



**AGENDA
LOCAL PLANNING AGENCY
THURSDAY, APRIL 3, 2025
5:30 PM
ANNEX COUNCIL CHAMBERS**

- 1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE**
- 2. AGENDA APPROVAL**
- 3. APPROVAL OF MINUTES**
 - A. March 6, 2025 Minutes**
- 4. CURRENT BUSINESS**
 - A. Article 6 Discussion**
- 5. PUBLIC COMMENTS**
- 6. NEXT MEETING DATE: April 17, 2025**

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the City Clerk at (850) 837-4242 at least 48 hours prior to the hearing. If a person decides to appeal any decision made with respect to any matter considered at such meeting, such person will need a record of the proceeding and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. (Sec. 286.0105, Florida Statutes)

**LOCAL PLANNING AGENCY
MEETING MINUTES
MARCH 6, 2025 - 5:30 P.M.
DESTIN CITY HALL ANNEX CHAMBERS**

1. CALL TO ORDER & PLEDGE OF ALLEGIENCE:

Chairman Wood called the Local Planning Agency Meeting to order on Thursday, March 6, 2025, at 5:30 p.m., in the Destin City Annex Chambers; with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Members Present

James T. Wood, Jr.
Todd Buhr
Jay Purut
Marcie Bell
Ken Wampler
Tammy Weidenhamer

Members Absent

Staff Members Present

Kimberly Montgomery Deputy City Clerk
Daniel Butler Principal Planner
Noelle Bell Building Official

3. AGENDA APPROVAL:

Motion to amend the order of the day by removing Article 4, Item 6A Discussion from the agenda was made by Agency member Bell with Agency member Wampler providing the second. The motion passed unanimously.

4. APPROVAL OF MINUTES: February 6, 2025

Motion to approve the minutes of the February 6, 2025 meeting was made by Agency member Wampler with Agency member Bell providing the second. The motion passed with a unanimous vote of 6-0.

5. NEW BUSINESS:

A. Sunshine Laws/Public Records Act Presentation – Council member Sandy Trammell

- Discussion of the Sunshine Laws and its implications for LPA members.
- Explanation of communication restrictions between committee members outside of a public meeting.
- Emphasis on avoiding any informal discussions regarding committee matters outside of public meetings.
- Provided guidance on Public Records Act compliance, including maintaining emails, text messages, and social media interactions.

DRAFT

- Cautionary examples were provided, highlighting past violations and their consequences, including having all personal devices confiscated and possible removal from office with legal repercussions.
- Discussion on ethics standards and avoiding conflicts of interest and how meetings generally follow Robert's Rules of Order.
 - Members were reminded not to use their positions for personal advantage and once and once a motion has passed, even if they are not in agreement and voted against the motion, they need to support it, when it goes forward to City Council.
 - Clarification on interactions with applicants and public officials to ensure unbiased decision-making.

A. Ordinance 25-01-LC – Remove Contractor regulations from LDC

- The purpose of the ordinances is to remove contractor regulations from the Land Development Code (LDC) and relocate them to the Code of Ordinances for consistency.
- The Liability Insurance language is being removed in its entirety, since those requirements are set forth by the Florida Statutes.

Chairman Wood opened the public portion of the meeting, with no one coming forward, he closed the public and turned the discussion over to the members for comment or a motion.

Motion by Agency member Wampler seconded by Agency member Bell to recommend City Council approve Ordinance 25-01-LC. The motion passed unanimously with a vote of 6-0.

B. Ordinance 25-02-CC – Adding Contractor regulations to the Code of Ordinance

- The ordinance moves contractor regulations from the LDC into Chapter 13 of the Code of Ordinances to align with existing contractor policies.

Chairman Wood opened the public portion of the meeting, with no one coming forward, he closed the public and turned the discussion over to the members for comment or a motion.

Motion by Agency member Bell, seconded by Agency member Buhr to recommend City Council approve Ordinance 25-02-CC. The motion passed with a unanimous vote of 6-0.

****Agency member Briana Uptigrove entered the meeting at 6:00 PM****

Chairman Wood welcomed Ms. Uptigrove, provided some background information pertaining to the Local Planning Agency and noted the meetings start at 5:30 PM and not 6:00 as the City Council meetings do.

C. Property Maintenance Code – Noell Bell

The Building Official, Noell Bell thanked the members for individually meeting with her so that she could review this chapter with them and answer their questions. She noted that she is in the process of compiling their comments, proposed edits, and suggestions, and making her own edits accordingly.

The following items were discussed:

- Concerns over clarity, length of the document and scope.
- Adjustments were proposed to incorporate relevant elements from existing codes of the Unsafe Abatement Code and adding to the Administration section for property maintenance, while reducing redundancy and adding new updated language.
- Removing property maintenance language regarding certain landscaping issues from the LDC and implementing it to this code.
- Removing Conservation & Neighborhoods out of the LDC and implementing it into this code.
 - Ensuring Destin maintains high safety and maintenance standards.
 - Clarifying the balance between property rights and community aesthetics.
 - The importance of giving members adequate time to review changes was discussed.
- A revised version will be presented at the April 17 meeting, with a draft available for review by March 24.
- A decision was made to distribute the revised document early to allow sufficient review time before discussion and potential adoption.

6. PUBLIC COMMENTS:

Chairman Wood 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 6:25 p.m.

Adopted and approved this _____ day of _____ 2025.

James Wood, Jr. Chairman

Kim Montgomery, Deputy City Clerk

CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: April 3, 2025
BOARD/COMMITTEE: Local Planning Agency
TYPE OF AGENDA ITEM: Council Discussion Item
OUTLINE NUMBER: 4.A.

TO: Local Planning Agency

THRU: Larry Jones , City Manager
Kimberly Kopp, City Attorney

FROM: Steve O'Connor, Deputy Community Development Director

DATE: March 21, 2025

SUBJECT: Article 6 Discussion

I. BACKGROUND: At the August 26, 2024, Council Workshop on the Land Development Code, Staff had discussions with Council about the Draft Article 6 and Destin Design Manual.

II. DISCUSSION: Based on some feedback from the Council at the August 26, 2024, workshop (see August 26, 2024, Workshop Meeting Minutes), Staff is bringing some of those discussion items back to the LPA for input. Based on the discussion or direction from the LPA, Staff may bring this back as an advertised item or during the Public Hearing for the Proposed Ordinance at a later date.

1) Tandem Parking for Residential Uses: See Section 6.03.02.L.2. - Council was worried about opening up more parking options for STRs that would make it easier to establish more STRs. Staff developed language that helps mitigate this, as seen below. Does the LPA agree that this language mitigates Council's concerns?

1. Tandem Parking for Residential Uses may be allowed to use tandem parking that exceeds two vehicles end to end if the following criteria are met.
 - a. A residential property, including Short-term Rentals in residentially zoned districts, utilizing tandem parking exceeding more than two end-to-end vehicles in any configuration, it shall not include more than 1 column of end-to-end parking.
 1. The parking area for the tandem parking shall not exceed twelve feet (12') in width.

- b. Tandem parking is only allowed on one side of the residence.
- c. On Corner lots, the tandem parking shall not be placed between the ROW and the residence.
- d. This section shall not preclude a property from getting an accessway to the maximum width as identified in Section 6.02.04.M.2. to be able to park multiple vehicles across in one row side by side.
- e. Tandem parking shall be set back a minimum of one foot (1') from the property line, unless there is a recorded joint access agreement that meets the requirements of 6.02.04.J.3.
- f. Landscape/Open Space Protection
 - 1. Any property utilizing this parking configuration shall provide, the equivalent of 50% of the total vehicle parking area, a landscaped/open space area between the ROW and the front of the house that shall not be developed for any use other than landscaping or open space.

2) Common Boundary Buffer: See Section 6.03.02.L.2. language above. Does this language help mitigate concerns?

3) Fences in the Old Destin Area. See Section 6.07.01.F. - If the Old Destin MMTD is removed, then there will be many properties that will become legal nonconformities and will have to come into compliance when they repair their fence at more than 50%. Currently, the Old Destin MMTD allows property owners to build fences higher than 3' unto their property line. However, this is not allowed outside the Old Destin MMTD. To mitigate this, Staff developed the following language in Section 6.07.01.F., see below.

F. Height and Setback

1. Front Yard:

- a. No fence may exceed three feet (3') in height when located within five feet (5') of the front property line.
- b. Exceptions:
 - 1. If Building Code requires a fence higher than three feet.
 - 2. Single dwelling or Duplex dwelling residential units or properties located within the Village, Harbor, or Holiday Isle Planning Areas as defined and identified in the Comprehensive Plan.

4) Palm Trees: Section 6.06.04. Palm trees were discussed at the workshop, and we heard that we should not be incentivizing palm trees in any way. Therefore, staff developed the language in 6.06.04.C. that limits the allowance of Palm trees to not more than 40% of the required trees. Further, the language in 6.06.09. was developed to incentivize native plantings.

A. Link to Strategic Goals / Objectives: N/A

B. Effect on Budget (EOB): N/A

C. Level of Service (LOS): N/A

D. Legislative Sponsor:

E. Business Impact Statement:

III. CONCLUSION: Staff is requesting to get some guidance based on the discussion topics identified in the attachments.

IV. RECOMMENDED MOTION: For discussion purposes only.

Attachments:

1. Art. 6 & DDM Workshop Mins
2. Article 6 - General
Development Regulations -
FINAL DRAFT 02.07.25

**MINUTES
WORKSHOP
DESTIN CITY COUNCIL
AUGUST 26, 2024
ANNEX COUNCIL CHAMBERS
5:30 PM**

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

Destin City Council

Mayor Bobby Wagner
Councilmember Jim Bagby
Councilmember Kevin Schmidt
Councilmember Johnny King

Councilmember Dewey Destin
Councilmember John Stephens
Councilmember Terésa Hebert

City of Destin Staff

Interim City Manager Larry Jones
Community Development Director Tina Deater
Public Information Director Tamara Young
Projects/Grants/Contract Manager Jeffrey Cozadd
Planner Ashley Dominguez
City Attorney Kimberly Romano Kopp

City Clerk Rey Bailey
Finance Director Krystal Strickland
Principal Planner Steve O'Connor
Principal Planner Daniel Butler
Planner Sheri Burney
City Engineer Ryan Scott

PUBLIC COMMENTS:

Mr. Jim Wood, Chairman of the Local Planning Agency, expressed his support for the Land Development Code (LDC) moving closer to adoption. He emphasized the importance of finalizing the LDC, which, along with the comprehensive plan, zoning map, Future Land Use Map (FLUM), and design manual, will provide a comprehensive framework for the community. He highlighted the main goals of the LDC revision, which include clearer language, improved organization and format for ease of use, and consolidation of subjects where possible, such as eliminating redundant zoning areas.

Mr. Wood acknowledged that no plan is perfect and unforeseen issues may arise after adoption, as the LDC is a "living, breathing document" subject to updates. He urged the council to continue progressing with the adoption process, stating that a good plan now is preferable to waiting for a perfect one. Wood also reminded the council that significant efforts had already been made in previous years, such as eliminating the tier system and lowering building heights, some of which were incorporated into the city charter. He concluded by encouraging the council to listen carefully to the staff's update on Article 6 and the design manual.

WORKSHOP

A. Article 6 – General Development Standards & The Destin Design Manual

The city's Principal Planner Steve O'Connor gave the following presentation:

Topics of Discussion:

- What is in Article 6:
- Major Changes
 - ❖ Language
 - ❖ Format
 - ❖ Organization & Consolidation
- Public Workshops and LPA Meetings
- What is the Destin Design Manual (DDM)?

What is in Article 6?

- A majority of current:
 - ❖ Article 8 – Transportation
 - ❖ Article 10 – Infrastructure
 - ❖ Article 15 – Levels of Service
- Elements of current:
 - ❖ Article 12 – Recreation and Landscape Development
 - 12.04.00 – Landscape Development
- Parking Agreements and Shared Parking Requirements
- All site development requirements (what must be done)

The Principal Planner discussed changes to Article 6, which now includes components from multiple other articles of the Land Development Code (LDC). Specifically, Article 6 incorporates content from Article 8 (Transportation), Article 10 (Infrastructure), and Article 15 (Levels of Service), along with elements from the landscape regulations, buffer regulations, and parking regulations originally found in Article 8. All these regulations have been consolidated into a single site design article. He also mentioned that they will explain how the design manual will complement this article by clarifying both the "what" and the "how" of the regulations.

Major Changes

- Language

The Principal Planner addressed the challenges with the current LDC highlighting that it is difficult to read and poorly organized. This disorganization makes it challenging for staff to enforce the regulations because relevant rules are scattered and hard to locate, leading to potential oversight. He emphasized that reorganizing and rewriting the LDC would facilitate consistent interpretation, making it easier not only for staff but also for residents and developers to understand and apply the regulations.

➤ Format

There is a significant deviation in the format of the current LDC. The existing LDC contains large paragraphs that lack specific section references, making it difficult to pinpoint particular regulations. The absence of numbered paragraphs adds to this challenge. The new approach aims to address these issues by incorporating more charts and graphics, particularly in the design manual, to improve clarity and usability.

