

**LOCAL PLANNING AGENCY  
MEETING MINUTES  
NOVEMBER 21, 2024 - 5:30 P.M.  
DESTIN CITY HALL BOARDROOM**

**1. CALL TO ORDER:**

Chairman Wood called the Local Planning Agency Workshop to order on Thursday, November 21, 2024, at 5:30 p.m., in the Destin City Annex Chambers; with the Pledge of Allegiance immediately following.

**2. ROLL CALL:**

**Members Present**

Todd Buhr  
Jay Purut  
Marcie Bell  
Corey Ledbetter

**Members Absent**

James T. Wood, Jr.  
Gary Jarvis

**Staff Members Present**

Kimberly Montgomery Deputy City Clerk  
Steven O'Connor Deputy CD Director  
Daniel Butler Principal Planner  
Sherry Burney Planner  
Ashley Dominguez Planner  
Jesse Hernandez Planner  
Kim Kopp, City Attorney

**3. APPROVAL OF MINUTES:**

➤ **June 6, 2024 Minutes**

Motion by Agency member Bell to approve the minutes of the June 6, 2024, meeting with Agency member Ledbetter providing the second. The motion passed 4-0.

➤ **October 17, 2024 Minutes**

Since these were not included in the Agency members meeting packet, they will be moved to the next meeting for approval.

**4. NEW BUSINESS:**

Motion to change the order of the day to hear Items C & D first was made by Agency member Bell with Agency member Purut providing the second. The motion passed 4-0.

**C. Ordinance 24-20-LC – Remove Building Permit Regulations from LDC**

**D. Ordinance 24-21-CC – Building Permit Regulations added to Code of Ordinances, Chapter 6, Building Regulations – Article I**

➤ **Item C. Ordinance 24-20-LC – Remove Building Permit Regulations from the LDC**

Mrs. Noell Bell, Building Official explained how the following sections in the Land Development Code (LDC) are being moved to the Code of Ordinance Building Permit Regulations:

- 2.10.00. - Construction permits.
- 2.11.00. - Post-permit changes.
- 2.12.00. - Building permits.
- 2.13.00. - Application for building permit.
- 2.14.00. - Expiration of building permit.
- 20.05.00. - Foundation surveys for certain work.
- 20.07.00. - Inspections and certificates of occupancy.
- 20.09.00. - Fire District Review

Additionally, the associated Ordinance, 24-21-CC, creates the following sections in the Code of Ordinances, Chapter 6, Building Regulations, Article I – In General, section 6-1 – 6-8.

- 6-1 – Construction permits.
- 6-2 – Post-permit changes.
- 6-3 – Building permits.
- 6-4 – Application for building permits.
- 6-5 – Expiration of building permits.
- 6-6 – Foundation surveys for certain work.
- 6-7 – Inspections and certification of occupancy.
- 6-8 – Fire District Review.

Sections 6-3 and 6-4 being created in the Code of Ordinances have revisions from the previous LDC version, where language is proposed to be deleted that is no longer applicable.

The following language has been removed:

- Items C & D, Under 2.12.00. Building permits.

C. No nonconforming use shall be maintained until a certificate of zoning noncompliance shall have been issued by the City Manager or his designee. The certificate of zoning noncompliance shall state specifically wherein the nonconforming use differs from the provisions of this article; provided that, upon amendment of this article owners or occupants of nonconforming uses shall have six months to apply for certificates of zoning noncompliance. In cases where nonconforming uses existed at the time of enactment of Okaloosa County Ordinance No. 74-4 on March 11, 1974, certificates of zoning noncompliance shall be issued based upon facts stated in affidavits. Failure to make such application within six months shall be presumptive evidence that the property was in nonconforming use at the time of the enactment or amendment of such ordinance.

D. The City Manager or his designee shall maintain a record of all certificates of zoning compliance, and a copy shall be furnished upon request to any person. According to the Building Official, these are no longer in effect and staff now send out Zoning Compliance Letters.

• Item B, Under 2.13.00. Application for building permit, this is no longer in effect as paper plans are no longer accepted, and only in digital format.

