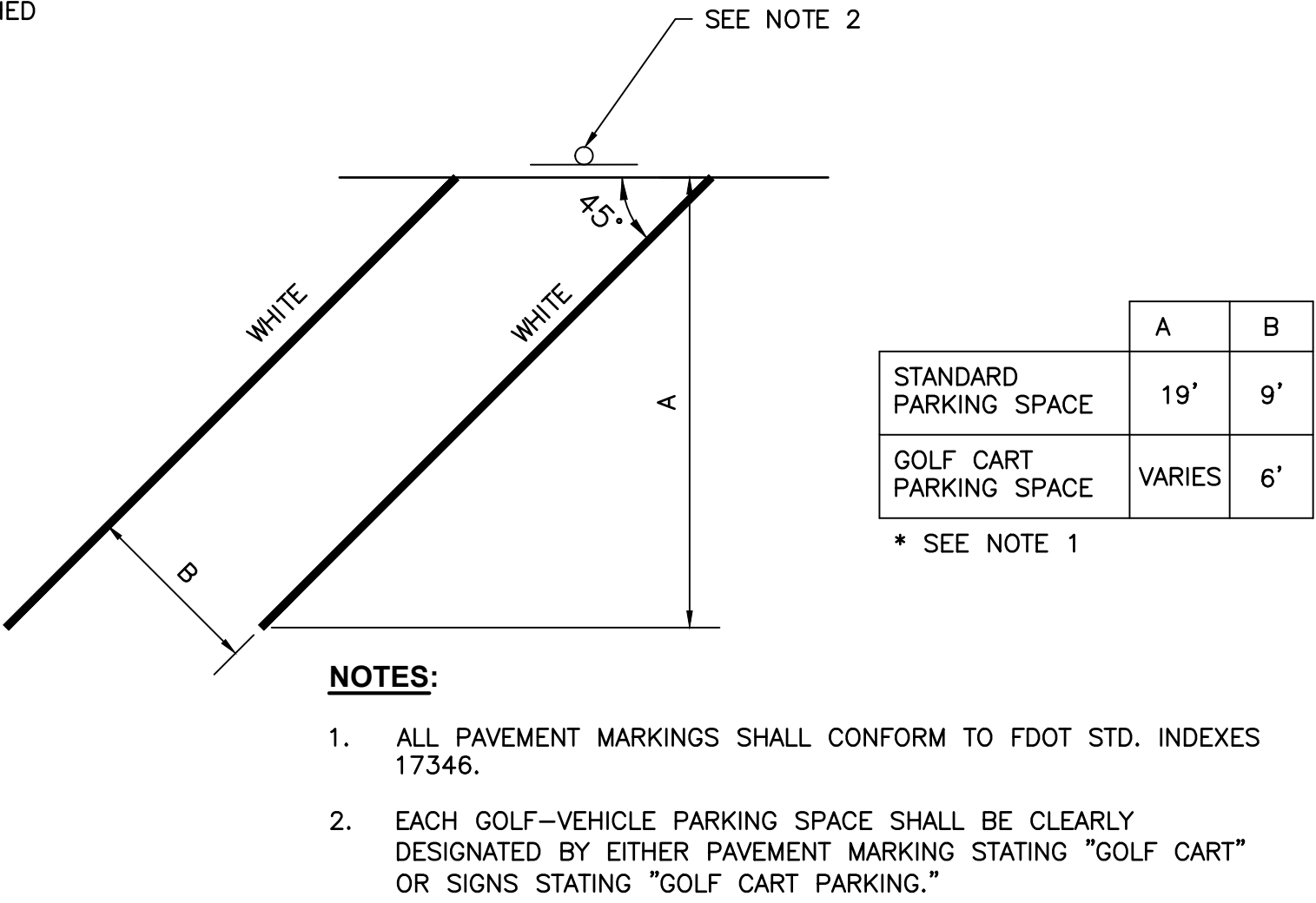
POST SECTION

N.T.S.

NOTES:
SEE FDOT STANDARD INDEX 11860 FOR POST AND FOUNDATION TABLES.

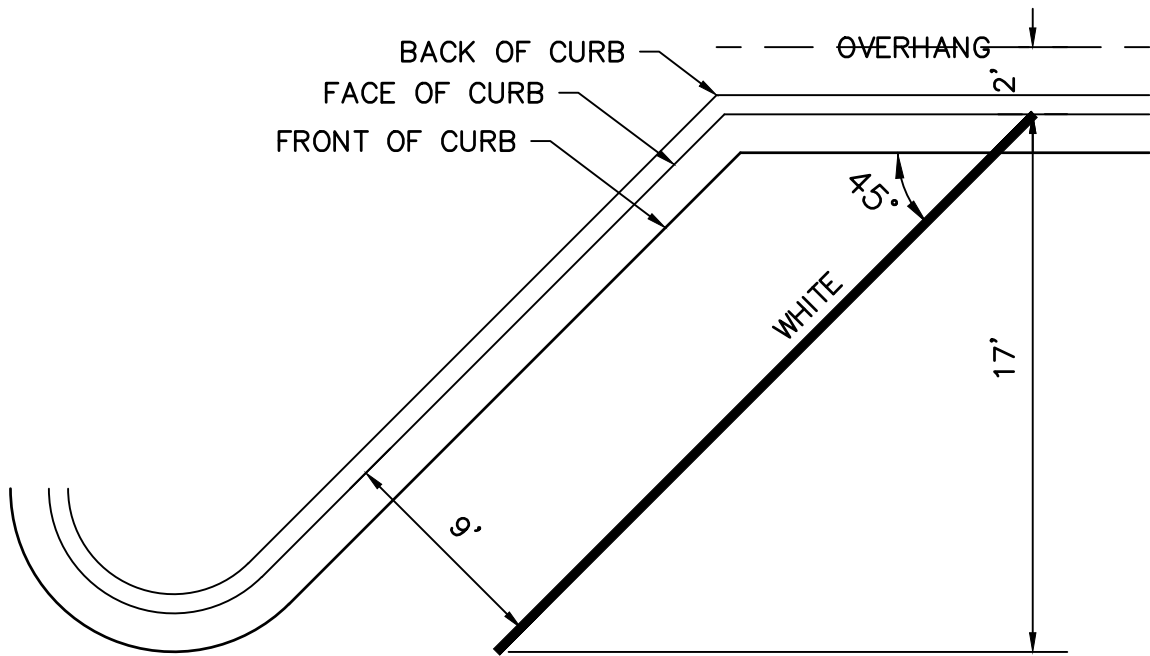
TRAFFIC SIGN POST DETAIL

N.T.S.



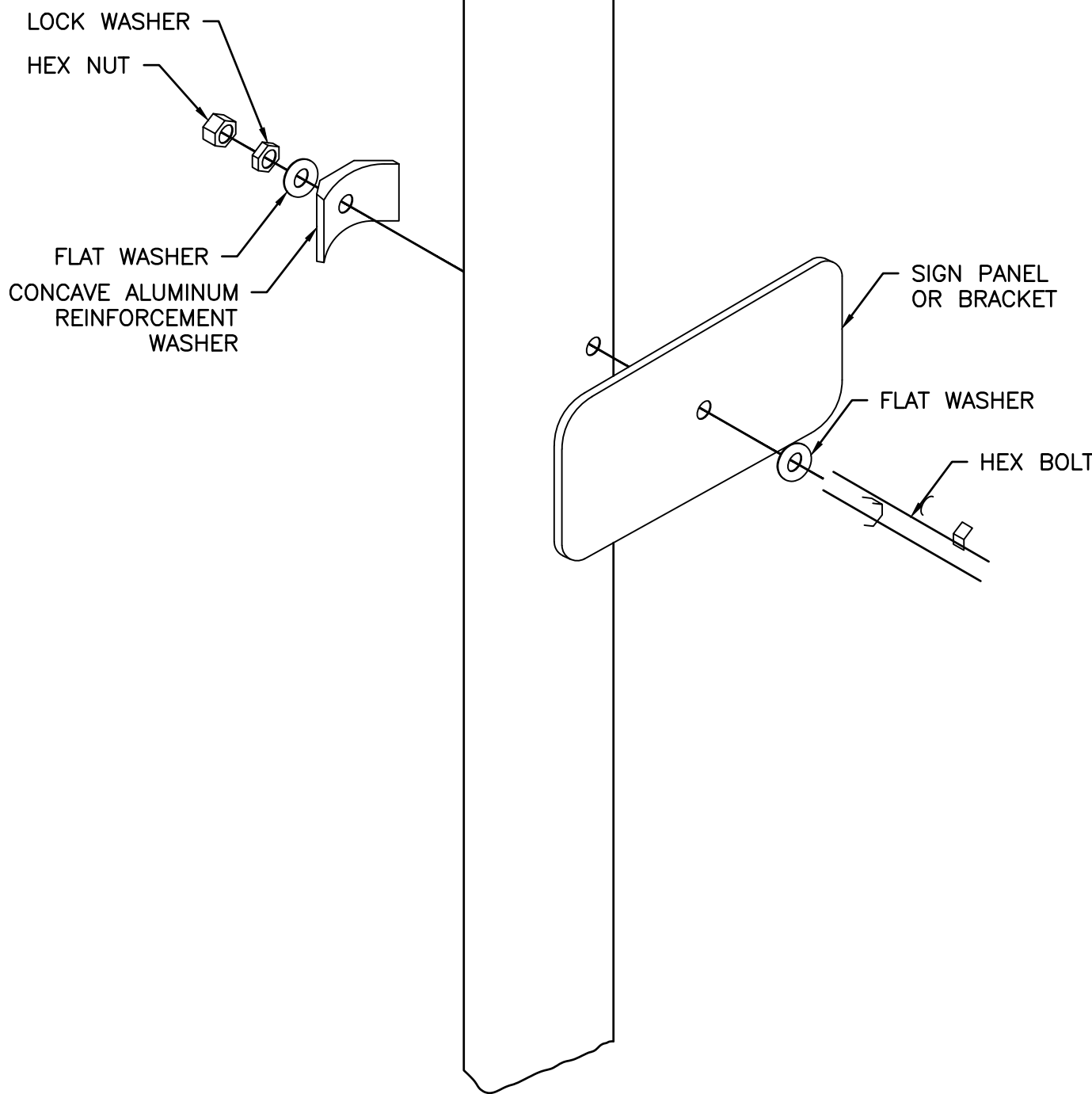
TYPICAL PARKING STRIPING DETAIL

N.T.S.



PARKING SPACE DETAIL

N.T.S.



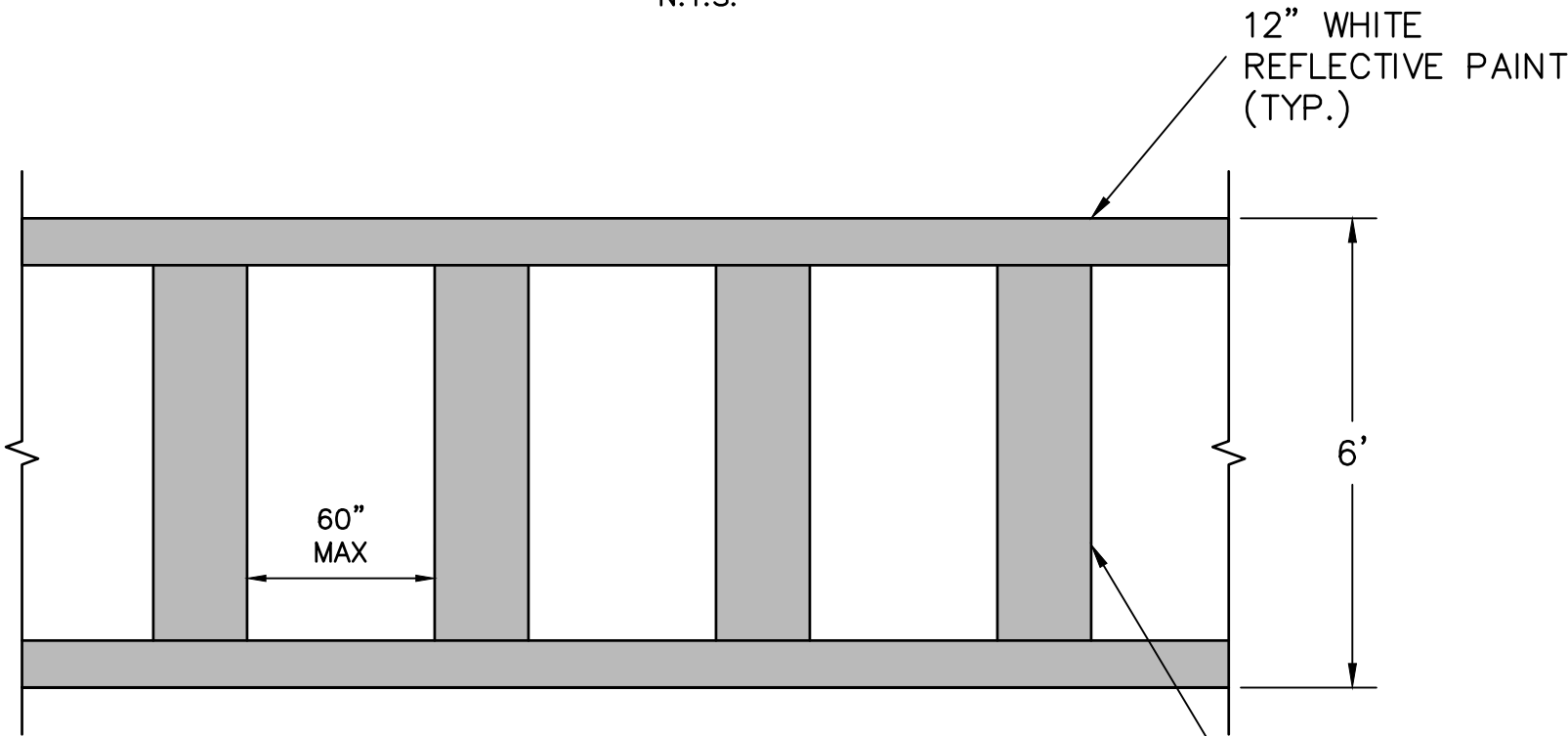
MOUNTING DETAIL

N.T.S.