➤ Organizational & Consolidation

- Section 6.02
 - Includes Access Management - **8.00.00 - 8.10.00**
 - Updates many regulations that are currently not in compliance with FDOT, NFPA or general engineering standards
 - Clear Zones and Sight Triangles - **8.03.00 & 8.07.00**
 - Access (Ingress/Egress) Section - **8.04.00**
- Section 6.03
 - Reorganized and formatted Parking regulations for agreements, shared and off-site parking requirements - **8.06.00**
- Section 6.04
 - Utility infrastructure (Sewer, Water) - **Article 10**
- Section 6.05
 - Lighting Regulations - **7.17.00, 8.09.00, 12.02.00**
- Section 6.06
 - Reorganizes all Landscaping requirements from current **Article 12**
- Section 6.07
 - Consolidates all fences and gates from various sections throughout the current LDC
- Section 6.08
 - Reorganizes, reformats, consolidates and deconflicts all current buffer regulations
- Section 6.09
 - Consolidates the environmental control plans such as erosion, vibration, and dust control.
- Section 6.10
 - Adds regulations that clarify standards for easements
- Section 6.11
 - Provides clarity on the Harbor Boardwalk development requirements that are currently not properly placed or readily known - **8.09.00**
- Section 6.12
 - Clarifies construction activity requirements
- Section 6.13
 - Reorganizes the Concurrency Management System regulations - **15.03.00**
- Section 6.14
 - Reorganizes the adopted LOS - **15.02.00**

The Principal Planner discussed the issue of disorganization in site development requirements, where information is scattered across various sources. He highlighted that the current situation is confusing, with requirements for different aspects like sewer, water, property access, mechanical equipment screening, and landscaping elements being spread out. He introduces a new article that consolidates all these requirements into one document, making it easier for developers to find and understand what is needed for their projects in one place.

Public Workshops and LPA Meetings

Staff conducted multiple workshops and public meetings discussing Article 6 and specific topics pertaining to article 6:

- February 13, 2024 – Public Works/Public Safety meeting (Street Trees)
- February 27, 2024 – Parks & Recreation meeting (Park Trees)
- March 21, 2024 – LPA meeting
- April 11, 2024 – LPA meeting
- May 2, 2024 – LPA meeting

- May 16, 2024 – LPA meeting (No substantive discussion, just an update on what had been added or changed)
- June 11, 2024 (Destin Design Manual only) – Public Works/Public Safety meeting
- August 8, 2024 – LPA meeting

Tandem Parking: Section 6.03.02:

The current regulations allow tandem parking for both residential and non-residential uses, with specific restrictions. For residential properties, tandem parking is limited to two vehicles in a line, meaning that if a car is parked in front, only one car can be parked behind it. This prevents a situation where two cars need to be moved to access the front vehicle. This rule generally applies to typical household parking arrangements.

For non-residential uses, tandem parking of up to three vehicles is permitted, but only if managed by a valet service, not for general use.

The LPA has recommended changes to these regulations, particularly for residential areas. They propose removing the tandem parking restriction from all residential districts. This recommendation reflects a desire to return to more traditional neighborhood designs, where tandem parking was more common and organic before the prevalence of cars. The Principal Planner references historic neighborhoods in cities like Denver, where houses often had small driveways running alongside the home, allowing for more flexible parking arrangements without impacting the street view.

DISCUSSION:

The council discussed issues related to tandem parking and residential district regulations. Councilmember Bagby expressed concern about accessory structures like garages causing water drainage onto neighboring properties. He suggested adding language to the regulations to require driveways to be sloped to retain water on the owner's property, which was agreed upon.

There was also a discussion on limiting tandem parking to one side of the house, as there are restrictions on having more than one access point for a residence unless justified by a traffic study. Councilmember Destin highlighted the impact of these regulations on short-term rentals (STRs), particularly how increased parking capacity could lead to more STRs, which is not desired. He considered whether they could enforce the parking rules specifically for long-term residents and suggested potential measures like requiring valet services for STRs to better manage parking.

Overall, the council was cautious about expanding parking options that might inadvertently encourage more STRs and undermine current regulations meant to limit them. The discussion ended with agreement to refine the language and explore more ways to control parking and ensure compliance, particularly in relation to short-term rentals.

See Section 6.03.02.L.

Shuttle Parking:

The conversation focused on the issue of parking requirements for businesses in the harbor area, specifically concerning the use of shuttle services as a means to reduce parking demand. The staff frequently receives inquiries from businesses interested in using shuttles to transport customers, thereby reducing the need for on-site parking.

- Shuttle Service Proposal:

Some businesses proposed using shuttle services to pick up customers from their homes, hotels, or rentals and bring them to their establishments. This would potentially reduce the need for on-site parking. The main challenge with allowing shuttle services to reduce parking demand is the risk associated with a business being sold. A new owner may not continue the shuttle service, leading to a parking deficit.

Staff could not find any existing regulations that adequately address this issue and prevent potential future parking shortages. After discussing the issue, the LPA recommended not allowing parking reductions based on shuttle services due to the potential future issues with parking deficits if ownership changes.

- Clarification of Current Regulations:

The city does not currently allow for reduced parking requirements in exchange for shuttle services. Businesses can still offer shuttle services, but they must meet the required on-site parking standards.

A suggestion was made to include language in business regulations that would make shuttle service requirements non-transferable upon the sale of the business. However, this was deemed impractical as it would still result in a parking deficit if a new owner did not continue the service.

The conversation referenced a similar issue with livery businesses, where all current operators meet their parking demands, but it remains a point of concern for future transfers.

An example was provided of existing businesses using shuttles voluntarily, such as the Destin Harbor Haulers, who partner with other businesses to provide customer transportation. This practice is allowed but does not qualify for parking reductions.

The staff and LPA concluded that while shuttle services are a beneficial option for businesses, they should not be used to justify reduced parking requirements due to the potential for creating future parking shortages if the service is discontinued by a subsequent owner. The City aims to protect the interests of current and future property owners by maintaining the standard parking requirements.

Sewer Connection Requirements: 6.04.02.D.2.

There was a discussion regarding the enforcement of sewer connection requirements for properties within a certain distance from existing sewer lines. According to both city regulations and state statutes, property owners must connect to the sewer system within a year if service is

available. However, this has not been actively enforced by the city, leaving several homes still unconnected.

The main issue discussed was whether to actively enforce these regulations or to align solely with state statutes and collaborate with Destin Water Users (DWU) for enforcement. The LPA recommended maintaining the current city regulations and beginning active enforcement.

A DWU representatives stated that there are currently 33 homes with access to sewer services that have not connected, and 96 homes that do not yet have access. Questions were raised about the specifics of enforcement and the number of affected homes. The LPA suggested developing a one-year plan to notify property owners and enforce the connection requirement, with the current tap fee being \$2,800.

Further discussions touched on which areas have access to sewer, including Vintage Circle and Crystal Beach, where previous projects extended sewer lines. However, some areas like Main Street do not have sewer available yet, but there are plans for future expansion.

Tree Removal: 6.06.05

The discussion centered around the removal of trees on residential properties, a recurring issue for city staff. The LPA recommended that residential properties, including duplexes and single-family homes, should not require a permit to remove trees, regardless of the tree's age or size. There are no replanting requirements, though maintaining landscaping is encouraged.

Several concerns were raised about the impact of unrestricted tree removal, especially regarding large, old, and heritage trees. There was debate over the need for some regulation to protect significant trees while balancing property owners' rights. Suggestions included focusing on the size of trees, like heritage oaks, as a threshold for protection, and possibly exempting smaller trees from strict regulations.

City staff highlighted previous failed attempts to regulate tree removal due to strong public opposition, with residents expressing frustration over perceived bureaucratic overreach, such as requiring a licensed arborist for tree removal. It was noted that while the desire to protect trees is strong, any new regulation would need to be carefully considered to avoid backlash and ensure community buy-in.

Insurance companies' concerns were also mentioned, as they sometimes require tree limbs to be cut back from houses, complicating the issue further. The discussion concluded with an acknowledgment of the complexity of the topic and the need for thoughtful consideration if any new policies are to be proposed.

Common Boundary Buffer: 6.08.02.F.

The discussion addresses the issue of common boundary buffers in residential areas, which are meant to create a space between more intense and less intense uses. Staff noted that the current regulations require a 5-foot buffer between similar residential properties, even though setbacks are already mandated and often exceed this buffer. Staff and the LPA discussed the limitations these buffers impose, particularly the inability to install hardscaping like driveways within them. To address this, they proposed redistributing the required buffer space to other areas

The connection requirement will remain and will be enforced

The LPA did not recommend any new regulations

See Section 6.03.02.L.

on the property, such as the front yard, which must then be permanently vegetated. Despite these adjustments, the consensus was that the common boundary buffer serves little purpose for residential-to-residential properties due to existing setback requirements. As a result, the LPA recommended removing the common boundary buffer requirement altogether in residential districts where it applies between residential properties.

Fences: 6.07

The discussion centers around the removal of the old Destin MMTD (Multimodal Transportation District) and its impact on fencing regulations. The old MMTD exempted properties from the common boundary buffer and allowed fences taller than the usual three feet on front property lines. With its removal, many existing fences would become non-conforming, limiting repairs to 25% at a time or requiring compliance with the three-foot height limit for complete replacements. This has raised concerns among residents, as stricter regulations could cause dissatisfaction, especially after events like hurricanes, where fences may need to be rebuilt.

Several solutions were proposed, including exemptions from the three-foot rule for residential properties in specific planning areas. The LPA directed staff to develop regulations accommodating these solutions, allowing for eight-foot fences in certain areas. The council discussed potential issues with non-compliance and the impact on properties, particularly corner lots where taller fences provide necessary privacy. There was general agreement to adopt the new regulations to avoid widespread discontent among residents.

View Corridors: Comp Plan Policy 7-1.2.5

Policy emphasizes maintaining vertical open spaces and preserving Waterfront views and vistas that are crucial for both Destin residents' quality of life and the tourism economy. The policy requires the LDC to establish standards by 2019 to regulate site development, building mass, height, and fencing to promote Waterfront views. However, it was noted that these standards have not been implemented.

Although the policy called for the establishment of view corridors and specific regulations, none have been developed. Current regulations, such as setbacks and the 3-foot fence requirement, do not address the preservation of views adequately. There were concerns that introducing new regulations now, such as a mandatory buffer for view corridors, might infringe on existing property rights, given the current setback requirements. The LPA advised not to pursue view corridor regulations until specific corridors are identified. If no identification occurs, the policy should be removed from the comprehensive plan, as it is not being implemented under the current LDC.

Some council members supported maintaining view corridors and continuing efforts to protect views, especially along the Destin Harbor and beaches, despite past challenges with developers circumventing the intent by planting vegetation that obstructed views. The idea of keeping the policy in the comprehensive plan was supported to ensure the city continues to work toward creating view corridors, even if progress has been slow.

Staff noted that to implement view corridor regulations, a study by a consultant or extensive public workshops would be needed, which is not feasible in the immediate future. An evaluation and appraisal report of the comprehensive plan is due soon, possibly next year, to

ensure all regulations align with the plan. Adjustments to the language regarding view corridors may be considered during this process.

The discussion concluded with acknowledgment that while progress has been made on view corridors in certain areas, a more comprehensive city-wide approach is needed, and any future steps will require careful planning and community involvement.

What is the Destin Design Manual (DDM)?

- A supplemental document to the LDC
- Houses the design or development specifications for site design and elements
- The LDC is “*What*” you must do, the DDM is “*How*” you do it.
- Purpose and Intent
 - Implement city’s policies regarding:
 - Aesthetic
 - Infrastructure
 - Minimum design standards (Engineering Specifications & Drawings)
 - Easier to enforce
- Engineered Drawings
 - The design drawings are meant for design professionals to copy these specs into their plans.

The discussion is about the introduction of the proposed Destin Design Manual (DDM) as part of a broader effort to streamline planning and engineering processes. The DDM will contain detailed design standards and specifications, which were traditionally included within the regulations, but are now being separated into a manual that is adopted through the regulations. This approach is part of a trend in the planning and engineering community to simplify and clarify regulatory processes.

The manual will include design drawings for various requirements, such as access radii in residential districts, enabling developers to easily copy these standards into their plans. This reduces back-and-forth communication and ensures compliance with city codes. In addition to design specifications, the manual will cover procedural elements like numbering, house addressing, and street naming conventions, which are not directly related to site or land development but are necessary for city operations.

The relationship between the LDC and the DDM is that the LDC specifies what must be done, while the DDM outlines how to do it. The manual is designed to reflect current standards and industry trends, including safety and fire codes, and consists of 52 to 53 drawings covering a wide range of elements from city signage to parking lot wheel stops. This comprehensive approach aims to provide clear, standardized guidance for development projects within the city.

What is in the Destin Design Manual ?

- A majority of the design specifications from the MMTDs
 - Section 7.09.00 – Special design criteria

- Section 7.09.03 – Design review requirements
- Elements of Article 12 for Landscape development
- Article 17 – Checklists
- Design Details (Engineering Specifications & Drawings)
- New Addressing & Street Naming System & Processes
- All Measurements (how to measure)

The design manual consolidates valuable design specifications from previous documents, particularly the MMTD (Multi-Modal Transportation District), and integrates good existing design practices. It includes specific details, such as landscape development standards and development checklists from Article 17, along with clear instructions for measurements like tree diameter at breast height (DBH), with illustrations for various scenarios like multi-trunk trees.

The design manual will be a standalone document, separate from the LDC, allowing for streamlined updates and modifications without multiple public hearings. This approach facilitates quicker adoption of changes through ordinances directly presented to the city council, though public input is not excluded. If necessary, relevant boards and public hearings will still be involved in the process, ensuring transparency and adherence to industry standards and best practices.

DISCUSSION

The discussion focused on the city's policies and practices regarding tree planting in areas near sidewalks and impervious spaces, with specific reference to street tree requirements and design details outlined in the design manual. It was confirmed that while there are specific guidelines, there is also flexibility for alternatives as long as they meet the minimum requirements specified in the LDC.