B. One copy of the plans shall be returned to the applicant by the Chief Building Inspector, after he shall have marked such copy either as approved or disapproved. One copy of the plans, similarly marked, shall be retained by the City Manager or his designee for at least two years. There was a brief discussion regarding the retention and are kept permanently.

**Agency member Bell made the motion to recommend City Council adopt Ordinance 24-20-LC with Agency member Purut providing the second.** In discussion, Agency member Bell asked about a general statement to be included in the notification process for applicants who reside in HOA's, as a reminder of sorts, that they may have to adhere to those rules. Staff informed Agency member Bell there already is similar language in the permitting application, and the LDC or the Code may not be the appropriate place for what she is referring to. There was a brief discussion regarding plans being made public on Compass. The Building Official explained how they have to be moved over by staff to the approved tab in order for the public to access them.

Vice Chairman Buhr expressed concern over the retention schedule for building plans and the City Attorney explained that the retention schedule is mandated by the State.

**With no further discussion, Vice Chairman Buhr called for the vote and the motion passed 4-0.**

➤ **Ordinance 24-21-CC – Building Permit Regulations added to Code of Ordinances, Chapter 6, Building Regulations – Article I**

**Agency member Purut made the motion for the Local Planning Agency to recommend City Council adopt Ordinance 24-21-CC, Building Permit Regulations added to Code of Ordinances, Chapter 6, Building Regulations – Article I, with Agency member Ledbetter providing the second, the motion passed 4-0, with no discussion.**

**A. Draft Land Development Code Article 8 – Sign Regulations**

Mr. O'Connor informed the members that staff integrated all of their previous comments into this draft, with the biggest item being the removal of digital signage. Explaining further that a new section was added specifically for them, under Prohibited Signs, 8.07.02.

Vice Chairman Buhr stated he is in favor of the language and if the City Attorney was comfortable with the verbiage and the six years attrition language. He then asked Mr. O'Connor to go through each of the public comments that came through the website.

According to Mr. O'Connor, staff contacted several sign companies and asked for their review and comments on this draft Article 8 and the comments provided are what was submitted.

**Public Comments via website:**

- The Free-Standing column allows 150 Sq. Ft. Maximum, but only allows a maximum height of 8'. Those two numbers potentially make for an odd, shaped sign, 18'5" feet wide by 8' tall. 8' seems really restrictive.
- I don't see an allowance for Harbor District signs to be less than the 10' setback. Will that no longer be allowed? Discussed adding an attrition sunset provision for these types of signs. *Mr. O'Connor suggested to make a provision for the SHMU district. Vice Chairman Buhr asked for staff to bring this additional language back for review and discussion.*
- Non-Commercial allowances seem generous. 3'x10' foot sign in a residential yard? *No additional comments from the Agency members.*
- I have always argued that this calculation for determining square footage is not a fair figure. In the sample provided, there is a great deal of negative space that is getting calculated into the square footage. It really hinders logos/clients that aren't nice tidy rectangles. *According to Mr. O'Connor, the way they measure, the outer most extremities of a rectangle, is a simple method of measuring that a lot of municipalities use and is not uncommon.*
- It [the motion of the sign] helps to sell the displays when clients can use them for dynamic advertising. Pensacola, Crestview, and Fort Walton Beach, do a very good job of creating content and have lots of motion and animation, 10 second still is even more than the state requires of the Billboard industry, which is 6 seconds. My understanding is that there is not a substantial amount of evidence that links the EMC's to increased accidents. The City of Crestview board we installed at the corner of 85 and 90 is one of the highest traffic counts in our area. *No additional comments from the Agency members.*

Regarding temporary signs, Agency member Buhr spoke of a situation in how Panama City regulates political signs with provisions on when they can be put up as well as the timeframe for them to be removed after the event. According to the City Attorney, they would need to have language for those types of events and not just one certain type of event, such as elections.

Mr. O'Connor spoke of how staff will draft up language for their review at their next meeting.

**Motion by Vice Chairman Buhr that the Local Planning Agency forward a positive recommendation to City Council for Draft Article 8, Sign Regulations, with the understanding that the two areas will be brought back to them for additional review. Agency member Purut provided the second, the motion passed 4-0.**

**B. Draft Land Development Code Article 11 – Glossary**

Agency member Buhr provided the following comments:

Commercial Special Events definition was struck through, but Commercial Special Events Venue is not and asked why. According to Mr. O'Connor, Commercial Special Events such as weddings are not defined, and will have to be clearly identified as to what the event will be in Article 2. Additionally, the venue has to have a defined use.