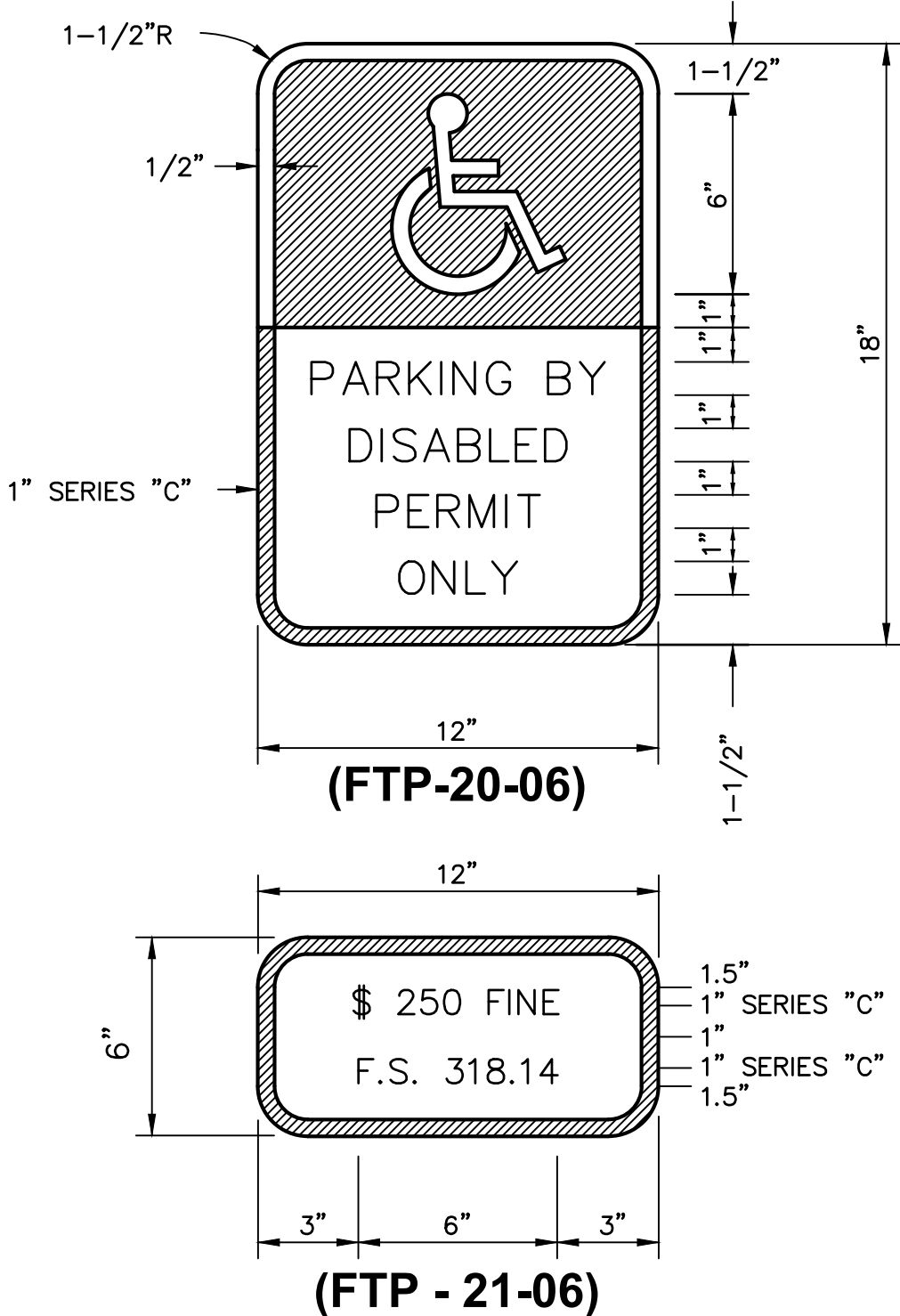
GOLF CART SIGN DETAIL

N.T.S.



CROSSWALK MARKING DETAIL

NOTES:
SEE FDOT STANDARD INDEX 17346 FOR PAVEMENT MARKING DETAILS.



HANDICAP SIGN DETAIL

(F.D.O.T. INDEX No. 17355)
N.T.S.

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DATE: JANUARY 17, 2019

SHEET NUMBER
C-15

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: April 1, 2019**TYPE OF AGENDA ITEM:** Ordinance**TO:** City Council**THRU:** Lance Johnson, City Manager**FROM:** Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney**DATE:** April 1, 2019**SUBJECT:** First reading of Ordinance 19-05-LC - Amending Article 7 of the Land Development Code to create a Harbor District overlay

I. BACKGROUND: There is currently nothing in the Land Development Code which encourages staff to require architectural compatibility and preservation of historic structures within the Harbor Planning Area of Destin, as outlined in Policy 1-1.3.3(1). This policy requires the City to "maximize the use of what already exists by protecting, restoring and enhancing the existing assets..." In an effort to achieve ongoing consistency between the LDC and Comprehensive Plan, staff has prepared proposed Ordinance 19-05-LC, which creates a Harbor District Overlay for all properties that are zoned either SHMU or NHMU.

Consistent with the Comprehensive Plan, the Overlay recognizes the Destin Harbor as a vital part of the City of Destin's history as a world-class fishing village and festive marketplace. The intent of the overlay is to (1) encourage development and redevelopment that is architecturally compatible with existing and previously existing development in the Destin Harbor area, as well as in the neighboring areas north of U.S. Highway 98 and (2) to encourage the reduction of nonconformities in the district by allowing historic residential structures to be used for commercial purposes consistent with a world-class fishing village and a festive marketplace, such as restaurants, bars, bed and breakfasts, and other uses that encourage tourist commercial development by preserving waterfront views, preserving water dependent activity, fostering a pedestrian-oriented environment, and promoting convenient public access to the harbor boardwalk and charter fishing opportunities for the public.

On March 21, 2019, the LPA held a public hearing on Ordinance 19-05-LC, and recommended approval, by unanimous vote.

II. DISCUSSION: Proposed Ordinance 19-05-LC encourages uses and activities which contribute to tourist commercial development while maintaining the

historic value of the Destin Harbor. The proposed ordinance applies to uses within the Harbor Overlay District (which includes properties zoned either SHMU or NHMU) and provides an application process for an applicant to obtain a Certificate of Appropriateness (with or without a Conditional Use) for designated projects, structures, and sites of significance to the history of the Destin Harbor, based on outlined criteria.

The proposed Ordinance authorizes the City Council to grant a Certificate of Appropriateness (with or without a conditional use) to an applicant if there is an existing structure on a site, which the applicant seeks to preserve, and which was constructed prior to 1975, if at least one of the following criteria are met:

. Historical Significance

Proposed changes of use, developments or redevelopments in the overlay district, should show character, interest or value as part of the development, heritage, or cultural characteristics of the Harbor area; be the site of historic or prehistoric event(s) that had an effect upon the City of Destin; or exemplify the cultural, political, economic, or social heritage of the City of Destin.

B. Architectural Significance

Proposed changes of use, developments or redevelopments should portray an era of history characterized by distinctive architectural period(s)/style(s); embody those distinguishing characteristics of an architectural type specimen, contain elements of architectural design, detail, materials or craftsmanship that represent a significant era in the history of the Harbor area.

C. Environmental Significance

Proposed changes of use, developments or redevelopments should enhance the variety, interest, and sense of identity of the Harbor area by the protection of the unique natural and man-made environments, by preserving waterfront views, preserving water dependent activity, fostering a pedestrian-oriented environment, and promoting convenient public access to the harbor boardwalk and charter fishing opportunities for the public.

In addition, the proposed Ordinance authorizes the City Council to grant any Code Waivers required to further the intent of the Harbor District Overlay, provided such waivers do not pose a serious threat to the public health, safety or welfare. The Proposed Ordinance also provides for Appeals and Penalties.

On March 21, 2019, the LPA unanimously recommended approval of Ordinance 19-05-LC.

A. **Link to Strategic Goals / Objectives:** Comp Plan Objective 1-3.4:
Encourage Redevelopment and Renewal

Comp Plan Policy 1-2.4.3(3) South Harbor Mixed Use

Comp Plan Policy 1-2.4.3(4) North Harbor Mixed Use

B. **Effect on Budget (EOB):**

C. **Level of Service (LOS):**

III. **CONCLUSION:** Staff recommends that the City Council pass Ordinance 19-05-LC on first reading and advertise for 2nd reading.

IV. **RECOMMENDED MOTION:** I move to approve Ordinance 19-05-LC on first reading, and direct staff to advertise the Ordinance for second reading.

Attachments:

1. Harbor Overlay April 1_ 2019
Version Final

ORDINANCE NO. 19-05-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO PRESERVING THE HISTORIC DESTIN HARBOR AREA WITHIN THE CITY OF DESTIN; AMENDING ARTICLE 7 OF THE LAND DEVELOPMENT CODE, “LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS” TO CREATE A HARBOR DISTRICT OVERLAY; PROVIDING FOR PURPOSE AND INTENT; ESTABLISHING PRINCIPLE, CONDITIONAL, AND ACCESSORY USES IN THE HARBOR DISTRICT OVERLAY; AMENDING TABLE 7-2 “TABLE OF ALLOWABLE USES”; ESTABLISHING A PROCESS FOR DESIGNATION OF STRUCTURES AND SITES SIGNIFICANT TO THE HISTORY OF THE DESTIN HARBOR; ESTABLISHING CRITERIA FOR DESIGNATION OF STRUCTURES AND SITES SIGNIFICANT TO THE HISTORY OF THE DESTIN HARBOR; ESTABLISHING A CERTIFICATE OF APPROPRIATENESS; AUTHORIZING CODE WAIVERS; PROVIDING FOR APPEALS; PROVIDING FOR PENALTIES; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. AUTHORITY.

The authority for enactment of this Ordinance is Article 1, Section 1.01 (b) of the City Charter, Section 166.021, Florida Statutes and Chapter 163, Part II, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, the City Council in providing for the health, safety and welfare of its citizens finds that the City should establish the Harbor District Overlay to preserve the historic character of the Harbor area as a fishing village and a festive market place, consistent with the City’s Comprehensive Plan; and

WHEREAS, the Comprehensive Plan “OBJECTIVE 1-3.4: ENCOURAGE REDEVELOPMENT AND RENEWAL” provides that “[i]n addition to Community Redevelopment Agency effort identified in Objective 1-3.3 and in the Policies that implement Objective 1-3.3, the City of Destin shall pursue redevelopment in other areas, such as the North and South Harbor Planning Areas that have a unique history, style, and look that the City seeks to preserve. The City shall maximize the use of what already exists by protecting, restoring and enhancing the existing assets, including the North and South Harbor Planning Areas ...”; and

WHEREAS, it is the intent of the Harbor District Overlay is to encourage development and redevelopment that is architecturally compatible with existing and previously existing development in the Destin Harbor area, as well as in the historic neighboring areas north of U.S. Highway 98; and

WHEREAS, much of the Harbor area's historic significance is derived from the harbor's role in the City's formation as a world-class fishing village; and

WHEREAS, in addition to ensuring architectural styles are compatible with the area's heritage, the Harbor District Overlay is intended to preserve the harbor area's historic sense of place and growth over time into a world-class fishing village; and

WHEREAS, this overlay district is also intended to support development and redevelopment that is visually compatible with the heritage of the Destin Harbor area and foster knowledge of the city's living heritage; and

WHEREAS, the City Council has determined that this ordinance is consistent with the adopted comprehensive plan and is in the best interests of the City and its citizens; and

WHEREAS, a public hearing has been conducted after due public notice by the Local Planning Agency and its recommendations reported to the City Council; and

WHEREAS, a public hearing has been conducted by the City Council after due public notice.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:

NOTE: Language in all sections of this ordinance that is ~~strike-thru~~ is language proposed to be deleted, underline language is language to be added, language that is not in strike-thru or underlined is not to be changed. The symbol *** represents sections of the Land Development Code that have been skipped and remain unchanged.

SECTION 3. AMENDMENT OF LAND DEVELOPMENT CODE SECTION 7.12.06.

Section 7.12.06 of the Land Development Code is hereby amended as follows:

DD. Harbor District Overlay. The Harbor District Overlay implements Future Land Use Element Policies 1-2.4.3(3) South Harbor Mixed Use (SHMU) and 1-2.4.3 (4) North Harbor Mixed Use (NHMU), and Objective 1-3.4 Encourage Redevelopment and Renewal, of the Comprehensive Plan.