Councilmember Destin expressed concerns about the speed of the design process, emphasizing that staff should not circumvent the legislative process, which typically includes public participation and oversight by the LPA. This concern was echoed by other council members, who were apprehensive that the rapid adoption of design details without adequate public input could diminish community involvement. They emphasized the importance of committees and public interaction to ensure that the community is informed and engaged in the decision-making process, advocating for routing the review through the LPA to increase transparency and public engagement.

GENERAL DISCUSSION

In this segment of the meeting transcript, various city council members and staff discuss design details and regulatory issues related to urban planning, landscaping, and transportation within the city.

Mayor Wagner inquired about canopy coverage of tree vegetation over impermeable surfaces like asphalt, particularly regarding mature tree canopy measurements. The concern is to mitigate heat islands in the city by ensuring sufficient tree cover over such areas. Staff indicate

that while there are standards for minimum tree height and caliper, there is not a specific standard for mature canopy coverage over asphalt.

Discussion shifts to the landscaping section of the code, specifically article 6, and its impact on code enforcement related to yard maintenance. Staff mentioned that the city is working on adopting the International Property Maintenance Code, which would address yard upkeep and other issues in more detail.

Council members discuss lane width as a mechanism for speed calming, indicating a preference for narrower lanes over traditional speed bumps or stop signs. This is connected to a broader conversation about neighborhood safety and traffic management.

The council discusses integrating various regulatory codes, such as the LDC, the Code of Ordinances, and design manuals. There is a need to clearly distinguish between these documents to avoid confusion and ensure proper enforcement of the regulations. Several sections of the code, such as section 6.11 related to harbor development, are being reorganized for clarity and enforcement efficiency. The staff aims to highlight key regulations that were previously buried in the code.

Councilmember Bagby debates the use of palm trees in the city, with concerns raised about their prevalence and lack of canopy cover compared to native trees. He suggests limiting their use to 5% of the total required trees in certain areas, down from 80%.

There is a discussion on the effectiveness of roundabouts versus speed bumps and stop signs for traffic calming in residential areas. Some council members support roundabouts based on national safety data, while others remain skeptical, advocating for more proven methods like speed bumps.

The City Engineer provides an overview of the feedback process on the design manual details, which included input from local engineers, contractors, and public safety committees.

PUBLIC COMMENTS

Ms. Sandy Trammell, a Destin resident and Parks & Recreation Committee Chair, addressed several concerns and suggestions regarding the LDC. She emphasized the issue with homes built diagonally, resulting in cluttered front yards filled with multiple vehicles and construction trailers, which are not adequately regulated under the current code. She suggested that the definition of the front yard should be clarified as the area facing the street, regardless of the house's orientation.

Ms. Trammell also advocated for the reduction of palm trees, particularly non-native species like Sego Palms, which are harmful to dogs. She highlighted the need for better shade trees on sidewalks due to increasing temperatures, as palm trees do not provide sufficient cover. She proposed raising the minimum height for tree limbs over sidewalks from 10 to 15 feet for the safety of cyclists.

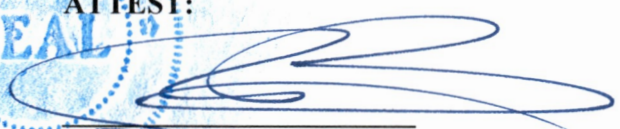
Sharing her recent experience in Louisiana, Ms. Trammell mentioned a traffic calming method involving rumble strips on a narrow road, which effectively controlled speed without the need for speed bumps. She suggested this could be a viable alternative for local roads.

Additionally, Ms. Trammell discussed the use of small roundabouts with trees for traffic calming in some residential areas and country clubs. Regarding water taxis, She clarified that the Harbor CRA Advisory Committee previously decided not to recommend mandating water taxi stops for developments unless they involved over 50% redevelopment or new construction.

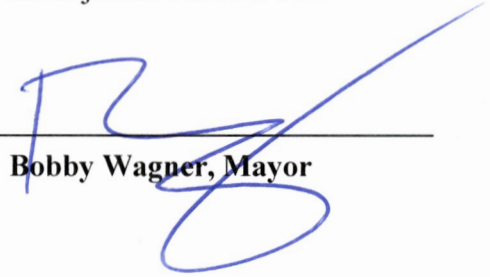
ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 7:25 PM.

ATTEST:



Rey Bailey, City Clerk



Bobby Wagner, Mayor

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ARTICLE 6 - GENERAL DEVELOPMENT REGULATIONS

SECTION 6.01 PURPOSE, APPLICABILITY, AND GENERAL STANDARDS

SECTION 6.01.01 PURPOSE

- A. The purpose and intent of the General Development Regulations is to assure future growth, development and redevelopment in the city conforms to certain the minimum criteria, regulations, or standards through implementation of the policies of the City's adopted Comprehensive Plan.
- B. All right-of-way design and construction, including but not limited to striping and signage, shall meet Florida Department of Transportation (FDOT) Greenbook, FDOT Standard Plans and Manual on Uniform Traffic Control Devices (MUTCD) latest edition to include the city standards as set in this section and the Design Manual.
- C. Private use of a public right-of-way is prohibited.

SECTION 6.01.02 APPLICABILITY

- A. The criteria, regulations and standards, provided under this Article and other articles of the Land Development Code, Comprehensive Plan, and other applicable regulations are designed to ensure new Development, Redevelopment, or Change of Uses provide the needed on and off-site elements to meet the needs of property owners, the City of Destin, and provide for the general health, safety, and welfare of the public.
- B. All Development, Redevelopment, or Change of Uses shall meet and provide the minimum regulations and standards as required per this Article and Destin Design Manual as applicable or as identified by the City Manager or their designee.
 1. Nothing in this Article shall relieve any developer of their responsibility to provide the minimum required facilities nor prohibit them from pursuing an alternative solution that either:
 - a. Follows the regulations of **Section 2.02.06 of Article 2**.
 - b. Provides and meets the minimum or better quality facilities as approved by the City Manager or their designee.

SECTION 6.01.03 AMERICANS WITH DISABILITIES ACT

- A. All improvements shall meet the minimum Americans with Disabilities Act (ADA) requirements (latest edition).

SECTION 6.02 ACCESS MANAGEMENT AND STREETS

SECTION 6.02.01 PURPOSE

- A. The purpose and intent of this section is to require development, redevelopment, or Change of Uses to provide the minimum access required for vehicular, pedestrian, or other alternative mode of transportation, ensuring a high level of localized connectivity while minimizing delay and conflicts on roadways that need to carry significant volumes of traffic, by:
 1. Encouraging, or requiring, consolidation of accessways through shared access to adjacent parcels.
 2. Provide a system of interconnected local streets that accommodate short, local trips parallel to the major street system.
 3. Use roundabouts instead of signals where roundabouts:

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- a. Provide an equal or improved level of service over a traffic signal
 - b. Calm vehicle traffic
 - c. Provide equal or better safety and connectivity for all modes of transportation.
4. Use continuous, raised medians to restrict left hand turns and direct turning vehicles to optimal locations.
5. Provide minimum spacing standards for accessways, median openings, and signals.
6. Use a turning radius at intersections appropriate to the context of the corridor.
7. Provide incentives for developed properties to retrofit with improved access design.
- B. Provide a safe environment for pedestrians, bicyclists and motorists by reducing and consolidating driveway conflict points, encouraging joint planning of development projects to facilitate cross-access between adjoining properties and the use of shared accessways.
- C. Nothing in this section shall be interpreted as denying reasonable access to private property. All developments with right-of-way frontage (regardless of the amount of right-of-way frontage) are allowed one point of ingress/egress.
- D. Stormwater facilities must be established along the entirety of the property frontage meeting the minimum design standards found in the Design Manual.

SECTION 6.02.02 RIGHT-OF-WAY PROTECTION

- A. Unauthorized Right-of-Way Encroachment
 1. No unauthorized encroachment shall be permitted onto existing rights-of-way.
 - a. This includes but not limited to objects or items such as:
 - i. Buildings or structures
 - ii. Landscaping other than sod, grass, or similar ground cover, and excepting required street trees.
 - iii. Signs except those required for traffic control
 - iv. Items or objects that are not a part of any right-of-way infrastructure or function.
 2. All activity such as but not limited to paving, landscaping, or other similar development within the ROW, shall submit a ROW permit for the City's review.
 - a. Exceptions: The installation and repair of mailboxes, sod, irrigation systems, and other landscape features in compliance with the design standards of the Destin Design Manual.
 3. It shall be the responsibility of the abutting property owner or maintenance entity to maintain all permitted object(s), structure(s), and/or landscaping within or over any Right-of-Way.
 - a. It shall be the responsibility of the owner of the abutting property whose drive accessway or other entrance to that property extends into the public ROW, to maintain said drive accessway or other entrance within the public ROW.
 - b. If the city, or another governmental entity, or a franchised utility operating within the scope of its easement, determines that any encroaching item, including, but not limited to, object(s), structure(s), and/or landscaping that was placed in the public ROW must be removed or modified, it shall be the responsibility of the abutting property owner or maintenance entity to remove or modify the same and to bear all costs associated herewith, including the cost of replacement.
 - c. If the City directs an abutting property owner or maintenance entity to remove or modify, within a prescribed period of time, any encroaching item, including, but not limited to,

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object(s), structure(s), and/or landscaping, and the owner fails or refuses to comply with such directive, the City may cause the work to be done and assess the costs thereof as a charge and lien against the property.

4. The developer and/or owner developing a property abutting a ROW or doing work on the ROW shall adhere to all applicable safety standards outlined by the FDOT and shall comply with the following additional requirements:
 - a. Follow **Code of Ordinances Section 18-21** requirements regarding unloading, loading and use of the right-of-way for construction activities
 - b. Restore the ROW to original or better condition.
 - c. Construct the accessways in such a way to minimize sediment tracked or discharged onto the roadways.
 - d. Replace existing infrastructure, including, but not limited to, concrete curbing, driveways or sidewalks in the ROW, which are damaged during construction. Such replacement shall be replaced to the nearest joint within ten working days or prior to the completion of construction in the area, whichever is earlier. Damage to road paving or stormwater facilities shall be repaired within five working days of such damage. No pedestrian or vehicle hazard shall be allowed. Maintain open handicapped accessible pedestrian way during construction at all times.
5. Any use or encroachment within a ROW for business or private purposes without prior city approval shall be prohibited. The subject use or encroachment may be removed by the city at the expense of the owner.
6. Dumping of debris within a ROW shall be prohibited.
7. Parking of a vehicle in a ROW shall be limited to designated areas that have been stabilized with an all weather surface. Parking in other ROW areas are prohibited except for occasional parking in areas zoned residential. Occasional is defined as an irregular or infrequent occurrence. Storage of trailers or vehicles in ROW is prohibited.
8. Building materials, disabled machinery, disabled vehicles, excavations and like objects in the ROWs between the period of sunset and sunrise, shall be properly identified by amber warning lights.
9. The prohibition of placing or maintaining any building, object or materials in the public ROW, shall not apply to the city or it's authorized agents, nor shall they apply to franchised utilities operating within the scope of their easements or franchise.

SECTION 6.02.03. SITE TRIANGLE AND CLEAR/RECOVERY ZONE

- A. All sight triangles shall be in compliance with **Section 5.00 of the Destin Design Manual**.
- B. All clear/recovery zones shall be in compliance with FDOT Standard Plans (latest edition) if in the FDOT right-of-way. All other rights-of-way shall be in compliance with the Florida Greenbook (latest edition).
- C. Development Within the Clear/Recovery Zone
 1. The following developemnt types may be allowed within the clear/recovery zone provided they strictly adhere to the required standards identified in for each development type.
 - a. Landscaping, Trees, Shrubs, Grasses, or other Plants
 - i. Shall not create a safety hazard

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- ii. Shall be trimmed or pruned in a manner to not block the clear zone between two feet (2') above the ground to no lower than fifteen feet (15') above the ground.
 - iii. It is the adjoining property owners responsibility to maintain any clear/recovery zone adjacent to their accessway(s).
 - iv. The City shall require any violation of this section to be rectified, and if not taken care of within seven (7) days of notification, the City may require the clearing, trimming, or pruning of the plants at the expense of the the adjacent property owner.
- 2. No object, structure, building, or other developments shall be permitted or allowed to occupy the clear/recovery zone or vision triangle.
 - a. In no circumstance shall any rope or other continous or connecting element be used within the right-of-way.
 - b. Exceptions: The following may be allowed through review of a Right-of-way permit and a Hold Harmlesss Agreement between the property owner and the City.
 - i. Rounded or blunt objects or structures which do not exceed eight inches above the edge of road, with six feet (6') of seperation between each object, as approved by the city engineer;
 - ii. Raised curbing with or without sidewalk;
 - iii. Mailbox columns, which will break-away and have a column cross-section of 16 square inches or less and have a column profile of no more than 12 inches wide;
 - (a) The face of a frangible mailbox shall be placed 8" off the back of a raised curb. All other mailboxes shall place the face of the mailbox four feet (4') from the back of a flush curb or the roadway edge of pavement (whichever is more restrictive).
 - iv. Bicycle lanes;
 - v. Guard railing, as approved by the city engineer;
 - vi. Drive accessway, as approved by the city engineer;
 - vii. Temporary placement of garbage or trash or recyclable receptacles under one cubic yard in size (this is allowed without a permit or hold harmless agreement).
- 3. Existing non-confirming mailboxes which are replaced or damaged by more than fifty percent (50%) shall be required to be reconstructed to conform to this section.