Under the definition Development, why is mining mentioned? Mr. O'Connor explained that sand is considered mined.

Accessory dwellings and other dwellings, in the definition of "dwelling unit, accessory [attached or detached]" he asked what specifically they are referring to. Mr. O'Connor explained they can be attached by some means to the main dwelling, such as a wall, with no connecting door.

Dwelling Unit, Guest/Cottage/Carriage House the decision was to remove the word "Dwelling" since guest, cottage, carriage house are not a dwelling, since they do not provide living, sleeping, cooking, sanitation quarters.

Discussed having eBikes included in the definition for bicycles and where they can and cannot be ridden. Mr. O'Connor explained that there is not a current ordinance in place regulating that so, they can be ridden wherever bicycles are, additionally staff was informed by the Sheriff's department they would not be able to regulate such an ordinance.

Hardship Case definition suggests since there are conditions listed that have to be qualified in order to meet a hardship, it should be removed. The City Attorney Kim Kopp added that regardless, if it is an ADA accommodation, they will get it. The Agency members agreed to remove it from the Glossary.

Definition of Board of Adjustment and Local Planning Agency needs to stay in the glossary.

Open Space – Artificial Turf aspect was briefly discussed and how the regulations are in Article 6. Planner, Jesse Hernandez read the proposed language regarding artificial turf into the record, from the latest draft for Article 6, and all was agreeable.

Special Events – add that a permit has to be obtained.

Substantial Improvement – definition is a FEMA requirement and stays as written.

Travel Trailer and Travel Trailer Park needs to be removed since there is a definition for Recreational Vehicle and Recreational Vehicle Park.

Agency member Bell provided to following comments:

Certificate of Occupancy is defined but there is not a definition for temporary certificate of occupancy. Staff agreed to add the definition.

Beach definition – Gulf of Mexico should be corrected from Gulf.

Collocation – Asked staff to explain what it is, staff provided the information.

Family – Discussion how per State Statutes, they cannot define family for short term rentals in single family residential areas.

Flagpole - Asked why it was removed. According to Staff, it's not used anywhere in the LDC.

Marine Turtle Conservation Zone – Feels that a more detailed description of the area needs to be included in the definition. Mr. O'Connor suggested to define it as anything seaward of the Coastal Control Zone.

Seasonal – asked staff to explain what does “in the context of change of use permit applications” means. In explaining this, Mr. O'Connor suggested for it to be removed entirely since Article 2 regulates special events which makes this mute.

Waterbody – Asked what term defines the East Pass. According to Mr. O'Connor, it is considered an inlet.

**Motion by Agency member Bell to forward a positive recommendation of adoption of Draft Article 11, Glossary to City Council with the recommended modifications as discussed, with Agency member Purut providing the second. The motion passed 4-0.**

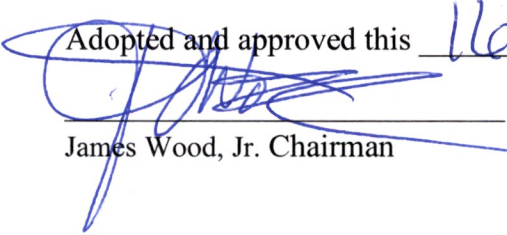
**5. PUBLIC COMMENTS:**

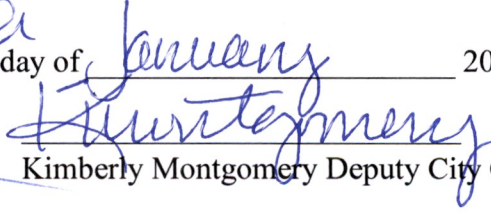
Vice Chairman Buhr opened the public for comment, but with no one present, he closed the public portion of the meeting.

**7. ADJOURNMENT:**

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

Adopted and approved this 16<sup>th</sup> day of January 2025.

  
James Wood, Jr. Chairman

  
Kimberly Montgomery Deputy City Clerk