1. **Purpose and intent.** The Harbor District Overlay encompasses all land that is within either the South Harbor Mixed Use zoning district or the North Harbor Mixed Use zoning district. The Destin Harbor is a vital part of the City of Destin's history as a world-class fishing village and festive marketplace, and will continue to play an important role in the City's future. The intent of the Harbor District Overlay is to (1) encourage development and redevelopment that is architecturally compatible with existing and previously existing development in the Destin Harbor area, as well as in the neighboring areas north of U.S. Highway 98 and (2) to encourage the reduction of nonconformities in the district by allowing historic residential structures to be used for commercial purposes consistent with a world-class fishing village and a festive marketplace, such as restaurants, bars, bed and breakfasts, and other uses that encourage tourist commercial development by preserving waterfront views, preserving water dependent activity, fostering a pedestrian-oriented environment, and promoting convenient public access to the harbor boardwalk and charter fishing opportunities for the public. Much of the Harbor Area's historic significance is derived from the harbor's role in the City's formation as a world-class fishing village. In addition to ensuring architectural styles are compatible with the area's heritage, the Harbor District Overlay is intended to preserve the harbor area's historic sense of place. This overlay district is also intended to support development and redevelopment that is visually compatible with the heritage of the Destin Harbor area, a world-class fishing village and festive marketplace.
2. **Process for Designation of Structures and Sites Significant to the History of the Destin Harbor.** A property owner or authorized agent of a property owner may apply to designate a structure or site as significant to the history of the Destin Harbor pursuant to this section. Such application may include a request for a conditional use, if applicable.
 - A. Applications for a Certificate of Appropriateness (with or without a Conditional Use) shall be submitted to the city manager on a form to be provided by the city, along with a signed, sealed survey of the subject property, which survey is dated within at least one year of the application date.
 - B. The owner of the subject property must either sign the application or give written authorization.
 - C. The city manager, in consultation with the city land use attorney and city staff, shall review a Certificate of Appropriateness (with or without a Conditional Use) application for sufficiency, and shall forward the request to the city council once the city manager has determined that the application includes all required information.
 - D. The city manager shall schedule a public hearing on the Certificate of Appropriateness (with or without a Conditional Use) before the city council, which hearing shall be held not later than sixty (60) days after receipt of an application, said hearing may be continued once, at the discretion of the City Council, upon request of the applicant to the City Council or for good cause. A separate hearing before the Board of Adjustment shall not be required if a Certificate of

- Appropriateness application is submitted with a Conditional Use.
- E. Notice will be published in a local newspaper of general circulation at least ten (10) days prior to the public hearing.
- F. The city council shall render an order to either issue or deny the application for a Certificate of Appropriateness (with or without a Conditional Use).
- K. The order shall be mailed to the applicant and shall include findings of fact and conclusions of law, and shall state specifically (i) that the Certificate of Appropriateness (with or without a Conditional Use) vests the uses, structures, driveways, accessways, parking, (as applicable) and any other items depicted on the survey, as well as any City code waivers authorized by approval of the survey submitted by the applicant; all until such time that the applicant abandons the uses for a period of at least 180 days; and (ii) that no further permits shall be required from the City of Destin with respect to any uses, structures, driveways, accessways, parking, (as applicable) and any other items depicted on the survey, all until such time that the applicant abandons the uses for a period of at least 180 days, and subject to any limitation that may exist, to the extent that the Building Official has determined a serious threat to the public health or safety exists without such limitations. Nothing in this section releases the Applicant from any requirement to obtain a business tax receipt on the subject property, if applicable.
3. **Criteria for Designation of Structures and Sites Significant to the History of the Destin Harbor.** The City Council may grant a Certificate of Appropriateness if there is an existing structure on the site, which the applicant seeks to preserve, and which was constructed prior to 1975 (according to records of the Property Appraiser and/or the City of Destin) and at least one of the following additional criteria are met:
- A. Historical Significance
- Proposed changes of use, developments or redevelopments in the overlay district, should show character, interest or value as part of the development, heritage, or cultural characteristics of the Harbor area; be the site of historic or prehistoric event(s) that had an effect upon the City of Destin; or exemplify the cultural, political, economic, or social heritage of the City of Destin.
- B. Architectural Significance
- Proposed changes of use, developments or redevelopments should portray an era of history characterized by distinctive architectural period(s)/style(s); embody those distinguishing characteristics of an architectural type specimen, contain elements of architectural design, detail, materials or craftsmanship that represent a significant era in the history of the Harbor area.

C. Environmental Significance

Proposed changes of use, developments or redevelopments should enhance the variety, interest, and sense of identity of the Harbor area by the protection of the unique natural and man-made environments, by preserving waterfront views, preserving water dependent activity, fostering a pedestrian-oriented environment, and promoting convenient public access to the harbor boardwalk and charter fishing opportunities for the public.

4. **Conditional uses.** If an applicant desires to change the use of an existing structure on the site, the applicant is required to apply for a Certificate of Appropriateness with Conditional Use. Conditional uses in the Harbor Area Overlay shall include those listed in Table 7-2, Table of Allowable Uses. To the extent that there is any conflict between the permissibility of any specific use in the underlying zoning district and the Harbor Area Overlay, the provisions of the underlying zoning district shall apply, unless an application for a Certificate of Appropriateness has been submitted. The following shall apply to all applications for a Certificate of Appropriateness with Conditional Use within the Destin Harbor Area:
 - a. *Findings.* A conditional use shall be permitted upon a finding by the city council, after a duly noticed public hearing on the Certificate of Appropriateness with a Conditional Use, that the proposed use, application and, if applicable, survey or site plan, comply with the criteria specified in this section, including specific conditions established by the city council during review of the respective application in order to ensure compliance with the comprehensive plan and land development regulations. If the proposed conditional use is a major development pursuant to Chapter 2 of the LDC, the city council shall render the final determination pursuant to the procedures for major developments. A conditional use shall be denied if the city determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is adverse to the public's interest. An application for a conditional use shall describe how the specific land use characteristics proposed meet the criteria described herein and shall include a description of any measures proposed to mitigate against possible adverse impacts of the proposed conditional use on properties in the immediate vicinity. The City Council is authorized to grant any waivers to the Land Development Code pursuant to subsection 7.12.06(DD)(6), in order to further the purposes of the Harbor District Overlay.
 - b. *Characteristics of use described.* The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:
 - (1) Scale and intensity of the proposed conditional use as measured by the following:

- i. Floor area ratio;
- ii. Traffic generation;
- iii. Square feet of enclosed building for each specific use;
- iv. Proposed employment;
- v. Proposed number and type of service vehicles; and
- vi. Off-street parking needs.

(2) On- or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection, including the following:

- i. Utilities;
- ii. Public facilities, especially any improvements required to ensure compliance with concurrency management;
- iii. Roadway or signalization improvements, or other similar improvements;
- iv. Accessory structures or facilities; and
- v. Other unique facilities/structures proposed as part of site improvements.

(3) On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:

- i. Open space;
- ii. Setbacks from adjacent properties;
- iii. Screening and buffers;
- iv. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites; and
- v. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts.

c. Criteria for Conditional Uses in the Harbor District Overlay:

- i. Land use compatibility. The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.

- ii. Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.
- iii. Proper use of mitigative techniques. The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.
- iv. Hazardous waste. The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation without use of city-approved mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material and shall regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the city unless the specific location is consistent with the comprehensive plan and land development regulations and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources.
- v. Preservation of "Old Destin". The Harbor District Overlay is intended to promote the public health, safety, and welfare by protecting, enhancing, and perpetuating buildings, sites, and areas of the district that are reminiscent of past eras, events, and persons important in local, state, or national history or providing significant examples of architectural styles of the past. It is also the purpose of this zoning district to develop and maintain appropriate settings and environments for such buildings, sites, and areas to enhance property values, stabilize the South Harbor Mixed Use and North Harbor Mixed Use zoning districts, promote the tourist trade and interest, and foster knowledge of the city's living heritage. Therefore,

conditional uses should meet one or more of the following criteria:

A. Historical Significance

Proposed changes of use, developments or redevelopments in the overlay district, should show character, interest or value as part of the development, heritage, or cultural characteristics of the Harbor area; be the site of historic or prehistoric event(s) that had an effect upon the City of Destin; or exemplify the cultural, political, economic, or social heritage of the City of Destin.

B. Architectural Significance

Proposed changes of use, developments or redevelopments should portray an era of history characterized by distinctive architectural period(s)/style(s); embody those distinguishing characteristics of an architectural type specimen, contain elements of architectural design, detail, materials or craftsmanship that represent a significant era in the history of the Harbor area.

C. Environmental Significance

Proposed changes of use, developments or redevelopments should enhance the variety, interest, and sense of identity of the Harbor area by the protection of the unique natural and man-made environments, by preserving waterfront views, preserving water dependent activity, fostering a pedestrian-oriented environment, and promoting convenient public access to the harbor boardwalk and charter fishing opportunities for the public.

- vi. Compliance with applicable laws and ordinances. A conditional use application shall demonstrate compliance with all applicable federal, state, county, and city laws and ordinances except that the City Council may grant waivers or variances to the City Land Development Code pursuant to section 7.12.06(DD)(6) of this Code. Where permits are required from governmental agencies other than the city, these permits shall be obtained as a condition of approval. The city may affix other conditions to any approval of a conditional use in order to protect the public health, safety, and welfare.

5. **Certificate of Appropriateness.** Evidence of the approval required under the terms of the Harbor District Overlay shall be a Certificate of Appropriateness issued by the City Council, stating that the change of use and development or re-development depicted on the survey has been made are approved by the City Council. The City Council may permit modifications of original proposals if such modifications are formally acknowledged, clearly described, and recorded in the records of the case. Any action by applicants following issuance of a Certificate of Appropriateness shall be in accord with the application and material approved and any conditions appended thereto.
6. **Code Waivers.** To further the intent and purpose of Harbor District Overlay, the City Council may waive any requirement of the Land Development Code pursuant to this section 7.12.06(DD)(6), including but not limited to parking requirements, driveway requirements, stormwater requirements, any performance standards, requirements for lot area, lot width, lot depth, height, setback, density, floor area ratio, and open space standards set forth in Table 7-3, Table of Dimensional Regulations, provided however, that if the Building Official determines there is a serious threat to the public health, safety or welfare, such waivers may not be granted.
7. **Appeals:**
- A. Any appeal of a city council decision on a determination under this section shall be by petition for certiorari review to the circuit court of Okaloosa County, Florida, based solely on the record of the hearing before the city council. The application forms shall contain a venue selection provision requiring venue to be in Okaloosa County.
- B. The applicant is responsible for providing a verbatim transcript of the record of that hearing.
- C. Such an appeal must be filed within thirty (30) days after the date the city renders its order.
8. **Penalties:** The code compliance department may enforce the terms of this section by bringing a case to the Special Magistrate or Code Enforcement Board, whichever is applicable, as provided in Chapter 14, Offenses and Miscellaneous Provisions, Article III, Code Enforcement Board or Special Magistrate, of the Code Ordinances of the City of Destin and Chapter 162, Part 1, Florida Statutes. Additionally, the code compliance department, or other duly authorized officer or authority, may enforce the terms of this section through issuance of civil citation as provided in Chapter 14, Offenses and Miscellaneous Provisions, Article III, Code Enforcement Citation Program and Procedures, of the Code Ordinances of the City of Destin and Chapter 162, Part 2, Florida Statutes.

Table 7-2 Table of Allowable Uses

²⁰ No Medical Marijuana Dispensary shall be located on any Industrial (IN) zoned parcel within the Town Center CRA with a boundary within 330' south of the southern right-of-way boundary of Airport Road or within 330' east of the eastern right-of-way boundary of Main Street. The measurement of the minimum separation distance shall be a line perpendicular to the right-of-way or Airport Road or Main Street, as the case may be, to the nearest point of the property line of the parcel on which the Medical Marijuana Dispensary is proposed to be located. Cultivating or processing Medical Marijuana shall be prohibited within the City.

NOTE: Any change of use within the Harbor District Overlay that is part of an application for a Certificate of Appropriateness shall require conditional use approval pursuant to section 7.12.06(DD).

SECTION 4. INCORPORATION INTO LAND DEVELOPMENT CODE. This ordinance shall be incorporated into the City of Destin's Land Development Code and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 5. CONFLICTING PROVISIONS. Special Acts of the Florida Legislature applicable to the incorporated area of the City of Destin, City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superseded by this ordinance to the extent of such conflict.

SECTION 6. SEVERABILITY. If any section, phase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

(Signatures Continued on Next Page)

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

ADOPTED THIS _____ DAY OF APRIL, 2019.

By: _ Gary Jarvis, Mayor

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Land Use Attorney.

Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: April 1, 2019

Second Reading: _____

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: April 1, 2019

TYPE OF AGENDA ITEM: Ordinance

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney

DATE: April 1, 2019

SUBJECT: First reading of Ordinance 19-06-LC - Establishing the Calhoun Center Mixed Use Village (CMUV) zoning district

I. BACKGROUND: Ordinance 15-17-PC updated the City's Comprehensive Plan to include the Calhoun Mixed Use Village Future Land Use category. Ordinance 19-06-LC seeks to create consistency between the City's FLUM and Land Development Code, by creating the Calhoun Mixed Use Village zoning district.