SECTION 6.02.04 INGRESS/EGRESS REQUIREMENTS

- A. All access to private properties from rights-of-ways within the city shall have paved accessway/driveway aprons from the edge of the road pavement to the property line.
- B. Minimum accessway spacing between adjacent accessways.
 - 1. Adjacent accessways located on the same side of a right-of-way shall meet the minimum accessway spacing standard (refer to Table 6.02-1 Access Management Table of Dimensions below) as measured from centerline-to-centerline of the accessways. For arterial streets, the minimum standard may vary between a range of 440 feet and 660 feet.
- C. The City Manager or designee shall use the minimum Florida Department of Transportation recommendations in determining the minimum accessway spacing required.
- D. Minimum accessway spacing from an intersection.

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1. Accessways located adjacent to an intersection of two or more rights-of-way shall meet the minimum accessway spacing standard from an intersection as measured from the centerline of the intersection to the centerline of the accessway.
2. Corner lots at a street intersection that cannot meet this requirement because of lot width shall place the accessways as far from the street intersection as possible.
 - a. If a corner lot has frontage on a cul-de-sac, which said cul-de-sac has a total length of 500 feet or less, the lot shall be accessed from the cul-de-sac.
 - b. Corner lots fronting on streets with different classifications, as identified in **design manual drawing T-15**, shall be accessed from the street with the lower classification.
 - c. The City Manager or designee may allow different driveway placement based on public safety, traffic volume, geometric constraints of topography, lot shape and dimensions, or other construct ability considerations.
 - d. For U.S. Highway 98, please refer to FDOT specifications.
- E. Adjacent accessways located on opposite sides of a roadway from each other shall meet the minimum offset accessway spacing standard as measured from centerline-to-centerline of the accessways, varying by the posted speed limit of the roadway.
- F. Median openings that permit only one-way turning movements shall meet the minimum directional median opening spacing standards as measured from centerline-to-centerline of the median opening. Median openings that permit unrestricted turning movements shall meet the minimum full median opening spacing standards as measured from centerline-to-centerline of the median opening.
- G. Adjacent traffic signals shall meet the minimum signal spacing standard as measured from centerline-to-centerline of the signalized intersections.
 1. The City Manager or designee shall evaluate the feasibility and effectiveness of constructing a roundabout concurrently with any analysis to evaluate the feasibility and effectiveness of installing a traffic signal.
- H. Preference shall be given to roundabouts for intersections where they are found to be feasible and effective.
- I. For U.S. Highway 98, please refer to FDOT specifications
- J. For a right-in or right-out only accessways, the minimum spacing shall be 115'.
- J. Single-dwelling or duplex developments may provide the following types of ingress/egress, provided they meet all minimum separation requirements and minimum design standards per the Design Manual. No more than two (2) ingress/egress points shall be permitted on any residential lot, parcel or property.
 1. Single accessway
 2. Two Accessways
 - a. Where deemed appropriate by the City Engineer, the impact of multiple driveway cuts to the right-of-way stormwater facilities shall be offset by requiring either swales deeper than the minimum requirements found in the Design Manual or a combination of drainage piping and swales.
 - b. For pull-through or Looping Accessways
 1. The site plan shall depict the proposed traffic pattern showing in a manner to discourage backing into the right-of-way.

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2. The minimum inside turning radius shall be fifteen feet (15') with the center point measured at the property line.
3. Joint accessway
 - a. A joint access way may be allowed with if all the following criteria are met:
 1. An agreement that includes a maintenance plan identifying the responsible parties is recorded with Okaloosa County on both properties.
 2. All ingress and egress requirements are met as identified in this Article and meets the design critera identified in the design manual for residential accessways.
 3. The accessway does not exceed the maximum width for a single accessway.
- K. More than one means of ingress/egress may be provided with the following criteria:
 1. All additional ingress/egress points shall meet the minimum separation requirements for access management as described in the **Table 6.02-1 Access Management Table of Dimensions** below.
 2. Any development five (5) acres or more shall provide a minimum of two (2) means of ingress/egress.
 3. A second ingress/egress required to meet minimum emergency service requirements.
- L. Cul-de-sacs and Dead-end Streets
 1. Cul-de-sacs and streets resulting in dead-ends shall not exceed one-hundred and fifty feet (150').
- M. Accessway Widths
 1. Non-resideintial and multi-dwelling developments shall not exceed twenty-seven feet (27') wide unless a traffic study determines otherwise.
 2. Single-dwelling or duplex residential driveway cuts shall not exceed twenty-seven feet (27') wide. For mulitple driveway cuts the collective driveway widths shall not exceed thirty feet (30') in the aggregate.
- N. Accessway Setbacks
 1. All accessways shall be setback from any property line, it does not intersect, with the minimum distance needed to meet the design requirements of this Code, but no closer than one foot (1') to the property line.
 - a. Exception: If there is a recorded Joint Accessway Aggrement as described in this Section.
- O. Accessway Stormwater Runoff
 1. No accessway shall allow or be allowed to discharge stormwater runoff onto any neighboring property.

Table 6.02-1 Access Management Table of Dimensions								
Functional Classification	Minimum accessway spacing	Minimum accessway spacing from an intersection (i)	Minimum accessway spacing offset			Minimum median opening spacing		Minimum traffic signal spacing
		Approaching/ Departing (ii)	<26 mph	26-44 mph	>44 mph	Directional	Full	
Arterial streets	440'- 660'	230'	N/A	440'	660'	1320'	2640'	2640'
Collector streets	250'	230'	250'	440'	N/A	660'	1320'	1320'

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Local streets	125'	115'	N/A	N/A	N/A	N/A	N/A	1320'
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SECTION 6.02.05 STREETS, SIDEWALKS, AND MULTI-USE PATHS OR TRAILS

A. Public Streets

1. Shall have a minimum lane width of ten feet (10') wide (center of stripe to center of stripe) and a maximum lane width of twelve feet (12') wide (center of stripe to center of stripe).
 - a. Local or Residential Streets shall have a lane width of ten feet (10') wide as described above. All other streets may vary as described above.
2. All streets shall be developed per the minimum design standards as detailed in the Design Manual.

B. Public Sidewalks

1. All sidewalks shall meet the minimum design standards shown in the Design Manual.
 - a. All sidewalks shall be concrete and meet the minimum standards and design per the Design Manual.
2. All sidewalks shall be placed at the back of right-of-way or as far away from vehicular traffic as possible.
3. A minimum of one (1) sidewalk connection from the private property internal sidewalk system shall connect to the public sidewalk on each public road frontage for the private property. Land uses that create or utilize pedestrian traffic may be required additional connections.
4. Sidewalks widths
 - a. Arterial and Collector roadways: shall be a minimum of eight-feet-wide.
 - b. All other sidewalks shall be a minimum of five feet wide.
5. Pedestrian Crosswalks
 - a. Pedestrian crosswalks shall be provided at the intersections of all rights-of-way with accessways, where sidewalks cross internal accessways and at any additional key pedestrian crossing points as identified by the City Manager or designee.
 - b. Pedestrian crosswalks shall be characterized by a change in pavement color, pavement texture, white paint striping, and/or reflective materials.
 - c. The placement and striping for all pedestrian crosswalks shall be in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) standards and the Design Manual.
 - d. All permanent striping located within rights-of-way, both public and private, shall be thermoplastic in accordance Florida Department of Transportation (FDOT) specifications.
6. Residential Development Sidewalk Requirement
 - a. Owners or developers of new single-dwelling detached or duplex residential structures shall be required to construct sidewalks consistent with this article when any one of the following criteria is met:
 1. The owners or developers of new single-dwelling detached and duplex residential structures constructed in existing neighborhoods (infill houses) are required to construct sidewalks consistent with this article when 50 percent or more of the developed lots on the same side of the street within the same block have sidewalks.

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2. When more than 50 percent of lots on the same side of the street in the same block are undeveloped then the owners or developers shall construct sidewalks. This subsection shall not be applicable if a waiver has been granted for a lot or lots on the same side of the street in accordance with subsection d. below.
 3. If a property does not meet the criteria stated in subsections a. or b. listed above but is scheduled to receive sidewalks within the next three years, as indicated in the latest copy of the City's 5-year Capital Improvements Plan, then the owner or developer of the new single-dwelling detached or duplex residential structure will have to install a sidewalk consistent with this article.
 4. Waiver: Sidewalk construction may be waived at the discretion of the City Manager, based upon input from the review and approval recommendation by the Community Development Director and Public Services Director if the following criteria are met:
 - (i) There is a threat to public health, safety, or welfare or the owner or developer establishes that the required sidewalk would result in undue hardship.
 - (ii) The owner or developer remits to the City the cost of the sidewalk installation to support future City sidewalk/pathway construction.
 - (a) If the waiver is granted, the cost of the sidewalk construction will be determined based on current City continuing service contract pricing and those funds shall then be paid by the owner or developers specifically for City initiated installation, replacement or maintenance of sidewalk/pathways within the public right-of-way or granted public easement based on prioritization by City Council.
 - (iii) Undue hardship or threats to public safety may include but are not limited to: insufficient right-of-way, significant utility conflicts, extreme topography, incompatible natural features (preserved or protected trees), complete absence of existing or planned sidewalks on a city classified "local street (residential)", or an unsafe pedestrian environment caused by vehicle proximity and speed.
- C. Multi-use Paths and Trails
1. All multi-use paths shall meet the minimum design standards shown in the Design Manual.
 - a. Multi-use paths or trails shall be asphaltic concrete and meet the minimum standards per the Design Manual.
 - b. All multi-use paths and trails shall remain unobstructed by sidewalk furniture, street trees, planter boxes, newspaper boxes, retail displays or other barriers to pedestrian or bicycle movement.
- D. Bicycle Lanes and Facilities
1. All bicycle lanes shall be per the minimum FDOT requirements per Standards Plans 711 (Latest Edition) and minimum widths shall be measured from the edge of curb on streets without on-street parking.
 2. Developments shall be responsible for constructing the segments of planned bicycle or multi-use pathway facilities located on the property of the proposed development.
 3. Bicycle and multi-use pathway facilities are identified in the City's Master Pathways Plan, Comprehensive Plan, Impact Fee Study and Mobility Plan.
- E. Pedestrian Amenities

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1. All developments shall provide gathering/sitting areas that at a minimum include the following decorative pedestrian amenities in groups of two in any combination:
 - a. Benches and waste containers
 - b. Bicycle racks.
 - c. Decorative water or drinking fountains
 - d. Pedestrian lighting fixtures
 - e. Public Art sculptures in accordance with any City Public Art program

SECTION 6.02.06 TRANSIT NETWORK

- A. All development shall contribute to the creation and/or reinforcement of a pedestrian-friendly transit system by adhering to the following requirements:
 1. Future transit stop locations.
 - a. The Mobility Plan and The Okaloosa County Transit Development Plans identify potential future transit stops to support Public Transit for the region.
 - i. These locations represent an ideal spacing of transit stops along the transit routes, although the precise final location will depend on a number of factors including land availability for bus bays, shelters, and other transit amenities, the demand for transit service at the location, and the provision of transit, pedestrian, and vehicular safety at the location.
 - ii. For any proposed development within 200 feet of a proposed transit stop, the applicant shall coordinate with the City Manager or their designee to determine the exact location of the transit stop, or alternatively, may decide that the transit stop would be more appropriately located elsewhere, in which case the applicant will be required to provide alternative multimodal mitigation.
 2. Transit stop connection.
 - a. All developments located within a one-quarter-mile radius of an existing or proposed transit stop location must provide a sidewalk connection, in conformance with **Article 6 and the Destin Design Manual**, from the development to the transit stop if a continuous sidewalk does not exist.
 - b. If a continuous sidewalk does exist, then the development is relieved from having to meet this requirement.
 - c. For a transit stop located on or immediately adjacent to the site, the sidewalk shall directly connect the building nearest to the transit stop and the transit stop itself.
 - d. For a transit stop located off-site, the sidewalk shall connect the on-site sidewalk network to the public sidewalk that leads to the transit stop.
 3. Transit Stop Amenities, Design, and Easements.
 - a. For any site that has been identified as a location for a transit stop, transit stop amenities shall be required and include:
 - i. A passenger shelter equipped with a bench that accommodates a minimum of eight (8) people and an area to accommodate one wheelchair.
 - ii. A bike rack that accommodates at least three bikes.
 - iii. Sufficient outdoor lighting for safe pedestrian movement at night.

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- iv. A location/information sign that at a minimum shows the location of the transit stop in regard to other transit stops located in the transit system.
- v. A sidewalk that connects the transit stop area to the internal (development site) and external (public) sidewalk system.
- b. For any site that has been identified as a location for a transit stop, the transit stop shall be designed in accordance with the recommendations per the Okaloosa County transit authority and the following requirements.
 - i. These transit stops shall include a dedicated area for a safe and convenient bus access.
 - ii. Transit stops consist of three types:
 - (a) Curbside stops
 - (i) Curbside stops shall be located in the travel lane of the adjacent road.
 - (b) Bus bay stops
 - (i) Bus bay stops shall be located outside of the travel lanes of the adjacent road and provide enough room for a deceleration/acceleration lane and a bus loading zone that is 12 feet wide by 40 feet in length.
 - (c) Queue jumper bus bay stops.
 - (i) Queue jumper bus bay stops shall be located in an acceleration lane of the adjacent road.
 - (d) Any off-street transit areas shall provide a circulation route and a twelve-foot (12') wide by forty-foot (40') long bus loading zone.
 - (e) The circulation route for the bus to enter and exit the subject property must contain a turning radius of 40 feet (40') to accommodate bus movement.
 - (f) The bus loading zone must be located outside of the normal parking/access circulation pattern.
 - (g) The shelter and waiting area shall provide six feet (6') of width of the adjacent sidewalk free of obstructions.
 - (h) The waiting area shall be wide enough to accommodate the bench and wheelchair with a minimum of eight feet (8') in depth.
 - (i) An unobstructed loading path with a minimum of five feet (5') in width shall be provided connecting between the waiting area to the edge of the curb to provide direct access to a stopped bus.
- c. For any site that has been identified as a potential location for a transit stop, a public ingress and egress easement shall be required to provide space for this stop.
- 4. Maintenance of items required by this section, including, but not limited to, sidewalks, transit shelters, benches, and lighting, shall be governed by the provisions of **Section 2.02.06** Guarantees and Sureties of this Code.

SECTION 6.03 ON-SITE PARKING AND LOADING STANDARDS

SECTION 6.03.01 GENERAL STANDARDS

- A. Parking standards for uses not listed specifically in this **Article**, shall meet the on-site vehicle, and bicycle, if applicable, parking requirements of the uses listed in this **Article** which are similar or as determined by the City Manager or their designee.

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- B. Outdoor Seating for Restaurants or Eating Places
 - 1. Any use proposing outdoor seating shall provide parking at a rate of 5025% of the regular parking requirement of the primary use for any area of outdoor seating or use in addition to any indoor seating or use requirement.
- C. For the purposes of this article, "boat parking spaces" may replace no more than 15% of required vehicular parking for non-commercial uses on properties zoned SHMU, CMU, and INST.
 - 1. New and pre-existing developments may substitute up to 15 percent of the total required vehicle parking spaces for nonresidential uses for boat parking spaces.
 - a. The spaces shall be located within the submerged land lease of the upland property associated with the upland property/use in question.
 - b. Any boat parking spaces used for substitution must have signage that clearly indicates they are for use for the associated upland property/use.
 - c. No commercial moorage, activity, or uses shall occupy any boat parking space utilized for upland parking reductions at any time.
 - d. Overnight docking is prohibited.
 - e. Residential uses do not qualify for this substitution of required vehicle parking spaces.
- D. Parking, loading, or accessway areas used or set aside for parking, loading, accessways or service and utility areas shall not be located within ten feet of the property line when such property line abuts single-dwelling, duplex, townhouse, or multi-dwelling uses.
- E. Multiple uses
 - 1. If there are multiple uses or accessory uses provided within a building or on a property or development additional parking shall be provided for those accessory uses at the rate of the requirements for such uses as required in the required parking regulations.
- F. Computation of vehicle and bicycle parking spaces
 - a. When the number of required vehicle or bicycle parking spaces results in a fractional space, the required number shall be rounded up to the next highest whole number.
- G. Landscaping for parking facilities. All on-site and on-street parking areas shall be landscaped in accordance with the landscaping and tree protection requirements per Article 6 and the Design Manual.
- H. Surface Materials
 - 1. The following materials may be utilized for parking and accessways in accordance with the Design Manual, however, all site parking and accessways shall meet minimum ADA, where required, and Fire Code standards.
 - a. Gravel
 - i. Designed to not be tracked off-site.
 - ii. Shall not be installed within the right-of-way.
 - b. Asphalt Pavement
 - c. Concrete
 - d. Paver systems
 - i. Within the right-of-way shall require a Hold Harmless Agreement
 - e. Other material as approved by the City Engineer.
- I. Maintenance of Parking Facilities

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1. All Parking facilities shall be maintained as long as the use exists that the facilities were designed to serve.
2. On-site, and on-street parking in the case of private rights-of-way, vehicle parking facilities shall:
 - a. Be well maintained
 - b. Be free of potholes, debris, weeds, broken curbs, and broken wheel stops
 - c. Be clearly striped, if paved
 - d. Have one wheel stop per space
 - e. Have all lighting in working condition

SECTION 6.03.02 VEHICLE PARKING STANDARDS

- A. The purpose and intent of this section is to require vehicular and bicycle parking facilities for all land uses in sufficient number, size, and arrangement to adequately meet the needs created by those land uses to:
 1. Alleviate or prevent the congestion of vehicle traffic on streets caused by a lack of adequate parking spaces.
 2. Promote general traffic and pedestrian safety by minimizing conflicts between moving and parking vehicles and vehicles and pedestrians.
- B. Parking facilities shall be provided for all development within the City pursuant to the requirements of this code and article.
- C. It shall be unlawful for any owner or operator of any building or land use affected by this code to cause or permit the discontinuance or reduction of required parking.
- D. No storage, waste facilities, maintenance of any equipment, parking of business/company vehicles, or other non-parking activities may occur within, block, or otherwise obstruct any required parking space, on or off-site.
- E. A property owner may establish alternative parking plans with a Shared Parking Agreement meeting the requirements of **Section 4.09.05** and are in compliance with this article and approved by the City Manager or their designee.
 1. If a parking agreement is part of a Development application, it shall be approved through the process the proposed development is running through per **Article 2**.
- F. ADA or handicapped parking spaces are required and shall be consistent with the requirements of the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and or **F.S. § 553.5041**, whichever requires more accessibility.
 1. Refer to the latest ADAAG addition regarding exceptions and additional requirements.
 2. ADA or handicapped parking shall be located on the same lot or parcel it is intended to serve.
 3. No ADA space can be located in an off-site parking lot.
 4. Even if a use utilizes public parking to meet the parking requirement, the same amount of ADA parking as would be required if the lot was on site, shall be provided for at the location of the proposed use.
- G. Only vehicles in operating condition shall occupy such spaces.
 1. Automotive vehicles, without current license plates, shall not be parked or stored on any residentially zoned property other than in enclosed buildings.

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2. No vehicle with "vehicle" signs may be parked in any required parking lot for the purposes of advertising.
- H. Location of On-site parking facilities. The following regulations shall apply to all development in the City which requires vehicle and bicycle parking:
- I. Location of vehicle parking. The on-site vehicle parking facilities required by this article shall be located on the same lot or parcel of land they are intended to serve.
 1. This requirement does not apply to those areas designated as Special Parking Districts as specified in this **Section 6.03.06 Off-Site Parking and Section 6.03.07 Special Parking Districts or as part of a Shared Parking Agreement per Section 6.03.05.**
 2. On-street vehicle parking shall be in accordance with **Section 6.03.06.**
- J. Additional parking spaces required for expansion of existing buildings, structures, commercial docks, marinas, and uses.
 1. Buildings, structures, docks, marinas or uses may be modernized, altered, or repaired, provided there is no increase in gross floor area or capacity, or ground area, without providing additional on-site and/or on-street vehicle parking spaces in accordance with this code.
 2. Where buildings, structures, docks, marinas, or uses are enlarged in gross floor area or capacity or ground area, on-site and/or on-street vehicle parking spaces, shall be brought into compliance with the vehicle parking space requirements for the entire building, structure, dock, marina, or use.
- K. Parking spaces required for multiple uses
 1. Where multiple uses or purposes exist on a parcel or lot, the parking space requirements for each use shall be calculated separately and the requirements combined for a single total number of parking spaces needed.
 - a. Shopping centers are based of gross floor area.
 2. The total number of parking spaces may be reduced by conducting a parking analysis as outlined in **Section 6.05.03 - Parking Agreements.**
- L. Tandem or end-to-end vehicle parking
 1. Nonresidential uses shall only be allowed **to utilize tandem** through an approved and recorded parking agreement per **Section 6.03.05**, and shall follow all the following requirements:
 - a. Shall include valet parking for all tandem spaces serving customers and patrons.
 1. Nonresidential uses without valet parking are prohibited from using tandem or end-to-end vehicle parking.
 - b. Tandem or end-to-end vehicle parking stalls shall not exceed more than three vehicle parking spaces placed end-to-end for nonresidential uses.
 - c. Each tandem or end-to-end vehicle parking stall shall have clearly designated pavement marking.
 - d. Signs shall be posted clearly designating which spaces are tandem and what entity the spaces are designated for.
 2. **Tandem Parking for Residential Uses may be allowed to use tandem parking that exceeds two vehicles end to end if the following criteria are met.**

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- a. A residential property, to include Short-term Rentals in residentially zoned districts, utilizing tandem parking exceeding more than two end-to-end vehicles in any configuration, it shall not include more than 1 column of end-to-end parking.
 - 1. The parking area for the tandem parking shall not exceed twelve feet (12') in width.
- b. Tandem parking is only allowed on one side of the residence.
- c. On Corner lots, the tandem parking shall not be placed between the ROW and the residence.
- d. This section shall not preclude a property from getting an accessway to the maximum width as identified in Section 6.02.04.M.2. to be able to park multiple vehicles across in one row side by side.
- e. Tandem parking shall be set back a minimum of one foot (1') from the property line, unless there is a recorded joint access agreement that meets the requirements of 6.02.04.J.3.
- f. Landscape/Open Space Protection
 - 1. Any property utilizing this parking configuration shall provide a landscaped/open space area between the ROW and the front of the residence.
 - (i) This area cannot include other buffers or setback areas.
 - 2. This area shall not be developed for any use other than landscaping or open space.
 - 3. The area required shall equal 50% of the total tandem vehicle parking area

SECTION 6.03.03 BICYCLE PARKING STANDARDS

- A. All uses, unless specified below, require a minimum of ten percent (10%) of the required vehicle parking spaces.
 - 1. Elementary, Middle, or High School (Public or Private)
 - a. 1 space per 9 students
 - 2. Post Secondary, professional trade training, or non-traditional university facilities
 - a. 1 space per 15 students
 - 3. Parks
 - a. 5 spaces
- B. Location:
 - 1. All bicycle parking shall be located within 20 feet of building entrances.
 - a. For sites with multiple land uses and/or multiple building entrances, bicycle parking shall be distributed between the various uses or entrances proportionate to the number of vehicle and bicycle parking spaces required of this Code.
 - 2. In highly visible well-lighted areas to minimize theft and vandalism and shall be at least as convenient as the majority of vehicle parking spaces provided.
 - 3. In a manner that shall not impede pedestrian or vehicular circulation,
- C. The design of bicycle parking shall be harmonious with their environment both in color and design and incorporated into building design or street furniture whenever possible.
- D. Bicycle parking facilities shall be provided consistent with the requirements of this code where buildings, structures, docks, marinas, or uses are enlarged in gross floor area, capacity, or ground area.

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- E. When the use of a building or land is changed, additional bicycle parking spaces shall be provided to the extent that the number of parking spaces required for the new use exceeds the number of parking spaces required for the previous use.

SECTION 6.03.04 STACKING AND LOADING STANDARDS

- A. Facilities that provide a drop-off or drive-through facility shall provide a minimum stacking lane capacity for five (5) vehicles before the menu board, drop-off area, or other similar facility.
- B. Loading and stacking areas shall provide clear ingress and egress.
- C. No more than thirty percent (30%) of the total required number of parking spaces or five (5) parking spaces, whichever is less, when placed in a stacking lane, may be credited to the required number of off-street parking spaces.
- D. A stacking lane space shall be ten feet (10') wide by twenty-two feet (22') deep.

SECTION 6.03.05 PARKING AGREEMENTS AND REDUCTIONS

- A. The following may be used to reduce the number of required on-site vehicle parking spaces for a development.
- B. All parking agreements and studies shall be reviewed as part of a Development Order.
 - 1. If no Development Order exist for a property, or if the parking agreement is not part of a Development Order application, the appropriate Development Order process as Identified in **Article 2**, shall be followed in the context of the proposed parking agreement.
- C. Parking Agreement
 - 1. All parking agreements shall include at a minimum:
 - a. The details of all proposed parking reductions
 - b. Parking lot layout of both on-site and of site facilities, if applicable
 - 2. Any parking agreement shall be recorded against the property and shall be valid until:
 - a. the uses specified in the agreement cease
 - b. both parties agree to nullify the agreement
- D. Parking Study
 - 1. The vehicle and/or bicycle parking space study shall include at a minimum, but not be limited to, the following:
 - a. Estimates of vehicle and/or bicycle parking requirements based on recommendations in studies such as the:
 - b. Urban Land Institute (ULI),
 - c. Institute of Transportation Engineers (ITE),
 - d. Traffic Institute,
 - e. Estimates shall be based on data collected from uses or combinations of uses which are the same or comparable to the proposed use.
 - i. Comparability shall be determined by
 - (a) Density/intensity,
 - (b) Scale,
 - (c) Bulk,
 - (d) Area
 - (e) Type of activity
 - (f) Location.