Future Land Use Element Policy 1-2.4.3.2.b, of the City's Comprehensive Plan establishes the Calhoun Mixed Use Village FLUM category. This category allows multi-family and single-family residential uses, as well as all of the non-residential uses established for all Calhoun Mixed Use categories in FLU Element Policy 1-2.4.3.2., of the City's Comprehensive Plan. These uses include village-level hotels, motels, bed and breakfasts, and other commercial transient living accommodations, neighborhood retail commercial goods and services not exceeding 5,500 square feet, offices, water-dependent activities, restaurants, and appropriately-scaled institutional uses.

On March 21, 2019, the LPA voted unanimously to recommend approval of this proposed Ordinance.

II. DISCUSSION: The City Council has directed staff to create a new zoning category to be compatible and consistent with the Calhoun Mixed Use-Village FLUM category. Proposed Ordinance 19-06-LC will establish the Calhoun Mixed Use-Village Zoning District.

This new zoning category is intended to encourage a mix of village and neighborhood level uses and to provide a transitional area between the higher intensities of the SHMU to the south and the surrounding low-density residential

zoning districts located within the "Old-Destin" area. The uses of the Calhoun Mixed Use-Village (CMU-V) zoning district are derived from the Calhoun area future land use category in the City's Comprehensive Plan. The CMU-V zoning district includes single family at a maximum density of 9.0 dwelling units/acre as a permitted use.

Multi-family residential uses, including appropriate non-residential uses, are considered conditional uses as outlined in Table 7-2 (Article 7.12.08, LDC). To incorporate the new CMU-V district into the City's LDC, staff updated Table 7-3, Schedule of Dimensional Requirements in zoning districts (Article 7.12.08, LDC) as follows to include performance standards consistent with the Comprehensive Plan:

- * Setbacks within the CMU-V zoning district are 20-foot front, 7.5 side, and 10 foot rear for parcels with one dwelling unit.
- * Parcels with two or more dwelling units or nonresidential uses require a front setback of ten feet minimum to 20 feet maximum for any portion of a building having a height of 40 feet or less.
- *For any portion of a building having a height above 40 feet, the front setback is a minimum of 30 feet. Side setbacks are zero for buildings with a height of 35 feet or less, and 15 feet for any portion of a building having a height over 35 feet.
- *The maximum height in the CMU-V district is 35 feet/3 stories for one dwelling unit and 50 feet/4 stories for two or more dwelling units and nonresidential uses.
- *Parcels contiguous to a residential zoning district boundary in the CMU-V district will require 10-foot side yards maintained as open space.

The CMU-V zoning designation will encourage compatibility between commercial, mixed-use development and residential uses, and ensure the integrity of residential uses by increasing buffering requirements.

- A. **Link to Strategic Goals / Objectives:** Enhance Quality of Life.
- B. **Effect on Budget (EOB):**
- C. **Level of Service (LOS):**

III. CONCLUSION: Proposed Ordinance No. 19-06-LC creates a zoning district that implements FLU element policy 1-2.4.3.2.b. of the City's Comprehensive Plan.

IV. RECOMMENDED MOTION: I move to approve Ordinance 19-06-LC on first reading, and direct staff to advertise the ordinance for 2nd reading.

Attachments:

1. CMUV Ordinance April 1 2019 First Reading

ORDINANCE NO. 19-06-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA ESTABLISHING THE CALHOUN CENTER MIXED USE VILLAGE ZONING DISTRICT; AMENDING ARTICLE 7 OF THE LAND DEVELOPMENT CODE “LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS”; AMENDING TABLE 7-2 “TABLE OF ALLOWABLE USES”; AMENDING TABLE 7-3: “SCHEDULE OF DIMENSIONAL REQUIREMENTS IN ZONING DISTRICTS”; PROVIDING FOR; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. AUTHORITY.

The authority for enactment of this Ordinance is Article 1, Section 1.01 (b) of the City Charter, Section 166.021, Florida Statutes and Chapter 163, Part II, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, the City Council in providing for the health, safety and welfare of its citizens finds that the City should establish the Calhoun Mixed Use- Village in order to obtain consistency with the City’s Comprehensive Plan; and

WHEREAS, the purpose of the Calhoun Mixed Use – Village zoning district is to provide a mixed-use transitional area between the higher intensity south harbor mixed use zoning district and the less intense surrounding low density residential zoning districts; and

WHEREAS, it is the intent of the CMU-V to encourage lower density residential developments and mixed-use developments by specifically not allowing stand-alone multi-family residential uses, but rather, to require multi-family uses to include nonresidential uses as components of the development.

WHEREAS, the CMU-V is intended to promote the public health, safety, and welfare by protecting, enhancing, and perpetuating buildings, sites, and areas of the district that are reminiscent of past eras, events, and persons important in local, state, or national history or providing significant examples of architectural styles of the past; and

WHEREAS, it is also the purpose of this zoning district to develop and maintain appropriate settings and environments for such buildings, sites, and areas to enhance property values, stabilize the area east of the Choctawhatchee Bay and Calhoun Avenue, promote the tourist trade and interest, and foster knowledge of the city's living heritage; and

WHEREAS, the City Council has determined that this ordinance is consistent with the

adopted comprehensive plan and is in the best interests of the City and its citizens; and

WHEREAS, a public hearing has been conducted after due public notice by the Local Planning Agency and its recommendations reported to the City Council; and

WHEREAS, a public hearing has been conducted by the City Council after due public notice.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:

NOTE: Language in all sections of this ordinance that is ~~strike-thru~~ is language proposed to be deleted, underline language is language to be added, language that is not in strike-thru or underlined is not to be changed. The symbol *** represents sections of the Land Development Code that have been skipped and remain unchanged.

SECTION 3. AMENDMENT OF LAND DEVELOPMENT CODE SECTION 7.12.06.

Section 7.12.06 of the Land Development Code is hereby amended as follows:

CC. Calhoun Mixed Use - Village(CMU-V). The Calhoun Mixed Use - Village zoning district implements Future Land Use Element Policy 1-2.4.3(2), Calhoun Mixed Use - Village of the Comprehensive Plan.

1. Purpose and intent. The "CMUV" area is depicted on the FLUM (Map 1-1) and is generally located east of Calhoun Avenue, west of Sibert Avenue, south of Forest Street, and north of the South Harbor Mixed Use area. The intent of this zoning district is to preserve the character of the nearby "Old Destin" area, and to provide a mixed use transitional area between the higher intensity south harbor mixed use zoning district and the less intense surrounding low density residential zoning areas. This area shall be developed, redeveloped and/or maintained with permanent or seasonal single-family detached dwelling units, commercial hotels, motels, bed and breakfast establishments, and other commercial transient living accommodations; and non-residential uses. Non-residential uses shall include neighborhood retail commercial goods and services not exceeding 5,500 square feet designed primarily to serve the needs of the adjacent "Old Destin" area, offices; water dependent activities, restaurants, and similar uses (refer to table 7-2). It is the intent of the CMU-V zoning district to specifically not allow each general retail commercial goods and services uses to exceed 5,500 heated and cooled square feet. Additionally, it is the intent of the CMU-V to encourage lower density residential developments and mixed use developments by specifically not allowing stand-alone multi-family residential uses, but rather, to require multi-family uses to include appropriate nonresidential uses as components of the development.

2. Principal, accessory and conditional uses. Permitted, accessory and conditional uses shall include those listed in Table 7-2, Table of Allowable Uses. The following shall apply to all applications for a conditional use in the CMU-V zoning district:
- a. *Findings.* A conditional use shall be permitted upon a finding by the city council, after a duly noticed public hearing, that the proposed use, application and, if applicable, site plan, comply with the criteria specified in this section, including specific conditions established by the city council during review of the respective application in order to ensure compliance with the comprehensive plan and land development regulations. If the proposed conditional use is a major development pursuant to Chapter 2 of the LDC, the city council shall render the final determination pursuant to the procedures for major developments. A conditional use shall be denied if the city determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is adverse to the public's interest. An application for a conditional use shall describe how the specific land use characteristics proposed meet the criteria described herein and shall include a description of any measures proposed to mitigate against possible adverse impacts of the proposed conditional use on properties in the immediate vicinity.
 - b. *Characteristics of use described.* The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:
 - (1) Scale and intensity of the proposed conditional use as measured by the following:
 - i. Floor area ratio;
 - ii. Traffic generation;
 - iii. Square feet of enclosed building for each specific use;
 - iv. Proposed employment;
 - v. Proposed number and type of service vehicles; and
 - vi. Off-street parking needs.
 - (2) On- or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection, including the following:
 - i. Utilities;
 - ii. Public facilities, especially any improvements required to ensure compliance with concurrency management;

- iii. Roadway or signalization improvements, or other similar improvements;
- iv. Accessory structures or facilities; and
- v. Other unique facilities/structures proposed as part of site improvements.

(3) On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:

- i. Open space;
- ii. Setbacks from adjacent properties;
- iii. Screening and buffers;
- iv. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites; and
- v. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts.

c. Criteria for Conditional Uses in the CMU-V:

- i. Land use compatibility. The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.
- ii. Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.
- iii. Proper use of mitigative techniques. The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with

adverse impacts detrimental to the general public health, safety and welfare.

- iv. Hazardous waste. The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation without use of city-approved mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material and shall regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the city unless the specific location is consistent with the comprehensive plan and land development regulations and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources.
- v. Preservation of “Old Destin”. The CMU-V is intended to promote the public health, safety, and welfare by protecting, enhancing, and perpetuating buildings, sites, and areas of the district that are reminiscent of past eras, events, and persons important in local, state, or national history or providing significant examples of architectural styles of the past. It is also the purpose of this zoning district to develop and maintain appropriate settings and environments for such buildings, sites, and areas to enhance property values, stabilize the area east of the Choctawhatchee Bay and Calhoun Avenue, promote the tourist trade and interest, and foster knowledge of the city's living heritage. Therefore, conditional uses should meet one or more of the following criteria:
 1. Historical Significance: Proposed development in the CMU-V district, should show character, interest or value as part of the development, heritage, or cultural characteristics of the area east of the Choctawhatchee Bay and Calhoun Avenue; be the site of historic or prehistoric event(s) that had an effect upon the City of Destin; or exemplify the cultural, political, economic, or social heritage of the City of Destin.
 2. Architectural Significance: Proposed development should portray an era of history characterized by distinctive architectural period(s)/style(s); embody those distinguishing characteristics of an architectural type specimen, contain elements of architectural design, detail, materials or craftsmanship that represent a significant era in the history of the area east of the Choctawhatchee Bay and Calhoun Avenue.

3. Environmental Significance: Proposed development should enhance the variety, interest, and sense of identity of the area east of the Choctawhatchee Bay and Calhoun Avenue by protecting the unique natural and man-made environments.
- vi. Compliance with applicable laws and ordinances. A conditional use application shall demonstrate compliance with all applicable federal, state, county, and city laws and ordinances. Where permits are required from governmental agencies other than the city, these permits shall be obtained as a condition of approval. The city may affix other conditions to any approval of a conditional use in order to protect the public health, safety, and welfare.
- d. Appeals: Appeals of the city council on a conditional use application are by writ of certiorari to the circuit court.
3. Performance standards. For lot area, lot width, lot depth, height, setback, density, floor area ratio, and open space standards, please refer to Table 7-3, Table of Dimensional Regulations.

Table 7-2: Table of Allowable Uses contains all of the allowed uses within the City and in what zoning districts those uses are allowed. Uses not listed as permitted, conditional, or accessory uses in Table 7-2 are prohibited uses. The North American Industry Classification System (NAICS), 2002 Edition shall be used to provide definitions of each use or use groupings listed in Table 7-2. All sub-uses listed under a use in the NAICS, which use is permitted in the zoning designation in question, shall be considered as a permitted use.