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- ii. The study shall document the source of data used to develop recommendations.
 - f. An analysis of the extent to which the study's recommendation will lessen the loading space requirement for the development.
 - g. Whether or not the impact will have a negative impact on the purpose of providing the required number of parking spaces as specified in this Article: Number of on-site loading spaces required.
 - i. In no case shall a parking study or agreement be approved which would allow for anything less than one loading space.
 - h. If off-site parking is included in the study, the following shall be included in the study.
 - i. Identification of an ADA accessible pedestrian route from the off-site parking area to the primary property.
 - (a) The route shall not exceed more than one half mile (2,640 feet) from ADA access point at the property line for both properties.
 - (b) If this network does not exist, the network shall be constructed and coordinated with the City Engineering Division.
 - ii. Impact to pedestrian network to include but not limited to:
 - (a) Pedestrian signal phasing adjustment recommendations to US Hwy 98
 - (b) Identification of deficiencies of both primary and secondary pedestrian way not in compliance with existing City Code and design regulations
- 2. An applicant may submit for the City's review a parking study for uses not listed in any use table of this Article if they are not satisfied with the City's application of the vehicle and/or bicycle parking space standard for the most similar or appropriate use listed.
 - a. Said vehicle and/or bicycle parking space study shall be submitted in conjunction with a Development Order.
 - b. If no Development Order exists for the property, or if the parking agreement is not part of a Development Order application, the appropriate Development Order process as identified in **Article 2**, shall be followed in the context of the proposed parking agreement.
- E. Valet parking.
 - 1. Any proposed valet parking shall require a Parking Agreement.
 - 2. Shall only be used to provide up to 50 percent of the total required number of parking spaces
 - 3. If the proposed valet parking agreement also includes a reduction in parking, a parking study shall be submitted for review.
 - 4. All required ADA spaces shall be located on-site and in compliance with all federal, state, and local ADA regulations.
 - 5. The parking area where the valet parking spaces are located can be on-site or off-site, provided the off-site parking area is located in accordance with the requirements of **Section 4.09.07**.
 - 6. The valet parking attendants may utilize tandem or end-to-end parking stalls to park vehicles
 - a. Tandem parking stalls shall not accommodate more than three cars parked end-to-end.
 - b. This parking arrangement shall only be used for the following uses, as listed in Table 8-6: Bicycle and Vehicle Parking Standards: 721110 Hotels and motels, 721191 Bed-and-breakfast inns, 721199 Other traveler accommodations, 7213 Rooming and boarding houses, 722110 Full-service restaurants, 7224 Drinking places, alcoholic beverages, and 713930.c Fare-carrying vessels.

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7. Requirements and contents of valet parking agreement
 - a. Permission for such valet parking shall be by a valet parking agreement which has been submitted, reviewed, and approved by the City prior to being recorded in the public records of Okaloosa County, Florida.
 - b. Said valet parking agreement shall be deemed a covenant running with the land and shall at a minimum contain the following provisions:
 - i. A detailed site plan of the proposed valet parking operation which shall include, but not be limited to:
 - (a) The proposed pick-up/drop-off area parking
 - (b) The location of valet parking spaces
 - (c) The total capacity of the valet parking facility
 - ii. A written detailed valet parking operations plan, including:
 - (a) Hours and days of operations
 - (b) Routes to and from the parking area(s)
 - (c) The minimum number of valet parking attendants
 - (d) Location and design of the proposed "valet" parking sign.
 - iii. A statement from the owner or other authorized agent indicating their understanding that they will be committing a penal offense to cause or permit such valet parking area to be operated or used without providing the services of attendants.
 - iv. A statement from the owner or other authorized agent indicating their understanding that the valet parking agreement is a covenant running with the land and that it cannot be amended without the consent of the City.
 - c. After the valet parking area has been constructed, inspected and approved by the City, it shall be a penal offense by the owner or operator of such building to cause or permit such parking area to be operated or used without providing the services of attendants, provided that if the area wherein the building is constructed pursuant hereto is subsequently included in an area declared exempt from the requirements of this section, the building may take advantage of this exception and use the area set aside for on-site parking for any permissible use under the zoning for the applicable district, and the City will execute a recordable release to evidence the release of such on-site parking restrictions. Violations of this section shall be subject to the general penalty provisions of section 1-9 of the Code of Ordinances. Each day that such attendant service is not provided for and maintained shall be a new offense.
 - d. In the event any building in existence or under construction can qualify for the use of valet parking under the requirements in this Article, then the required off-street parking for such building may be modified accordingly.
- F. Parking Reduction for Preservation of protected trees
 1. The City Manager or their designee shall authorize a reduction in the total number of required vehicle parking spaces for the preservation of native protected trees provided the applicant meets the following provisions:
 - a. The site plan shall be approved by a licensed arborist to ensure the site is being developed in a manner that will protect and maintain the tree(s).
 - b. The preservation of a protected tree with a trunk of 12 inches in diameter or greater.

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- c. The reduction in the total number of required vehicle parking spaces will prevent the removal of a protected tree that is located within the area of the site designated as a vehicular use area. The following reduction schedule listed in Table 8-7: Vehicle parking space reduction schedule for preservation of protected trees shall apply:

VEHICLE PARKING SPACE REDUCTION SCHEDULE FOR PRESERVATION OF PROTECTED TREES	
Number of Required Vehicle Parking Spaces	Reduction of Required Vehicle Parking Spaces Allowable
1-4	0
5-9	1
10-19	2
20 or above	10% of total number of spaces (total reduction regardless of number of trees preserved)

2. The actual reduction in the total number of vehicle parking spaces shall be the minimum number of spaces needed to preserve the protected tree(s). Should the protected tree(s) die, then the property owner shall be required to replant a new tree(s) of the same species, or the planting area shall be converted to a parking area.
3. The parking area reduction used for the preservation of protected trees shall not be counted as part of the minimum required open space per the applicable zoning district.

TABLE 6.03-1 Tree Preservation & Parking Reduction		
Tree Species	Tree width	Requirement/Reduction
Oak Magnolia	0-12"	Can be removed and do not have to be replaced
	12"+	Trees shall be maintained on-site and parking reduction granted only for the site of the tree.
All other tree species	0-12"	Can be removed and do not have to be replaced
	12"-24"	Trees can be removed but must be replaced elsewhere on-site.
	24"+	Trees shall be maintained on-site and parking reduction granted only for the site of the tree.

SECTION 6.03.06 OFF-SITE PARKING

- A. The City Council may designate Special Parking Districts as listed in Section 6.03.07. where off-site vehicle parking facilities may be provided by the City or private enterprises, thus lessening the demand for on-site vehicle parking.
- B. The following provisions apply to all developments that desire to take advantage of off-site vehicle parking facilities:
1. Nonresidential and short-term residential uses are the only uses that are allowed to take advantage of having required vehicle parking spaces located off-site.
 2. Those portions of a mixed-use development that contain long-term residential uses, as defined in Comprehensive Plan, are required to have all required parking spaces located on-site.
 3. All required handicap parking spaces and loading spaces for all developments are not allowed to be located off-site and must be provided for on-site.

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- C. Maximum distance:
 - 1. The maximum distance for off-site parking facilities allowed is one-half mile (½ mi.) or 2,640 feet.
 - a. The measurement of this shall be measured starting at the front or main entrance of the property to the furthest point of any location along the property line of the off-site parking facility and along the nearest pedestrian network.
 - b. If a pedestrian network does not exist or is missing elements or sections, the developer, owner or applicant requesting the off-site parking shall be responsible for developing or completing the pedestrian network.
 - c. If any portion of the network is out of compliance with the Americans with Disabilities Act at the time of permitting, the affected pedestrian network shall be brought into compliance.
- D. Off-site or On-street public parking facilities.
 - 1. For development proposed in the Special Parking Districts per Section 6.03.07., that wish to take advantage of City owned and maintained parking lots/garages, the City Manager or their designee may allow the developer to pay an in-lieu parking fee instead of providing the spaces required by this article.
 - 2. The fee shall be a one-time, nonrefundable fee per parking space avoided, paid to the City prior to the issuance of a certificate of occupancy.
 - 3. The fee shall be determined by the City Council and shall be equal to the land acquisition, construction, and maintenance costs of parking spaces that are deferred by this provision.
 - 4. The City shall use these fees solely for the purchase, construction, operation and maintenance of public parking facilities serving the area of the development.
 - 5. The City Council may, at the time of accepting the fee, enter into an agreement with the developer to construct or provide parking facilities.
- E. Until such time as the City has acquired sites(s) for public parking as generally identified in the Harbor CRA Plan, the City shall annually review the parking standards pertaining to the uses within the Special Parking Districts per Section 4.09.07 to determine the adequacy of those parking requirements.
- F. Off-site private parking facilities.
 - 1. For development proposed in these districts that wish to take advantage of privately owned and maintained parking garages or surface parking lots, such parking spaces must be under the ownership or common control of the property owner proposing to place required parking spaces off-site in order to meet the parking requirement for that property.
 - 2. The ownership or common control of the parking spaces may be in the form of simple fee ownership or long-term lease (30 years or more).
- G. Off-site shared parking.
 - 1. A reduction in the number of required on-site parking spaces shall be allowed when shared parking is provided by a separate, neighboring development through a shared parking agreement.
 - 2. A shared parking analysis shall be submitted in accordance with the standards in Section 4.09.05 and must demonstrate that the shared parking spaces on the neighboring site will be available during the times during which the parking demand is in excess of the on-site parking supply.

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3. Direct and continuous sidewalks and crosswalks shall be constructed between the off-site shared parking area and a primary on-site building entrance.
 - a. The applicant shall enter into a shared parking agreement with the owner(s) of the adjacent parcel(s) prior to the approval of the development order application.
 - b. The shared parking agreement must be submitted, reviewed, and approved by the City prior to the approval of the development order application.
 - c. Said shared parking agreement shall be recorded in the public records of Okaloosa County, Florida, prior to the issuance of any building permit.
 - d. Additionally, the shared parking agreement cannot be considered null and void until the property owner who needs the parking has secured required parking either on their site or an alternative site, which must be subject to a new shared parking agreement.
 - e. The parking accessway agreement shall be deemed a covenant running with the land and shall at a minimum contain the following provisions:
- H. A detailed site plan which at a minimum shall consist of the following: property boundary lines, adjacent right-of-way, the shared parking area, and the number of spaces that will be provided to the applicant, adjacent improvements, sidewalks, landscaped areas, drainage swales.
- I. A written statement indicating who is entitled to use and maintenance of the shared parking.
- J. A statement from each of the owners of the property who are parties to this agreement, president, in the case of a corporation, or managing member, in the case of a limited liability company, indicating their understanding that they will be committing a penal offense to cause or permit such shared parking area to become inoperable by either party either through the erection of a physical barrier, neglecting maintenance for said area or other means.
- K. A statement from each of the owners of the property who are parties to this agreement, president, in the case of a corporation, or managing member, in the case of a limited liability company, indicating their understanding that the shared parking agreement is a covenant running with the land and that it cannot be amended without the consent of the City.

SECTION 6.03.07 SPECIAL PARKING DISTRICTS

- A. Off-site parking districts. The following off-site parking districts are hereby established:
 1. Harbor Area Parking District
 - a. The Harbor Area Parking District encompasses all land designated as CMU, CTS, NHMU, and SHMU on the zoning map.
 - b. All off-site parking garages or surface parking lots used to satisfy on-site parking requirements for non-residential uses in the CMU, CTS, NHMU, and SHMU zoning districts shall be located in the CMU, CTS, NHMU, or SHMU zoning district and must be located as required in Section 6.03.06 of this Article, within one thousand two hundred feet (1,200') of the property for which the off-site surface parking lot or garage serves.
 1. The measurement of one thousand two hundred feet (1,200') shall be from primary building entrance of the subject property to property line of the parking facility.
 2. The offsite parking shall also meet the regulations in Section 6.03.06.C. for pedestrian accessway distances.
 2. Town Center Parking District.

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- a. The Town Center Parking District encompasses all land designated as TCMU on the zoning map.
 - b. All off-site parking garages or surface parking lots used to satisfy on-site parking requirements for non-residential uses in the TCMU zoning district shall be located as required in Section 6.03.06 of this Article, within one-thousand two hundred feet (1,200') of the property for which the off-site surface parking lot or garage serves.
 1. The measurement of one-thousand two hundred feet (1,200') shall be from primary building entrance of the subject property to property line of the parking facility.
 2. The offsite parking shall also meet the regulations in Section 6.03.06.C. for pedestrian accessway distances.
3. Institutional Parking Districts.
 - a. Institutional Parking Districts encompass all land designated as INST on the zoning map.
 - b. All off-site parking garages or surface parking lots used to satisfy on-site parking requirements for uses located on property designated Institutional on the zoning map must be located within one-hundred and fifty feet (150') of the property for which the off-site surface parking lot or garage serves.
 1. The measurement of one-hundred and fifty feet (150') shall be from property line to property line.
 2. The offsite parking shall also meet the regulations in **Section 6.03.06.C** for pedestrian accessway distances.
 4. Crystal Beach Parking District.
 - a. The Crystal Beach Parking District encompasses all land designated as Crystal Beach Neighborhood (CBN) or Crystal Beach Resort (CBR) on the zoning map.
 - b. All off-site parking garages or surface parking lots used to satisfy on-site parking requirements for uses located on property designated CBN or CBR on the zoning map must be located within one-hundred and fifty feet (150') of the property for which the off-site surface parking lot or garage serves.
 1. The measurement of one-hundred and fifty feet (150') shall be from property line to property line.
 2. The offsite parking shall also meet the regulations in **Section 6.03.06.C** for pedestrian accessway distances.
 - c. Short-term Rentals or Seasonal Rentals shall not be allowed to utilize off-site parking within the Crystal Beach parking district.

SECTION 6.03.08 ON-SITE LOADING STANDARDS

- A. All on-site loading spaces shall be provided for pursuant to the requirements of this Code and the City of Destin Design Manual.
- B. The on-site loading spaces shall be maintained as long as the use exists that the facilities were designed to serve.
- C. Only vehicles making deliveries shall occupy such spaces.
- D. It shall be unlawful for any owner or operator of any building or land use affected by the Code to cause or permit the discontinuance or reduction of required loading spaces without the

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establishment of alternative loading spaces which meet the requirements of and comply with this article and also approved by the City Manager or their designee.