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453310 Thrift stores								P (8)		C (8)	C (8)						P (8)	P (8)			P (8)			
453310 Thrift stores, large														P (8)										
4539 Other miscella neous store retailers								P		P (3)	P (3)			P (4)	P	P		<u>C</u>		P	P	P	P	P
454 Non- store retailers								P												P				
	Sector 48-49 Transportation and Warehousing																							
481 Air transpor tation																					P			
483 Water transpor tation																	P			P				
484 Truck transpor																				P				

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5322 Consum er goods rental									P	P	P	P	P						P	P	P	<u>C</u>	P	P	P	P	P	P				
5323 General rental centers									P	P									P				P	P					P			
5324 Machine ry and equipme nt rental and leasing									P	P									P				P	P					P			
	Sector 54 Professional and Technical Services																															
541 Professio nal and technical services									P	P		P	P						P	P	P	<u>P</u>	P	P	P	P	P					
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7224 Drinking places, alcoholic beverag es								P (7)	P (7)						P (7)	P (7)	P (7)	P (7)	P (7)	P (7)				
	Sector 81 Other Services, Except Public Administration																							
811 Repair and mainten ance								P	P										P					
8111 Automot ive repair and mainten ance								P	P								P		P					
811192 Car washes								P	P					P										
81149 Other personal and househol d goods repair								P	P					P	P	<u>P</u>	P	P	P	P	P	P		
811491 Boat and motorcy								P	P								P			P				

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City of Destin
Ordinance No. 19-06-LC
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	⁹ Office space associated with this use shall not exceed 25 percent of the total square footage of the building.
	¹⁰ Zoos are only allowed in the Industrial zoning district.
	¹¹ Passive recreation includes the following as accessory uses: beach accessways, such as dune walkovers, parking lots, docks, and restroom facilities.
	¹² Commercial transient living accommodations.
	¹³ Used merchandise stores are restricted to only those that are classified as a nonprofit business.
	¹⁴ Can only provide said services free of charge, refer to section 7.09.02B(11) for further information.
	¹⁵ Telecommunication towers are an allowable use in this zoning district subject to a hierarchy of eligibility per Section 7.19.04.A.
	¹⁶ Refer to Section 7.09.02(B)12 for further information.
	¹⁷ Reserved.
	¹⁸ Land Use 7132 Gambling Industries and 72112 Casino Hotels shall be prohibited in all districts.
	¹⁹ No sexually oriented business shall be located on any Industrial (IN) zoned parcel within the Town Center CRA with a boundary within 330' south of the southern right-of-way boundary of Airport Road or within 330' east of the eastern right-of-way boundary of Main Street. The measurement of the minimum separation distance shall be a line perpendicular to the right-of-way of Airport Road or Main Street, as the case may be, to the nearest point of the property line of the parcel on which the Sexually Oriented Business is proposed to be located.
	²⁰ No Medical Marijuana Dispensary shall be located on any Industrial (IN) zoned parcel within the Town Center CRA with a boundary within 330' south of the southern right-of-way boundary of Airport Road or within 330' east of the eastern right-of-way boundary of Main Street. The measurement of the minimum separation distance shall be a line perpendicular to the right-of-way or Airport Road or Main Street, as the case may be, to the nearest point of the property line of the parcel on which the Medical Marijuana Dispensary is proposed to

	be located. Cultivating or processing Medical Marijuana shall be prohibited within the City.
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7.12.08. *Dimensional requirements.* The following schedule of dimensional requirements together with the footnotes is hereby established for the City.

TABLE 7-3: SCHEDULE OF DIMENSIONAL REQUIREMENTS IN ZONING DISTRICTS

(Dimensions are in feet)

Zoning Districts	Minimum Lot Area (sq. ft.)	Minimum Lot Size		Maximum Building Height			Setbacks			Maximum Density (units per acre)			Maximum Floor Area Ratio			Minimum Open Space (%)		
		Width	Depth	Tier 1A	Tier 2	Tier 3	Front	Side	Rear	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3
CMU - one d.u.	7,500	70	100	35/3 stories	N/A	N/A	20	7½	10	12.00	N/A	16.00	N/A	N/A	N/A	25	N/A	30
<u>CMUV - one d.u.</u>	<u>5,000</u>	<u>50</u>	<u>100</u>	<u>35/3 stories</u>	<u>N/A</u>	<u>N/A</u>	<u>20</u>	<u>71/2</u>	<u>10</u>	<u>9.00</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>25</u>	<u>N/A</u>	<u>N/A</u>
<u>CMUV - two or d.u.</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>50/4 stories</u>	<u>N/A</u>	<u>N/A</u>	<u>J</u>	<u>J</u>	<u>J</u>	<u>12.00</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>25</u>	<u>N/A</u>	<u>N/A</u>
<u>CMUV - non d.u.</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>H</u>	<u>N/A</u>	<u>N/A</u>	<u>J</u>	<u>J</u>	<u>J</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>.50</u>	<u>N/A</u>	<u>N/A</u>	<u>25</u>	<u>N/A</u>	<u>N/A</u>

SECTION 4. INCORPORATION INTO LAND DEVELOPMENT CODE. This ordinance shall be incorporated into the City of Destin's Land Development Code and any section or paragraph number or letter and any heading may be changed or modified as necessary to

effectuate the foregoing.

SECTION 5. CONFLICTING PROVISIONS. Special Acts of the Florida Legislature applicable to the incorporated area of the City of Destin, City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superseded by this ordinance to the extent of such conflict.

SECTION 6. SEVERABILITY. If any section, phase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

ADOPTED THIS ____ DAY OF APRIL, 2019.

By: _____
Gary Jarvis, Mayor

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Land Use Attorney.

Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: April 1, 2019

Second Reading: _____

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: April 1, 2019

TYPE OF AGENDA ITEM: Ordinance

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney

DATE: April 1, 2019

SUBJECT: First reading of Ordinance 19-07-LC - Amending the Town Center Mixed Use (TCMU) zoning district

I. BACKGROUND: The Town Center Mixed Use (TCMU) Zoning District encourages a mixture of commercial and residential uses, as outlined in the Comprehensive Plan. However, additional criteria and design guidelines are necessary to ensure that the appropriate non-residential uses and residential uses are compatible, and further, the intent of the TCMU zoning district and the City's vision to encourage that multi-family residential developments within the TCMU include non-residential components.

Article 7.12.06.Q., Land Development Code, implements Future Land Use Element Policy 1-2.4.3(1) of the City's Comprehensive Plan. Currently, the TCMU District allows permanent multi-family attached residential dwelling units; retail; service; restaurant; office; and similar commercial uses. The TCMU zoning district specifically does not allow permanent or seasonal single-family residential uses. However, commercial hotel, motel, bed and breakfast establishments and other commercial transient living accommodations and seasonal multi-family attached residential dwelling units are only allowed on properties that have direct or secondary access to Harbor Boulevard/U.S. Highway 98.

The City Council has directed staff to modify the language of the Land Development Code, specifically the Town Center Mixed Use (TCMU) Zoning District, to do the following:

- a.) Encourage that appropriate nonresidential components be incorporated into multi-family residential development or redevelopment projects.
- b.) Amend the Land Development Code to provide for increased buffering and setbacks for nearby residential developments that abut mixed-use developments.

c.) Incorporate planning review criteria for conditional uses in the TCMU to ensure that development or redevelopment are compatible with surrounding uses and do no adversely impact land use activities in the immediate vicinity.

On March 21, 2019, the LPA recommended approval of proposed Ordinance 19-07-LC, by unanimous vote.

II. DISCUSSION:

Table 7-3 Schedule of Dimensional Requirements in Zoning Districts (Article 7.12.08., Land Development Code) was updated in the following way to bring the TCMU zoning district into compliance with the Comprehensive Plan:

- Standards for TCMU one dwelling unit (d.u.) were added for the High Density Single Family use allowed in the Comprehensive Plan.
- The minimum lot size of 5,000 square feet and lot dimensions of 50 feet by 100 feet are consistent with the maximum density of 9 dwelling units per acre outlined in the Comprehensive Plan.
- The setback requirements for one d.u. parcels are 20-foot front, 5-foot side, and 10-foot rear with a maximum height of 35 feet/3 stories.
- The height and density/intensity standards for parcels with two or more d.u. and non d.u. in TCMU were modified to reflect the Comprehensive Plan.
- References to the Tiered Land Use System standards were removed.
- Footnote G, which outlines a specific height allowance for parcels that abut US Highway 98, was removed because the height allowance is less than the maximum height provided in the Comprehensive Plan.
- The deletion of Footnote T removed density bonuses for developments with one bedroom short-term residential units which is not referenced in the Comprehensive Plan.
- The setback requirements outlined in Footnote M(ii) were modified to provide additional setback buffering along property lines that are contiguous with a residential zoning district boundary.

The updated TCMU zoning designation will encourage compatibility between commercial, mixed-use development, and residential uses and ensure the integrity of residential uses by increasing buffering requirements.

A. Link to Strategic Goals / Objectives: Enhance Quality of Life.

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION: The proposed Ordinance 19-07-LC modifies the Land Development Code so it provides additional review criteria for conditional uses within the TCMU Zoning District.

IV. RECOMMENDED MOTION: I move to approve Ordinance 19-07-LC on first reading, and direct staff to advertise for second reading.

Attachments:

1. TCMU Ordinance April 1 2019 CC

aORDINANCE NO. 19-07-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING THE TOWN CENTER MIXED USE ZONING DISTRICT; AMENDING ARTICLE 7 OF THE LAND DEVELOPMENT CODE “LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS”; AMENDING TABLE 7-2 “TABLE OF ALLOWABLE USES”; AMENDING TABLE 7-3: “SCHEDULE OF DIMENSIONAL REQUIREMENTS IN ZONING DISTRICTS”; PROVIDING FOR; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. AUTHORITY.

The authority for enactment of this Ordinance is Article 1, Section 1.01 (b) of the City Charter, Section 166.021, Florida Statutes and Chapter 163, Part II, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, the City Council in providing for the health, safety and welfare of its citizens finds that the City should modify the Town Center Mixed Use zoning district in order to allow the City Council to consider specified criteria for conditional uses within the zoning district; and

WHEREAS, the purpose of the Town Center Mixed Use zoning district is to provide a mixed-use area that encourages commercial uses along U.S. Highway 98; and

WHEREAS, the City Council desires to encourage that multi-family residential development in the zoning district include nonresidential components; and

WHEREAS, the City Council has determined that this ordinance is consistent with the adopted comprehensive plan and is in the best interests of the City and its citizens; and

WHEREAS, a public hearing has been conducted after due public notice by the Local Planning Agency and its recommendations reported to the City Council; and

WHEREAS, a public hearing has been conducted by the City Council after due public notice.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:

NOTE: Language in all sections of this ordinance that is ~~strike-thru~~ is language proposed to be deleted, underline language is language to be added, language that is not in strike-thru or underlined is not to be changed. The symbol * represents sections of the**

Land Development Code that have been skipped and remain unchanged.

SECTION 3. AMENDMENT OF LAND DEVELOPMENT CODE SECTION 7.12.06.

Section 7.12.06 of the Land Development Code is hereby amended as follows:

Q. *Town Center Mixed Use (TCMU)*. The Town Center Mixed Use zoning district implements Future Land Use Element Policy 1-2.4.3(1), Town Center Mixed Use of the Comprehensive Plan.

1. Purpose and intent. The Town Center Mixed Use zoning district shall apply to areas developed, redeveloped and/or maintained and conserved as areas that accommodate permanent multi-family attached residential dwelling units; retail; service; restaurant; office; and similar commercial uses. It is the intent of the TCMU zoning district to specifically not allow permanent or seasonal single-family residential uses. It is also the intent of the TCMU zoning district to encourage multi-family developments to include appropriate non-residential components in furtherance of the mixed-use nature of the zoning district. Commercial hotel, motel, bed and breakfast establishments and other commercial transient living accommodations and seasonal multi-family attached residential dwelling units are only allowed on properties that have direct or secondary access to Harbor Boulevard/U.S. Highway 98. It is intended that the TCMU zoning district provide for increased buffering and setbacks from nearby residential and mixed use developments.

2. Principal, accessory and conditional uses. Permitted, accessory and conditional uses shall include those listed in Table 7-2, Table of Allowable Uses. The following shall apply to all applications for a conditional use in the TCMU zoning district:

- a. *Findings.* A conditional use shall be permitted upon a finding by the city council, after a duly noticed public hearing, that the proposed use, application and, if applicable, site plan, comply with the criteria specified in this section, including specific conditions established by the city council during review of the respective application in order to ensure compliance with the comprehensive plan and land development regulations. If the proposed conditional use is a major development pursuant to Chapter 2 of the LDC, the city council shall render the final determination pursuant to the procedures for major developments. A conditional use shall be denied if the city determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is adverse to the public's interest. An application for a conditional use shall describe how the specific land use characteristics proposed meet the criteria described herein and shall include a description of any measures proposed to mitigate against possible adverse impacts of the proposed conditional use on properties in the immediate vicinity.

b. Characteristics of use described. The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:

(1) Scale and intensity of the proposed conditional use as measured by the following:

- i. Floor area ratio;
- ii. Traffic generation;
- iii. Square feet of enclosed building for each specific use;
- iv. Proposed employment;
- v. Proposed number and type of service vehicles; and
- vi. Off-street parking needs.

(2) On- or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection, including the following:

- i. Utilities;
- ii. Public facilities, especially any improvements required to ensure compliance with concurrency management;
- iii. Roadway or signalization improvements, or other similar improvements;
- iv. Accessory structures or facilities; and
- v. Other unique facilities/structures proposed as part of site improvements.

(3) On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:

- i. Open space;
- ii. Setbacks from adjacent properties;
- iii. Screening and buffers;
- iv. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites; and
- v. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts.

c. Criteria for Conditional Uses in the TCMU:

- i. Land use compatibility. The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.
- ii. Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.
- iii. Proper use of mitigative techniques. The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.
- iv. Hazardous waste. The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation without use of city-approved mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material and shall regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the city unless the specific location is consistent with the comprehensive plan and land development regulations and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources.
- v. Avoid Over-Proliferation of Uses. The TCMU is intended to provide a variety of uses along U.S. Highway 98, and an over-proliferation of similar uses within the zoning district shall

not be permitted. The City Council shall review the existing uses within the TCMU zoning district in determining whether a conditional use shall be approved or denied.

- vi. Compliance with applicable laws and ordinances. A conditional use application shall demonstrate compliance with all applicable federal, state, county, and city laws and ordinances. Where permits are required from governmental agencies other than the city, these permits shall be obtained as a condition of approval. The city may affix other conditions to any approval of a conditional use in order to protect the public health, safety, and welfare.

- d. Appeals: Appeals of the city council on a conditional use application are by writ of certiorari to the circuit court.

1. Performance standards. For lot area, lot width, lot depth, height, setback, density, floor area ratio, and open space standards, please refer to Table 7-3, Table of Dimensional Regulations.