- E. Loading spaces required for all development.
1. On-site loading spaces shall be provided for all development within the City pursuant to the requirements indicated in this Article.
 2. Loading spaces shall be maintained as long as the use exists that the spaces were designed to serve.
 3. Loading spaces shall not be used as a parking space, for the storage of vehicles or materials or for meeting parking requirements.
 4. Loading spaces shall only be used by vehicles that are loading or unloading items that the occupant of the building, structure, or land requires delivery or pick-up.
 5. It shall be unlawful for any owner or operator of any building, structure, or land use affected by the Code to cause or permit the discontinuance or reduction of required loading spaces without the establishment of alternative loading spaces which meet the requirements of and are in compliance with this article and approved by the City Manager or their designee.
 6. Single-dwelling detached, duplex and townhome dwellings are expressly exempt from providing loading spaces.
- F. Location of on-site loading spaces.
1. The on-site loading spaces required by this section shall be located on the same lot or parcel of land they are intended to serve.
 2. In no case shall the location of any required loading space not be located on the same lot or parcel it is intended to serve.
 3. Loading spaces shall be located in such a manner as to provide the simplest and most convenient means of loading and unloading material or goods to the building, structure, or lot it is intended to serve.
- G. As set forth below in the table, and **Article 4**, all lots or parcels are required to meet at least the minimum requirements for the specific use or uses, which may have multiple applications to a particular parcel.
1. Uses not specifically mentioned in **Article 4** or below shall meet the loading space requirements for the use that is most similar, comparable, or compatible, as determined by the City Manager or their designee.

TABLE 6.03-2 Number Of On-Site Loading Spaces Required	
Use	Loading Spaces Required
Schools, hospitals, nursing homes, and other similar institutional uses and mid and high rise residential	1 space for the first 100,000 sq. ft. of gross floor area or fraction thereof and one space for each additional 100,000 sq. ft. or fraction thereof
Auditoriums, gymnasiums, stadiums, theaters, convention centers and other buildings for public assembly	1 space for the first 20,000 sq. ft. of gross floor area or fraction thereof and 1 space for each additional 100,000 sq. ft. or fraction thereof
Offices and financial institutions	1 space for the first 75,000 sq. ft. of gross floor area or fraction thereof and 1 space for each additional 25,000 sq. ft. or fraction thereof

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Retail commercial, service, road service, and commercial entertainment	1 space for the first 10,000 sq. ft. of gross floor area or fraction thereof and 1 space for each additional 20,000 sq. ft. or fraction thereof
Industrial uses	1 space for every 10,000 sq. ft. of gross floor area or fraction thereof

- H. Loading space study.
1. If an applicant is proposing a use that is not listed in Paragraph G. and is not satisfied with the City's application of the loading space standard that is most similar or compatible to the use in question, then the applicant may submit to the City Manager or their designee a loading space study to determine the actual number of loading spaces needed for the proposed use.
 2. Said loading space study shall be submitted in writing to the City Manager or their designee who shall review the study and give a written determination to the applicant as to whether said study is approved or disapproved.
 3. The loading space study shall include, but not be limited to the following:
 - a. Estimates of loading space requirements based on recommendations in studies such as those from the Urban Land Institute (ULI), Institute of Transportation Engineers (ITE), or the Traffic Institute, and based on data collected from uses or combinations of uses which are the same or comparable to the proposed use. Comparability shall be determined by density, scale, bulk, area, type of activity, and location. The study shall document the source of data used to develop the recommendations.
 - b. An analysis of the extent to which the study's recommendation will lessen the loading space requirement for the development and whether or not the impact will have a negative impact on the purpose of providing the required number of loading spaces as specified in **Table 6.03-2**. NOTE: In no case shall a study be approved which would allow for a use listed in **Table 6.03-2** to not have at least one loading space.
- I. Additional loading spaces required for expansion of existing buildings, structures, commercial docks, marinas, and uses.
1. Buildings, structures, docks, marinas or uses may be modernized, altered, or repaired, provided there is no increase in gross floor area or capacity, or ground area, without providing additional on-site loading spaces in accordance with this Code.
 2. Where buildings, structures, docks, marinas, or uses are enlarged in gross floor area or capacity or ground area, on-site loading spaces, as specified herein, shall be brought into compliance with the loading space requirements for the entire building, structure, dock, marina, or use.
- J. Additional loading spaces required for a change of use.
1. When the use of a building or land is changed, additional on-site loading facilities shall be provided to the extent that the number of loading spaces required for the new use exceeds the number of loading spaces required for the previous use.
- K. Loading spaces required for multiple uses.
1. Where multiple uses or purposes exist on a parcel or lot, the loading space requirements for each use shall be calculated separately and the requirements combined for a single total number of loading spaces needed, except for shopping centers.

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SECTION 6.04 UTILITIES

SECTION 6.04.01 GENERAL

- A. The developer shall place all utilities underground and shall observe minimum setbacks as required by utility companies or regulatory agencies.
- B. All utilities shall be placed within a right-of-way or within a designated easement.
- C. All utilities shall be placed outside of pedestrian facilities and roadways as practical.
- D. Any utilities within a sidewalk or crosswalk shall be flush mounted and meet applicable ADA requirements.
- E. All out of service utilities shall be grouted in place as necessary or removed as determined by the City Engineer and shall remain the utility owner's responsibility to maintain records of abandoned facilities.
- F. Utility Main and Conduit Lines
 - 1. All undergrounded utilities shall be a minimum of thirty-six inches (36") below finished grade.
 - 2. All utilities shall go no deeper than is necessary based on minimum separation requirements for installation by open trench.
 - 3. Directional drilling shall meet all FDOT specifications.
- G. Utility Service and Lateral Lines
 - 1. All service and lateral utility lines shall be a minimum of twelve inches (12") below finished grade.
 - 2. In the event of a service or lateral line in vicinity of a stormwater or drainage utility, the utility lines shall be twenty-four inches (24") below the finish grade of the stormwater or drainage utility.
- H. All methods of installation other than directional drilling or open trenching shall be approved by the City Engineer.
- I. All above and below ground utility work shall be conducted by a licensed contractor.

SECTION 6.04.02 SEWER

- A. Wastewater treatment in Destin is provided by private entities.
- B. The developer shall connect to the nearest sanitary sewer system provided by the utility company.
- C. All new sewer systems shall utilize gravity mains and connections.
 - 1. No non gravity systems are allowed for new subdivisions.
 - a. If a gravity system is not feasible, the designer of record shall submit designs for review to the City Engineer and the sewer provider for approval during the development or permitting process which ever is applicable.
 - b. The designs shall provide the following:
 - 1. A narrative explaining why a gravity system is not feasible.
 - 2. A design showing how the proposed design will tie into the sewer system.
 - 3. A maintenance and operations plan for the system for each individual lot shall be recorded through Okaloosa County in the Official Public Records.
- D. All proposed grinder stations shall require a backup generator as well.
- E. Sewer and stormwater infrastructure shall not be combined within the city.

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- F. The following measures on the part of the City are intended to conserve the capacity of the treatment facility.
1. Use of treated wastewater for irrigation shall be utilized when the infrastructure is in place and available.
 2. The City shall require that all septic tank users connect to the central sewer system within one year of sewer availability.
 - a. Prior to taking action to enforce compliance with this Code, the City shall after one year has elapsed notify the property owner(s) in question by registered mail stating the delinquency and providing a grace period of no more than 60 days in which to comply with this Code.
 - b. If connections are not voluntarily made to a central sewer system before the end of the grace period, the City shall use its regulatory powers to enforce compliance. This may take the form of any one or more of the following steps:
 1. Inspection of all properties not in compliance shall occur upon the sale or resale of the property or upon the disconnection of power to the property as the result of a change in occupancy. As part of the minimum standards inspection performed by the building inspector, connection to an available central system shall be required before the property is approved for occupancy.
 2. Permits for property improvement or alteration shall be withheld until compliance with this Code is achieved.
 3. The City shall coordinate with the private utility companies to maintain a listing of the addresses of all properties not in compliance with this Code and shall provide copies to all persons or agencies requesting same.
 4. Upon receipt of evidence by the building inspector that appropriate fees have been paid to accomplish taps to a central sewage system, any penalties or restrictions affecting the property pertinent to septic tank use shall be removed by the City.

SECTION 6.04.03 WATER

- A. Potable water in Destin is provided by private entities.
- B. The City's Comprehensive Plan encourages the protection and conservation of the City's potable water resources through the following actions.
 1. Backflow prevention assemblies shall be utilized to protect the public system from contamination caused by back pressure or back-siphonage.
 2. Cross connections of water lines from private wells or reclaimed water to public water supply lines shall be prohibited.
- C. The Northwest Florida Water Management District Water Supply Plan is incorporated into this Code by reference.
- D. Rule 40A-2 Florida Administrative Code (FAC), is incorporated in this Code by reference.

SECTION 6.04.04 PRIVATE IRRIGATION WELLS

- A. The Northwest Florida Water Management District issues consumptive use permits for wells drawing water from the Florida [Floridan] Aquifer which meet certain withdrawal thresholds. In order to determine whether to allow the proposed withdrawal, NFWFMD staff must determine the impact of the well on adjacent property owners and the water resource. Rules generally state that the withdrawal of water from a well:

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1. Must not cause the level of the potentiometric surface under lands not owned, leased or otherwise controlled by the applicant to be lowered more than five feet;
 2. Must not cause the level of the water table under lands not owned, leased or otherwise controlled by the applicant to be lowered more than three feet;
 3. Must not cause the level of the surface of water in any lake or other impoundment to be lowered more than one foot; and
 4. Must not cause the potentiometric surface to be lowered below sea level (rule 40D-2.301(3), FAC).
 5. These regulations use the drawdown depth means of determining the impact on water resources since the quantity of consumptive use is the primary concern.
 - 6.
- B. Shallow wells which draw water from the sand-and-gravel aquifer shall be used for irrigation purposes only.
1. Sand-and-gravel wells may not be located within 25 feet of another shallow well.

SECTION 6.04.05 SOLID WASTE AND RECYCLING

- A. Solid waste and recycling services are provided through the City's franchise agreement with the chosen solid waste provider.
- B. All development shall provide for the appropriate facilities for amount of solid waste and recyclable products produced by the land uses within the development.
1. Non-residential developments, to include multi-dwelling developments, shall not utilize residential roller style waste bins.
- C. All solid waste and recycling facilities shall;
1. Be located on private property and not allowed within any right-of-way. A variance cannot be requested to place any waste facility within the right-of-way.
 2. All pick-up and dumping access of solid waste and recycling facilities shall occur on private property and not within any right-of-way for multi-dwelling and non-residential uses.
 3. Be in compliance with the Design Manual
 4. Not be blocked by or located in front or behind any parking or loading spaces.
 5. All solid waste and recycling facilities shall be screened by 100% opaque screening material and meet the requirements of the Design Manual.
- D. Oil, grease, paint, products shall not be commingled with ordinary household solid waste.
1. Used motor oil shall be taken to oil collection centers or picked up by a collection service.
- E. Setbacks:
1. Front: Setback enough to meet all requirements in paragraph C above
 2. Side & Rear:
 - a. Adjacent to residential or duplex use: ten feet (10')
 - b. Adjacent to multifamily or non residential use five feet (5')

SECTION 6.04.06 NON-RESIDENTIAL DEVELOPMENT STORMWATER REQUIREMENTS

- A. The purpose of this section is to protect water quality and control ground erosion on non-residential developments by containing the maximum volume of stormwater runoff possible on the development site. The City encourages use of semi-pervious surfaces such as, shell, gravel, crushed stone, decks or pavers to reduce runoff and increase percolation, which enhances stormwater treatment.

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- B. All development, shall provide sufficient stormwater collection, retention, or detention facilities on-site, unless the property has rights to stormwater facilities off-site.
- C. A stormwater plan shall be submitted to the City for all non-residential projects that add impervious area or modify pervious area whether City Council approval is required or not.
- D. All stormwater management plans submitted pursuant to this code shall conform to the standards and provide all the information as detailed in the Design Manual.
- E. All stormwater collection, retentions, or detention facilities shall be maintained for the life of the development and can only be changed through a permit submitted to Community Development for compliance review against the regulations of the Land Development Code and the Comprehensive Plan.
- F. The stormwater system shall be based upon the facilities necessary to dispose of runoff according to the recurrence frequencies listed below.
 - 1. Drainage basin with an outfall: one inch (1") of rainfall over the entire site, or 25 year-24-hour storm event, whichever is greater.
 - 2. Drainage basin without an outfall: 100 year-96-hour storm event.
 - 3. The site post discharge rate shall not exceed pre-development discharge rate.
- G. Rainfall data shall be obtained from the state department of transportation's rainfall curves, or other approved agencies.
- H. All stormwater systems shall treat runoff prior to any off-site discharge.
- I. Stormwater System Master Plans
 - 1. Refer to Design Manual for minimum design standards.
 - 2. A complete ~~drainage~~ stormwater system master plan shall be submitted by the developer and approved by the City Engineer.
 - 3. Stormwater system plans shall demonstrate the capability of the system to collect, control, treat, and dispose of stormwater runoff.
 - 4. The stormwater system plan shall include the following, as needed:
 - a. Aqueducts
 - b. Catch basins
 - c. Green belt or other natural vegetated open space, etc.
 - d. Headwalls
 - e. Inlets
 - f. Manholes
 - g. Pipes
 - h. Settling basins
 - i. Stormwater calculations used in the design
 - j. Street grades
 - k. Topography
 - l. Other significant details deemed necessary by the City Engineer.
 - 5. Open Channels and Outfall Ditches
 - a. Design shall be provided so channels and ditches shall not overflow their banks for a 3 year-1 hour storm event; where flow velocities exceed two feet per second, ditch pavement or other permanent protection against scour shall be provided.