TABLE 7-2 Table of Allowable Uses

	B E	L D R - V	L D R - H I	L D R - H	M D R - V	M D R - H I	H D R	C B N	C C L	C C G	C T S	R O I - G D	R O I - T D	R O I - V R	R O I - C B R	C B R	T C M U	C M U	S H M U	N H M U	G R M U	H I M U	B R M U	I N	A S T	R E C	C O N
Resident ial Use Designat ions																											
Permane nt or long- term residenti al uses																											

Single-family detached dwelling	P	P	P	P	P	P	P	P	P			P		P	P	P		P	C	C	P	C	P						
Multi-family attached dwelling					P	P	P	C	P			P			P	P C		P	P	P	P	P	P						
Mobile home dwelling	C																												
Mobile home development							C																						
Guest house ⁽¹⁾	P				P	P	P	P				P	P			P													
Accessory dwelling	P				P	P	P	P				P	P			P													
Custodian or night-watchman dwelling												P																	
Single room occupancy housing	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P	P	P	P	P	P							

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

454 Non-store retailers										P											P				
481 Air transportation																					P				
483 Water transportation															P			P							
484 Truck transportation																					P				
485 Transit and ground passenger transportation																									
4851 Urban transit systems								P	P	P	P	P			P	P	P	P	P	P	P	P	P	P	P
4852 Interurban and rural bus transport								P	P	P	P	P			P	P	P	P	P	P	P	P	P	P	P

[illegible]

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City of Destin
Ordinance No. 19-07-LC
Page 29 of 36

811 Repair and maintena- nce								P	P										P				
8111 Automoti- ve repair and maintena- nce								P	P					P					P				
811192 Car washes								P	P				P <u>C</u>										
81149 Other personal and househol- d goods repair								P	P				P <u>C</u>	P	P	P	P	P	P	P			
811491 Boat and motorcyc- le repair								P	P						P				P				
812 Personal and laundry services								P	P	P	P	P		P	P	P	P	P	P				
8122 Death care									P										P				

[illegible]

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parlors									8								(8)	(8)				8			
									)													)			
Passive recreation ⁽¹¹⁾																									P
Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses and structures, including home occupations and off-site businesses.	A	A	A	A	A	A	A	A						A	A										

7.12.08. *Dimensional requirements.* The following schedule of dimensional requirements together with the footnotes is hereby established for the City.

TABLE 7-3: SCHEDULE OF DIMENSIONAL REQUIREMENTS IN ZONING DISTRICTS

(Dimensions are in feet)

Zoning Districts	Minimum Lot Area (sq. ft.)	Minimum Lot Size		Maximum Building Height			Setbacks			Maximum Density (units per acre)			Maximum Floor Area Ratio			Minimum Open Space (%)		
		Width	Depth	Tier 1A	Tier 2	Tier 3	Front	Side	Rear	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3
TCM U - one d.u.	5,000	50	100	35/ 3 stories	N/A	N/A	20	5	10	9.00	N/A	N/A	N/A	N/A	N/A	25	N/A	N/A
TCM U - two or more d.u.	None	None	None	50/ 4 35/ 3 6 stories N/A	100/ 9 stories N/A	160/ 15 stories N/A	M	M	M	19.9 /F 24.0 0	26.0 0/F N/A	36.0 0/F N/A	N/A	N/A	N/A	25	N/A 18 /V	N/A 12 /V
TCM U - non d.u.	None	None	None	75/ 6 35/ 3 6 stories N/A	100/ 9 stories N/A	160/ 15 stories N/A	M	M	M	N/A	N/A	N/A	1.5	N/A	N/A	25	N/A 18 /V	N/A 12 /V

SECTION 4. INCORPORATION INTO LAND DEVELOPMENT CODE. This ordinance shall be incorporated into the City of Destin's Land Development Code and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 5. CONFLICTING PROVISIONS. Special Acts of the Florida Legislature applicable to the incorporated area of the City of Destin, City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superseded by this ordinance to the extent of such conflict.

SECTION 6. SEVERABILITY. If any section, phase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

ADOPTED THIS ____ DAY OF APRIL, 2019.

By: _____
Gary Jarvis, Mayor

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Land Use Attorney.

Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: April 1, 2019
Second Reading: _____

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: April 1, 2019**TYPE OF AGENDA ITEM:** Ordinance

TO: City Council**THRU:** Lance Johnson, City Manager**FROM:** Kyle Bauman, City Attorney
Kimberly Kopp, Land Use Attorney**DATE:** April 1, 2019**SUBJECT:** First reading of Ordinance 19-08-CN - Livery Vessel Moratorium

I. BACKGROUND:

On February 6, 2019, the Harbor Community Redevelopment Board Advisory Committee (the "Harbor CRA-AC") received public comment indicating that Destin Harbor and the surrounding waterways are overcrowded with livery vessels, which disproportionately contribute to dangerous boating conditions. The Harbor CRA-AC passed a motion recommending that the City Council enact a moratorium restricting further permitting of livery vessels. On February 19, 2019, the City Council first considered the Harbor CRA-AC's recommendation, and directed staff and the City Attorney to explore the possibility of imposing a livery vessel permitting moratorium.

At the Harbor CRA-AC's regularly scheduled meeting on March 13, 2019, staff and the City Attorney presented their findings and recommendations to the Harbor CRA-AC. After considering staff and the City Attorney's findings and recommendations, the Harbor CRA-AC passed a motion on a 5-2 vote, recommending that the City Council enact an ordinance imposing a moratorium on issuing any new livery vessel licenses, other than those that a vendor had already obtained for a livery vessel in the previous year. The Harbor CRA-AC also passed a motion on a 7-0 vote recommending that the City Council engage an entity to commission a harbor capacity study to consider aesthetics, socioeconomic, quality of life, tourism, and community character issues, including population concentration, availability of open space, habitat diversity, and the diversity and health of existing species within the Harbor CRA district and the Calhoun area (the "Capacity Study").

At the City Council's second regularly scheduled March meeting on March 18, 2019, staff and the City Attorney presented their findings and recommendations in addition to the motions passed by the Harbor CRA-AC on March 13, 2019. After considering staff and the City Attorney's findings and recommendations, the recommendations of the Harbor CRA-

AC, and hearing public comment, the City Council directed staff and attorneys for the City to:

1. Draft an ordinance imposing a moratorium on issuing any new livery vessel licenses or permits over and above those issued in the previous years, with an exception for compliant vendors that have detrimentally relied on the City's existing livery vessel permitting code; and
2. Begin the processes necessary to hire an entity capable of performing a Capacity Study.

II. DISCUSSION:

The Livery Vessel Permitting Moratorium Ordinance (the "Ordinance") is before the Council on first reading. The Ordinance enacts a temporary moratorium, set to expire on November 1, 2019, which may be extended by amendment of the Ordinance.

The Ordinance's legislative findings articulate the extremely dangerous boating conditions which are severely and disproportionately exacerbated by the livery vessel rental industry, which rents an inordinate number of boats, waverunners and jet-skis to inexperienced pilots unfamiliar with the already difficult to navigate local waterways. The Ordinance further enacts a temporary moratorium preventing a vendor from obtaining more permits for livery vessels than that vendor was issued in the previous year unless the vendor can demonstrate a "substantial hardship" or there is an existing agreement between the City and the vendor that has been approved by the City Council.

The Ordinance defines "substantial hardship" as "a demonstrable, direct, financial detriment in excess of \$10,000.00 suffered by a Vendor as a result of capital investments purchased in reliance on the terms of" the previous livery vessel permitting ordinance.

The Ordinance further directs staff to evaluate and develop recommendation for appropriate regulations taking into consideration the same elements considered in the Capacity Study and bring these recommendations back to the City Council when they can be finalized. Upon receipt of the Capacity Study and staff's recommendations, City Council may wish to revisit and revise this Ordinance.

- A. Link to Strategic Goals / Objectives:**
- B. Effect on Budget (EOB):**
- C. Level of Service (LOS):**

III. CONCLUSION: The Ordinance before the City Council on first reading is an exercise of its police powers to the protect the public's health, safety, and welfare by enacting a

temporary moratorium preventing the permitting of livery vessels over and above the number of livery vessels that were permitted in the previous year unless a vendor demonstrates “substantial hardship.”

IV. RECOMMENDED MOTION: I move to approve Ordinance 19-08-CN on first reading, and direct staff to advertise for second reading.

or

I move to and direct staff to bring the ordinance back for first reading at the City Council’s next regularly scheduled meeting.

Attachments:

1. 19-08-CN -- Livery Vessel Permitting Moratorium Ordinance

Ordinance No.: 19-08-CN

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO LIVERY VESSELS; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR PURPOSE; PROVIDING FOR DEFINITIONS; PROVIDING FOR A TEMPORARY MORATORIUM ON LIVERY VESSEL PERMITS; DIRECTING STAFF TO DEVELOP RECOMMENDATIONS FOR REGULATION OF LIVERY VESSELS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXPIRATION OF MORATORIUM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Destin City Council approved ordinance number 17-02-CC on Second Reading at its regular meeting on February 21, 2017, creating Code of Ordinances Article VIII Permitting of Livery Vessels; and

WHEREAS, the City of Destin City Council adopted ordinance number 17-07-CC on Second Reading at its regular meeting on March 20, 2017, which amended Code of Ordinances Article VIII Permitting of Livery Vessels; and

WHEREAS, the waterways adjacent to the landward municipal limits of the City of Destin, particularly Destin Harbor, are severely overcrowded resulting in a dangerous congestion of Vessels; and

WHEREAS, Livery Vessel rental businesses significantly contribute to the above-described congestion by renting livery vessels to an abnormally high number of inexperienced and ineffective Livery Vessel operators, which severely increases the danger to the public's health, safety, and welfare; and

WHEREAS, Livery Vessel rental businesses significantly contribute to the deterioration of water quality in the waterways of the City of Destin and the waterways immediately adjacent to the City of Destin; and

WHEREAS, the City of Destin City Council has determined that the above-recited facts have resulted in significant danger to the health, safety, and welfare of the public; and

WHEREAS, the City Council has directed City staff to procure a qualified expert capable of performing a study and producing a report quantifying the uses, congestion, overcrowding, and resulting water quality of Destin Harbor and other waterways adjacent to the City of Destin; and

WHEREAS, the City of Destin currently lacks adequate regulations to reduce, mitigate, or eliminate the adverse effects of a proliferation of Livery Vessels in the Destin Harbor and other waterways adjacent to the City of Destin.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN AS FOLLOWS:

*NOTE: Language in Sections 2 through 16 of this ordinance that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language that is not ~~struck through~~ or underlined is not to be changed, and * * * represents sections of the Code of Ordinances that have been skipped and remain unchanged.*

SECTION 1. FINDINGS. The above stated findings are hereby adopted.

SECTION 2. PURPOSE. Despite the City of Destin's reasonable efforts to control the number of Livery Vessels in the waterways adjacent to the municipal limits of the City of Destin through a permitting structure described in ordinance number 17-07-CC, an inordinately high number of Livery Vessels originating from the City of Destin remain in these adjacent waterways and pose a heightened risk to the public's health, safety, and welfare when compared to vessels that are not Livery Vessels. Without further regulation preventing the increased proliferation of Livery Vessels, the risk to the public's health, safety, and welfare will continue to increase. The moratorium described herein is meant to ensure that the risk to the public's health, safety, and welfare is not further exacerbated by the increased proliferation of Livery Vessels.

SECTION 3. DEFINITIONS. For the purpose of this ordinance, "substantial hardship" means a demonstrable, direct, financial detriment in excess of \$10,000.00 suffered by a Vendor as a result of capital investments purchased in reliance on the terms of ordinance number 17-07-CC. All other terms used herein shall have the same meanings as described in 13-141, City of Destin Code of Ordinances.

SECTION 4. TEMPORARY MORATORIUM.

- (a) There is hereby enacted a Temporary Moratorium on the permitting and operation of all Livery Vessels originating from within the municipal limits of the City of Destin and adjacent waterways. A Vendor shall not be issued a Permit unless the Vendor provides proof that the number of Livery Vessels for which the Vendor seeks permit(s) is equal to or less than the number of permits that the City of Destin issued to the Vendor in the previous year ending December 31, 2018 except as provided herein.
- (b) The City of Destin shall not issue any Permit or any other document which would have the effect of permitting or otherwise authorizing the operation of any Livery Vessels in excess of the number authorized by Section 4(a), of this Ordinance, unless either (1) the Vendor demonstrates a Substantial Hardship, as the term is defined herein, or (2) an existing agreement between the City of Destin and the Vendor exists, that has been authorized by the City Council.

SECTION 5. DIRECTION TO STAFF. City staff is directed to evaluate and develop such recommendations, as staff may deem appropriate, for adoption of appropriate regulations that consider, among other things, aesthetics, socioeconomic impact, quality of life for the public, tourism, and community character issues including population concentration, availability of open space, habitat diversity, and the diversity and health of existing species within the waterways adjacent to the City of Destin.

SECTION 6. EXPIRATION OF MORATORIUM. Unless extended by amendment of this Ordinance, this Temporary Moratorium shall expire on November 1, 2019.

SECTION 7. SEVERABILITY. If any section, phrase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 8. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

ADOPTED THIS ____ DAY OF _____ 2019.

BY: _____
Gary Jarvis, Mayor

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Land Use Attorney.

Rey Bailey, City Clerk

Kyle S. Bauman, City Attorney

First Reading: April 1, 2019

Second Reading: _____

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: April 1, 2019

TYPE OF AGENDA ITEM: Consent Agenda

TO: City Council

THRU: Lance Johnson, City Manager
Bragg Farmer, Finance Director

FROM: Michael Burgess, Public Services Director

DATE: 03/22/2019

SUBJECT: Request for Council Approval to Purchase FY19 Budgeted Equipment; 2019 Ford Escape 4x4, 2019 Ford F-550 4x4, 2019 30 ton trailer.

I. BACKGROUND: Staff requested \$163,000 for the purchase of vehicles and equipment in the FY19 budget. Council approved the initial request during the budget process.

II. DISCUSSION: Staff is requesting Council approve the purchase of a Ford Escape 4x4, Ford F-550 4x4, and a 15 ton, heavy duty, 30 ft trailer utilizing 2018/2019 Florida State Contract Pricing.

A. Link to Strategic Goals / Objectives: I. Enhanced Quality of Life, I.C.2., I.C.3, I.C.4, I.C.5 and III. Organizational Excellence, III.A.1

B. Effect on Budget (EOB): \$102,124.00

C. Level of Service (LOS): The new equipment allows for continued servicing of City infrastructure.

III. CONCLUSION: The vehicles allow for the maintenance of right of ways and infrastructure systems such as roads, sidewalks and drainage systems. The Ford Escape will allow City staff to conduct regular inspections of on-going construction projects to include those associated with Right-of-Way permits and Development Orders.

IV. RECOMMENDED MOTION: I move that Council approve the purchase of the vehicles and equipment and authorize the City Manager to purchase the items under the Florida State Purchasing Contract in an amount not to exceed \$102,124.00.

Attachments:

1. 2019 Ford Escape 4x4
2. 2019 Ford F-550 4x4
3. 2019 30 ton trailer



QUOTE

Vendor: Coggin Ford
Address: 9650 Atlantic Blvd.
Jacksonville, FL 32225
Off # 904-609-4640
From: Michelle Adm
Email: eadm@cogginauto.com
FEID: 47-3473001

Requester: Dennis Dykes
Date: 3/18/2019
Agency: City of Destin

Contact # 850-685-6101
E-Mail ddykes@cityofdestin.com

FSA Contract 18-VEL26.0

Spec#	Commodity	Description	Quantity	Unit Price	Extended Total
28	U9H	2019 FORD ESCAPE 4x4 SEL	1	\$25,431.00	\$25,431.00
	Options				
	99D	1.5L ECO BOOST GAS ENGINE	1	INC	INC
	446	6 SPEED AUTO TRANSMISSION	1	INC	INC
	64N	17" SILVER-PAINTED ALUMINUM WHEELS	1	INC	INC
	E	HEAT ACTIVE FRONT BUCKET SEATS	1	INC	INC
	3K	ADDITIONAL KEY FOB	1	\$275.00	\$275.00
	EB	CHARCOAL BLACK INTERIOR	1	INC	INC
	YZ	OXFORD WHITE EXTERIOR	1	INC	INC
Unless color is specified, the vehicle will be ordered White				TOTAL	\$25,706.00

Accepted By: _____
Date: _____



QUOTE

Vendor: Coggin Ford
Address: 9650 Atlantic Blvd.
Jacksonville, FL 32225
Off # 904-609-4640
From: Michelle Adm
Email: eadm@cogginauto.com
FEID: 47-3473001

Requester: Dennis Dykes
Date: 3/18/2019
Agency: City of Destin

Contact # 850-685-6101
E-Mail ddykes@cityofdestin.com

FSA Contract 18-VEH16.0

Spec#	Commodity	Description	Quantity	Unit Price	Extended Total
11	F5H	2019 F550 CAB & CHASSIS 4x4 XL	1	\$37,552.00	\$37,552.00
	Options				
	W3H	CREW CAB MODEL	1	\$4,140.00	\$4,140.00
	99T	6.7L POWERSTROKE V8 DIESEL ENGINE	1	INC	INC
	44W	6 SPEED AUTO TRANSMISSION	1	INC	INC
	X8L	LIMITED SLIP 4.88 AXLE	1	INC	INC
	68M	GVWR 19,500 PAYLOAD UPGRADE	1	\$1,150.00	\$1,150.00
	512	SPARE TIRE AND JACK	1	INC	INC
	84CA	84" CAB TO AXLE	1	\$160.00	\$1,601.00
	11/UTB	11' UTILITY BODY FOR 84" CA	1	\$13,500.00	\$13,500.00
	3K	ADDITIONAL KEY FOB	1	\$275.00	\$275.00
	A	HD VINYL 40/20/40 SPLIT BENCH SEAT	1	INC	INC
	AS	MEDIUM EARTH GRAY INTERIOR	1	INC	INC
	Z1	OXFORD WHITE EXTERIOR	1	INC	INC
		<i>Unless color is specified, the vehicle will be ordered White</i>		TOTAL	\$58,218.00

Accepted By: _____
Date: _____

Quote Summary**Prepared For:**
CITY OF DESTIN
FL**Prepared By:**
NICK SMITH
Beard Equipment Company
3195 W Nine Mile Road
Pensacola, FL 32534-9444
Phone: 850-476-0277
nsmith@beardequipment.comSourcewell Governmet Contract
#032515-JDC**Quote Id:** 16980110
Created On: 14 March 2018
Last Modified On: 18 January 2019
Expiration Date: 31 January 2019

Equipment Summary	Suggested List	Selling Price	Qty	Extended
Rolls Rite 36KP30HD-LP	\$ 20,800.00	\$ 18,200.00 X	1 =	\$ 18,200.00

Equipment Total	\$ 18,200.00
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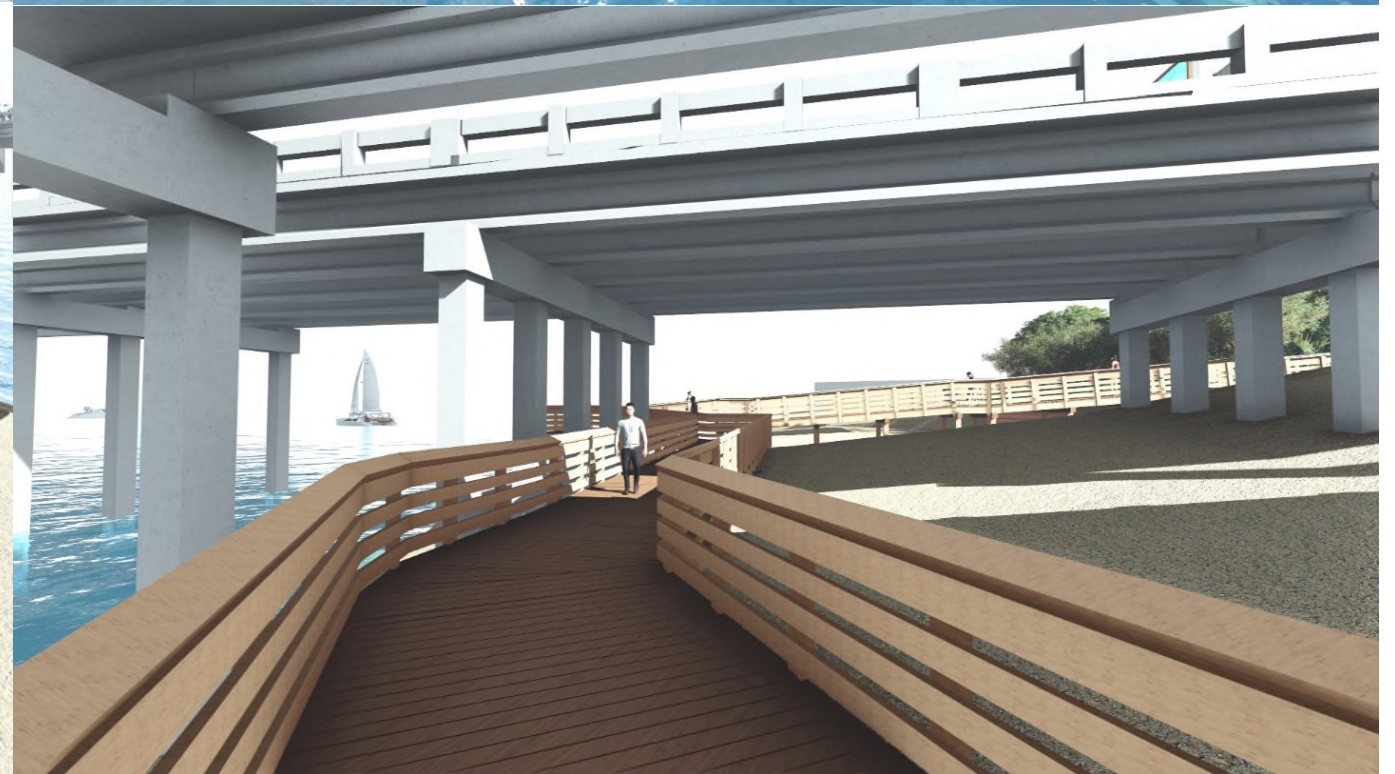
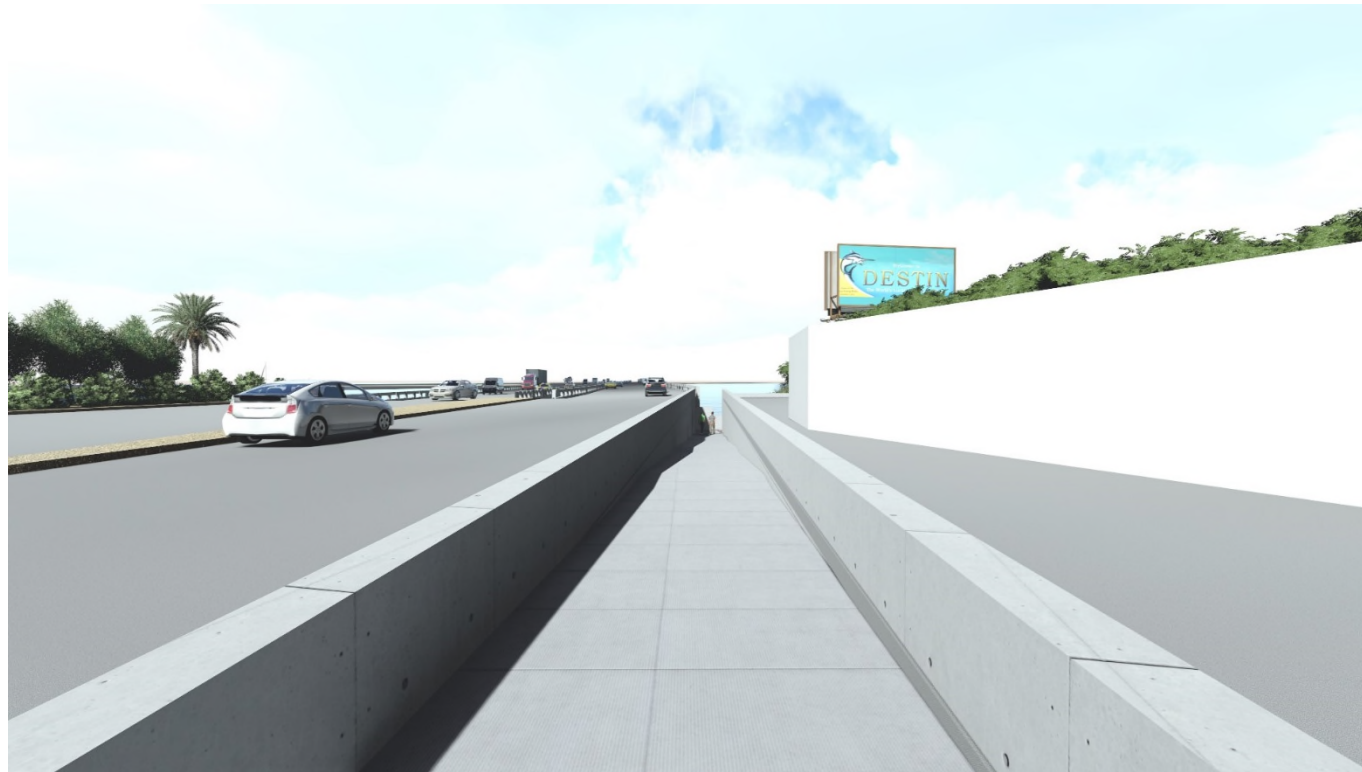
Quote Summary

Equipment Total	\$ 18,200.00
SubTotal	\$ 18,200.00
Est. Service Agreement Tax	\$ 0.00
Total	\$ 18,200.00
Balance Due	\$ 18,200.00

Salesperson : X _____**Accepted By : X** _____

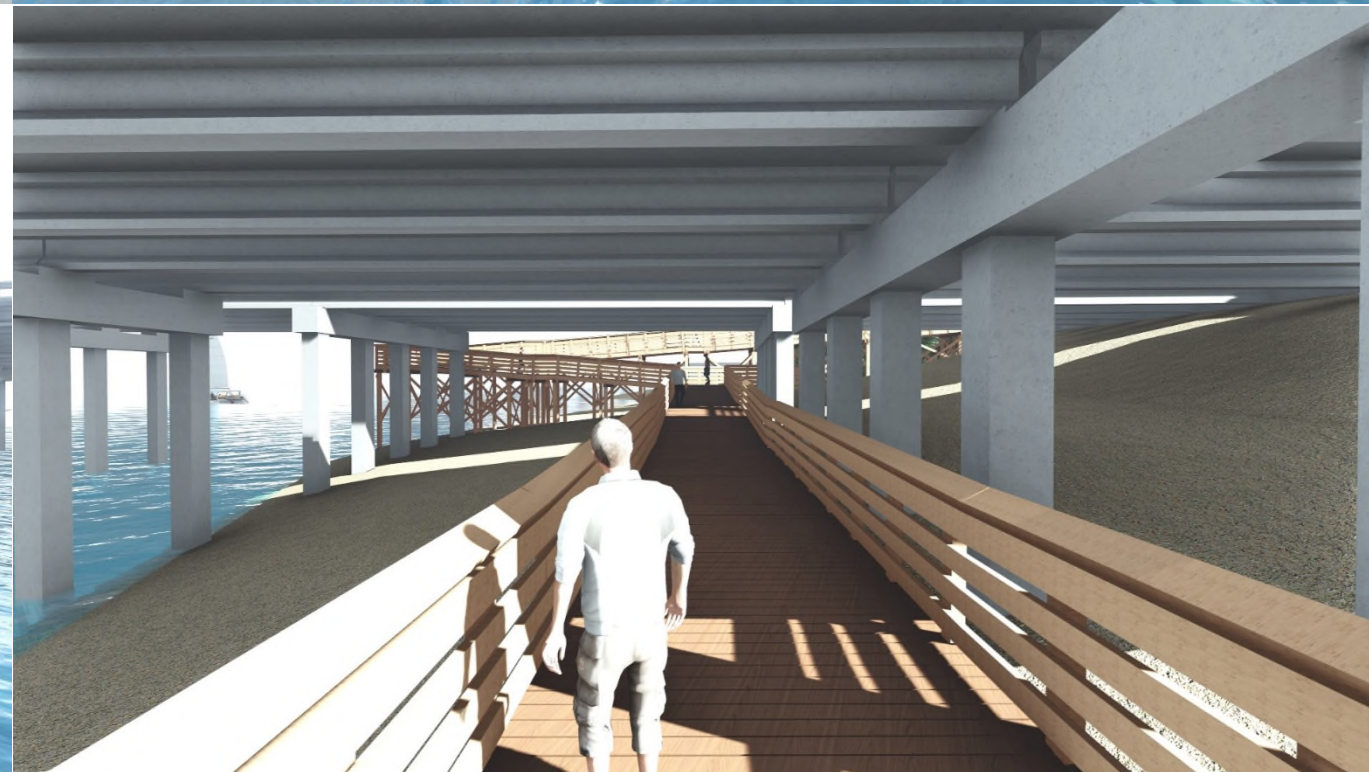
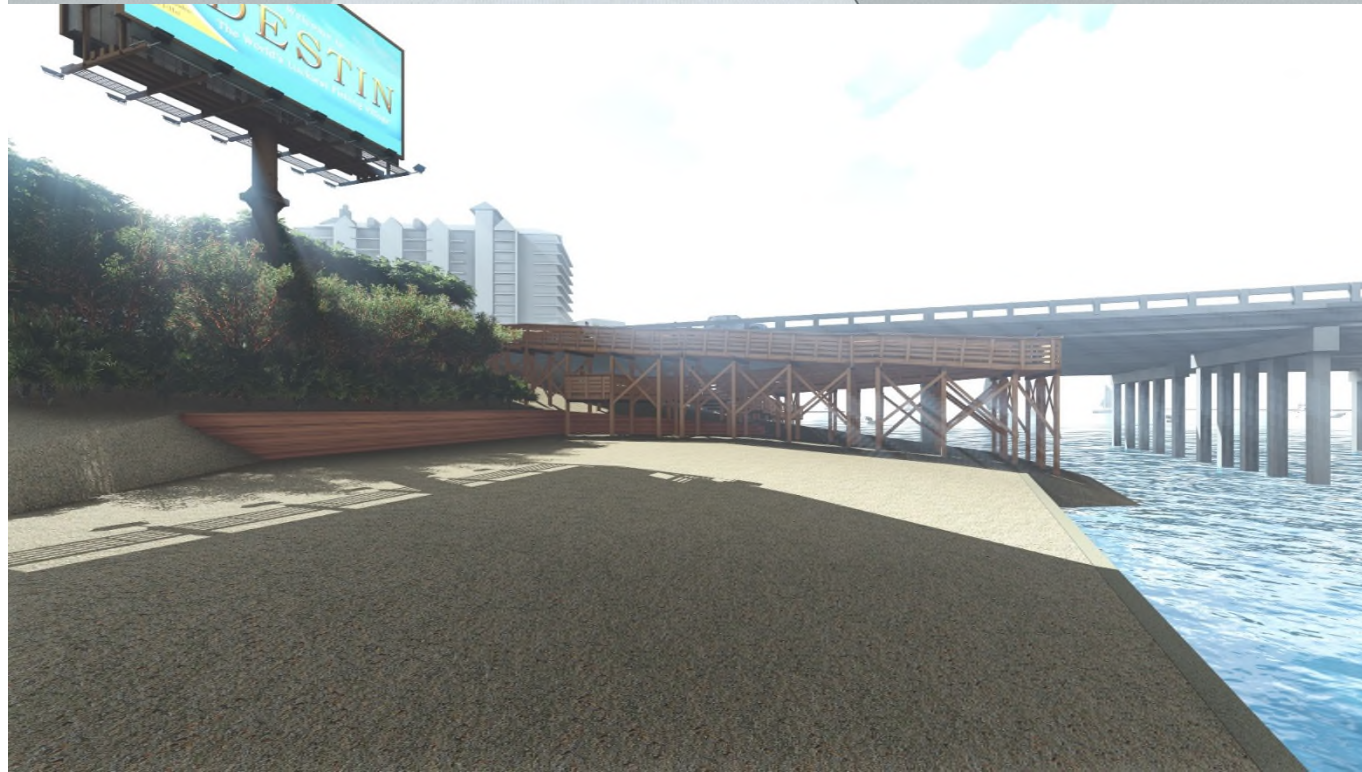
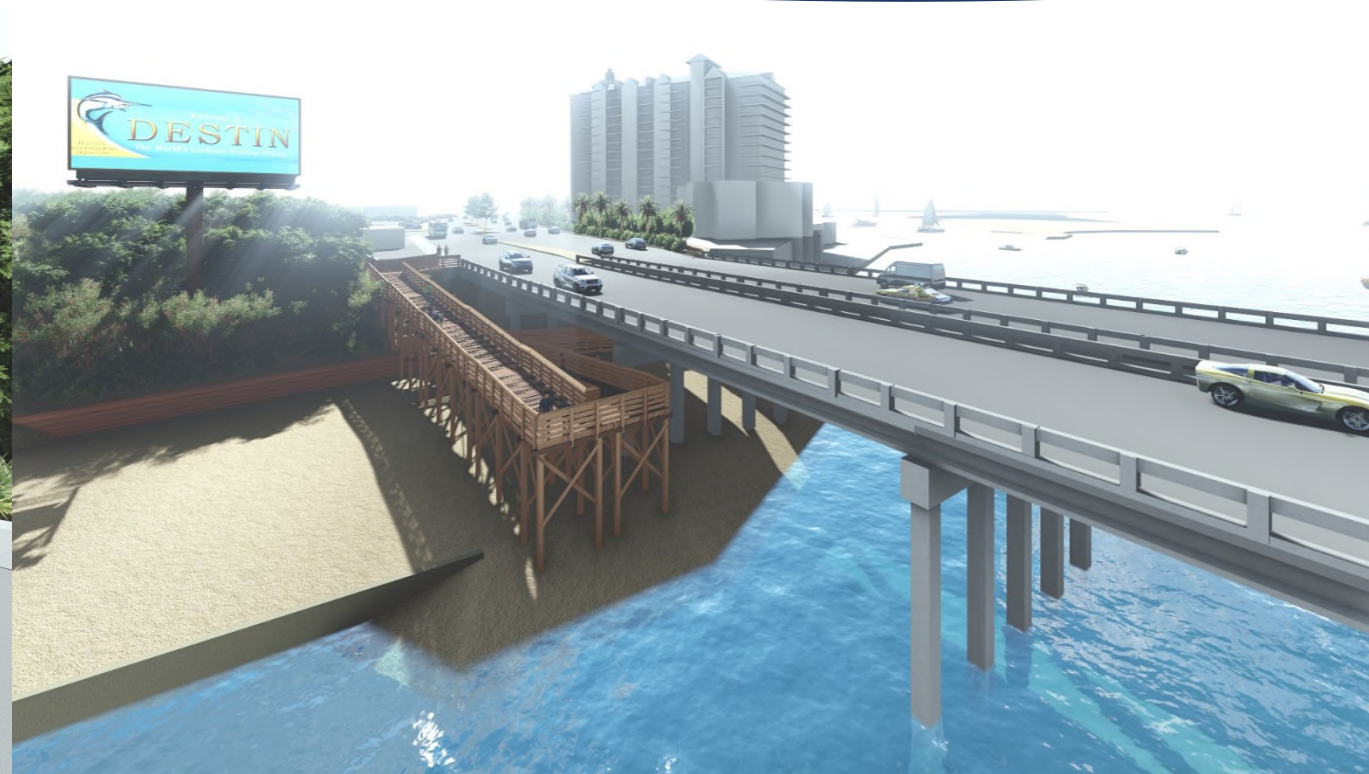
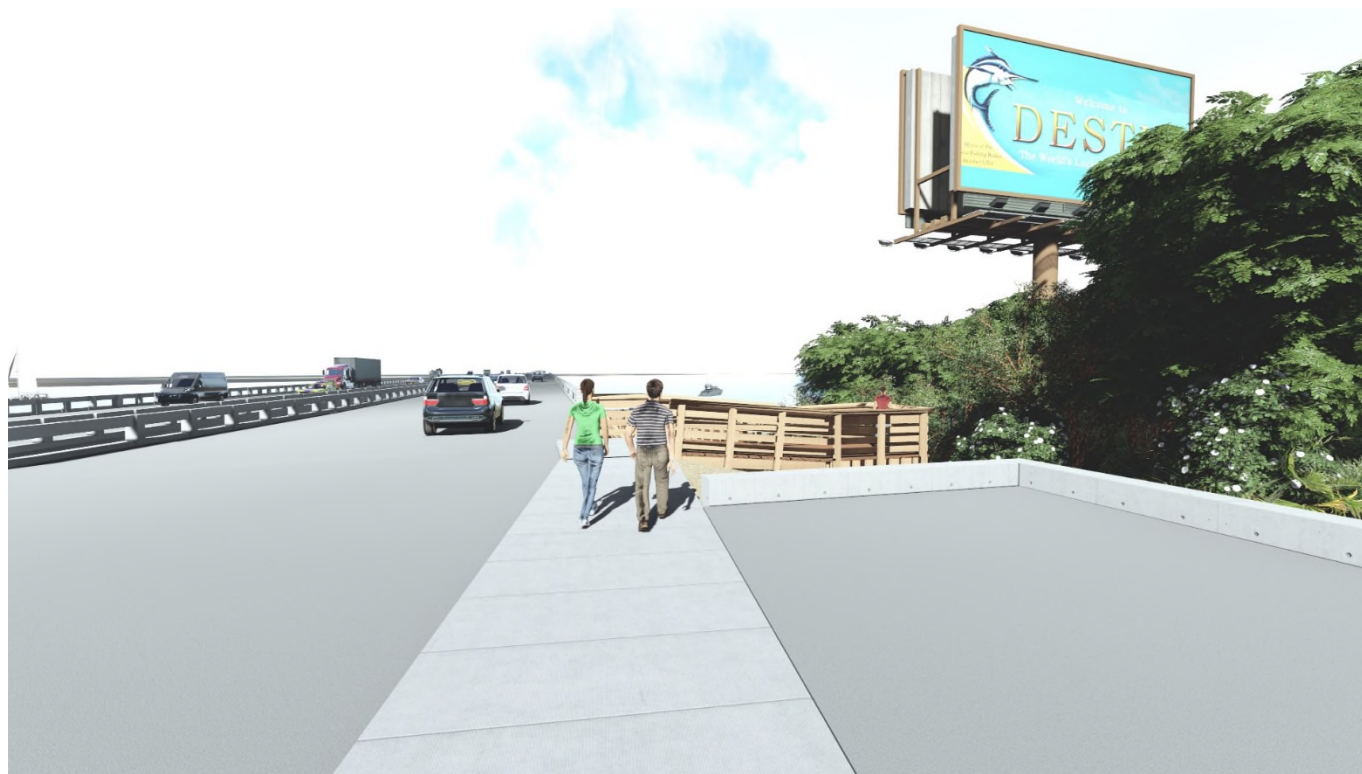


Calhoun Pedestrian Improvements and Boardwalk





Calhoun Pedestrian Improvements and Boardwalk



CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: April 1, 2019

TYPE OF AGENDA ITEM: Presentation

TO: City Council

THRU:

FROM:

DATE:

SUBJECT: City Attorney

I. BACKGROUND:

II. DISCUSSION:

- A. Link to Strategic Goals / Objectives:**
- B. Effect on Budget (EOB):**
- C. Level of Service (LOS):**

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:
None