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- b. All ditches not protected with a permanent material shall be sodded to provide an erosion resistant embankment.
- c. Ensure the down stream system(s) shall not be overwhelmed or inundated.

SECTION 6.04.07 RESIDENTIAL DEVELOPEMENT STORMWATER REQUIREMENTS

- A. The purpose of this section is to protect water quality and control ground erosion on residential developments by containing the maximum volume of stormwater runoff possible on the development site. The City encourages use of semi-pervious surfaces such as, shell, gravel, crushed stone, decks or pavers to reduce runoff and increase percolation, which enhances stormwater treatment.
- B. For single-dwelling and Duplex developments the sotrmwater requirements of this section apply.
 - 1. All residential development that is not a single-dwelling or duplex development shall follow the requirements listed in Section 6.04.01. above.
- C. A stormwater plan shall be submitted to the City for all residential projects that add impervious area or modify pervious area whether City Council approval is required or not.
- D. All stormwater management plans submitted pursuant to this code shall conform to the standards and provide all the information as detailed in the Design Manual.
- E. All stormwater collection, retentions, or detention facilities shall be maintained for the life of the development and can only ve changed through a permit submitted to Community Development for compliance review against the regulations of the Land Development Code and the Comprehensive Plan.
- F. Single-dwelling and Duplex Stormwater Table
 - 1. Use the following Single-dwelling Stormwater Table if the following criteria are applicable:
 - a. Single-dwelling/Duplex lot 1 acre or less
 - b. A percolation rate of 10"/hour or greater can be achieved with the native soils
 - c. The maximum depth of the stormwater system is 18".

<i>Stormwater percentage capture requirement</i>	
55% or less Impervious	1.6" over the site
55.1 - 65% Impervious	1.8" over the site
65.1 - 75% Impervious	2.0" over the site

- G. A professional engineer can be used in-lieu of the table using one of the following minimum requirements, whichever is greater:
 - 1. 1" over the entire site
 - 2. 25yr/24hr storm event
- H. A professional enginner is required to design residential stormwater systems if any of the following conditions exist or apply:
 - 1. Native soil has a lower percolation rate than the minimum required
 - 2. A sub-surface stormwater system is proposed
 - 3. The groundwater table needs to be verified via a geotechnical report
 - 4. The overall site/development contains minimal impervious
 - 5. Maximize efficiency in design to maximize development potential

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6. The site is over one acre in size
- I. The City, at its discretion, may accept maintenance of certain stormwater management systems which benefit portions of the City. The acceptance of any stormwater management system by the City shall require approval of the City Council, after receiving the recommendation of the City Manager's designee. All areas and structures to be maintained by the City must be dedicated to the City by plat or separate instrument and accepted by the City Council. All systems to be dedicated to the City shall be maintained by the owner for a minimum of one year from completion of construction and acceptance by the City. The systems to be maintained by the owner shall have adequate easements to permit the City to inspect and, if necessary, to take corrective action should the owner fail to properly maintain the system. Should an owner fail to properly maintain his system, the City shall give written notice to the owner stating the nature of the discrepancy and the recommended action necessary to correct the discrepancy. Should the owner fail, within 30 days from the date of the notice, to take corrective action satisfactory to the City, the City may enter upon such lands and take such action necessary to correct the discrepancy and place a lien on the property of the owner for the costs thereon.

SECTION 6.05 LIGHTING

SECTION 6.05.01 GENERAL SITE LIGHTING REGULATIONS

- A. All non-residential and multi-dwelling developments shall provide site lighting in accordance with this Code and the Design Manual.
- B. Off-site Illumination
 1. Unless otherwise specified elsewhere in this Code, the maximum light level shall be:
 - a. Zero point two (0.2) maintained foot candles at any property line on a residential use area, or on a lot occupied by a dwelling, congregate care or congregate living structure.
 - b. Five (5) maintained foot candles at all street rights-of-way.
- C. Measurement of Lighting
 1. Light levels are specified, calculated and measured in foot candles (FC).
 2. All FC values listed are maintained foot candles.
 3. Light level measurements shall be made at the property line of the property upon which the light to be measured is being generated.
 4. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the public street right-of-way that adjoins the property of the complainant or at any other location on the property of the complainant.
 5. Measurements shall be made at finished grade (ground level), with the light-registering portion of the meter held parallel to the ground pointing up.
 6. The meter shall have cosine and color correction and have an accuracy tolerance of no greater than plus or minus five percent.
 7. Measurements shall be taken by a Code Enforcement Officer or other designated City Staff with a light meter that has been calibrated within the year.

SECTION 6.05.02 SITE LIGHTING STANDARDS

- A. General standards for non-residential and multi-dwelling site lighting
 1. All parking areas serving the public or users of a non-residential and multi-dwelling developments shall provide site lighting across all parking and pedestrian areas.
 - a. Maximum fc:

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- i. Non-residential no brighter than 3.2fc
 - ii. Residential no brighter than 1.8fc
 - iii. Fueling stations no brighter than 22fc
 - (a) Lighting shall be shielded in a way that the light source is not visible while standing at the property line.
- b. Lighting level shall be a minimum of zero point two footcandles (0.2fc) at ground level.
2. In no instance shall a light be utilized in a manner to project skyward, except as allowed by **Sections 6.05.03 and 6.05.05.B.**
3. All light fixtures shall meet the Illuminating Engineering Society of North America (IESNA) definition of cutoff fixtures, and:
 - a. Prohibit upward-directed light
 - b. All lighting requires shields to avoid and minimize glare and the light source shall not be visible while standing at the property line at a height of four feet (4') of height.
 - c. All sights shall utilize only the amount of lighting required to avoid and minimize over-lighting
 - d. Utilize dimming and other appropriate lighting controls
 - e. No site lighting shall exceed 5,000K temperature to minimize short-wavelength (bluish) light in the nighttime environment.
4. Directional fixtures (such as flood lights) may be used provided they shall be aimed and shielded in accordance with this ordinance.
5. Other than flood lights, all outdoor area and parking lot lighting fixtures generating more than 2,000 lumens shall be cutoff fixtures, or comply with at least one of the exception provisions in **Paragraph 9.** below.
6. For all new development and redevelopment, the mounting height of all outdoor lighting, except outdoor sports field lighting and outdoor performance area lighting, shall not exceed;
 - a. Sixteen feet (16') above finished grade in residentially zoned areas and in pedestrian use areas; and shall be mounted as low as possible
 - b. Thirty feet (30') above finished grade in nonresidential areas.
7. Electrical service for all new outdoor lighting shall be installed underground.
8. No operation or activity shall produce glare in excess of the amounts permitted below.
 - a. All commercial and manufacturing districts site lighting shall not glare or bleed onto;
 - i. Single-dwelling, duplex, or multi-dwelling, congregate care or congregate living structure development at a level of more than zero point two footcandles (0.2fc) at the property line.
 - ii. Public or private ROW at a level of more than five footcandle (5fc) at the ROW line
 - (a) Flood lights and display lights shall be positioned so that any such fixture located within 50 feet of a public street right-of-way is mounted and aimed perpendicular to the right-of-way, with a side-to-side horizontal aiming tolerance not to exceed 15 degrees from perpendicular to the right-of-way.
 - b. All vertically mounted directional lights (floodlights and spotlights) shall be installed so that either;
 - i. The fixture is aimed down at least 45 degrees from vertical
 - ii. The front of the fixture is shielded so that no portion of the light bulb extends below the bottom edge of an external shield.
 - c. All horizontally mounted directional lights (floodlights and spotlights) emitting 1,000 or more lumens shall be aimed at least 60 degrees down from horizontal, or shielded such

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that the main beam from the light source is not visible from adjacent properties or the public street right-of-way.

- d. All wall pack fixtures shall be full cutoff fixtures.
- 9. Exemptions:
 - a. The following are exceptions to **Section 6.04.01.A.5**, however in no circumstance can these exception supersede any required regulation in **Section 6.04.05** Sea Turtle Lighting Standards.
 - i. Non-cutoff fixtures may be used when the maximum lumens generated by each fixture does not exceed 2,000 lumens per fixture.
 - ii. All metal halide, mercury vapor, fluorescent, induction, white high pressure sodium and color improved high pressure sodium lamps used in non-cutoff fixtures shall be coated with an internal white frosting inside the outer lamp envelope.
 - iii. All metal halide fixtures equipped with a medium base socket must utilize either an internal refractive lens or a wide-body refractive globe.
 - iv. All nonresidential non-cutoff fixture open-bottom lights shall be equipped with full cutoff fixture shields that eliminate glare and up light.
 - v. Lighting for sports fields
 - vi. Approved special events

SECTION 6.05.03 VEHICLE CANOPY LIGHTING

- A. Areas under a vehicular canopy shall have a maximum point of horizontal luminance of 24 footcandles (24fc).
- B. Lighting under vehicular canopies shall be designed so as not to create glare off-site. Acceptable methods include one or more of the following:
 - 1. Recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface (ceiling) of the vehicular canopy.
 - 2. Light fixture incorporating shields, or shielded by the edge of the vehicular canopy itself, so that light is restrained to five degrees or more below the horizontal plane.
 - 3. Surface mounted fixture incorporating a flat glass that provides a cutoff fixture or shielded light distribution.
 - 4. Surface mounted fixture, typically measuring two feet by two feet, with a lens cover that contains at least two percent white fill diffusion material.
 - 5. Indirect lighting where light is beamed upward and then reflected down from the underside of the vehicular canopy.
 - a. Such fixtures shall be shielded such that direct illumination is focused exclusively on the underside of the vehicular canopy.
- C. Areas outside the vehicular canopy shall be regulated by the standards of **Section 6.04.01** above.

SECTION 6.05.03 BUILDING ILLUMINATION OR DECORATIVE AND LANDSCAPE LIGHTING

- A. Lighting fixtures shall be selected, located, aimed, and shielded so that direct illumination is focused away from adjoining properties and all street rights-of-way and exclusively on the;
 - 1. Building facade,
 - 2. Plantings,
 - 3. Other intended site features

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- B. Lighting regulated by this section shall not shine, glare, or otherwise bleed onto any public or private street ROW.
- C. This section shall not be construed in any way to regulate decorative lighting for the purposes of decorating for any holiday or special event.

SECTION 6.05.04 SEA TURTLE LIGHTING STANDARDS

- A. This Section intends to protect marine turtle hatchlings from the adverse effects of artificial lighting to provide overall improvement in nesting habitat degraded by light pollution, and to increase successful nesting activities and production of hatchlings on the beaches located within the Marine Turtle Conservation Zone within the City Limits of the City of Destin.
- B. In order to provide the highest level of protection for nesting marine turtles and their hatchlings, the following standards for artificial light sources on all new coastal construction seaward of the Coastal Construction Control Line (CCCL) in the Marine Turtle Conservation Zone are adopted:
 - 1. Exterior artificial lighting fixtures shall be designed for and positioned so that:
 - a. The point source of light or any reflective surface of the light fixture is not directly visible from the beach;
 - b. Areas seaward of the frontal dune are not directly or indirectly illuminated; and
 - c. Areas seaward of the frontal dune are not cumulatively illuminated.
 - 2. Exterior artificial light fixtures within direct line-of-sight of the beach will be permitted only if designed and installed completely shielded down light only fixtures or recessed fixtures having low wattage (i.e., 50 watts or less), "bug" type bulbs and non-reflective interior surface. Other fixtures that have appropriate shields, louvers, or cutoff features may also be used if they are in compliance with paragraphs 1.a., b., and c. above.
 - 3. Floodlights, up lights or spotlights that are directly visible from the beach, or which indirectly or cumulatively illuminate the beach are prohibited.
 - 4. No lighting other than approved turtle friendly lights installed appropriately shall be allowed on dune walkovers.
 - 5. Exterior lights used expressly for safety or security purposes must comply with paragraphs 1.a., b., and c. above and shall be limited to the minimum number of configurations required to achieve their functional role(s). The use of motion detector switches that keep lights off except when approached and that switch lights on for the minimum duration possible are required.
 - 6. Only low intensity lighting shall be used in parking areas within line-of-sight of the beach. Such lighting shall be:
 - a. Set on a base which raises source of light no higher than 48 inches off the ground; and
 - b. Positioned or shielded so that the light is cast downward and the source of light or any reflective surface of light feature is not visible from the beach and does not directly or indirectly illuminate the beach.
 - 7. Parking area lighting shall be shielded from the beach through the use of ground-level barriers. Ground-level barriers must not interfere with marine turtle nesting or hatchling emergence, or cause short or long-term damage to the beach/dune system.
 - 8. Tinted glass shall be installed on all windows and glass doors on single or multi-story structures within line-of-sight of the beach.
- C. Use of appropriately shielded low-pressure sodium vapor lamps and fixtures shall be required for high-intensity lighting applications such as lighting parking areas and roadways providing security, and similar applications.

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- D. Temporary lighting of construction sites during the marine turtle nesting season shall be restricted to the minimal amount necessary and shall incorporate all of the standards of this section.
- E. Before granting any building permit, the Community Development Department shall determine that all proposed development complies in all respects with the standards imposed in this section.
- F. Utility lease lighting shall comply to all respects with the standards imposed in this ordinance, with the exception that appropriated shielded, full-cut off-feature high-pressure sodium lights may be installed for utility lease lighting until the utility provider offers functional low-pressure sodium lighting.
- G. Standards for existing lighting. In order to provide the highest level of protection for nesting marine turtles and their hatchlings, the following standards for existing artificial light sources, including utility leased lighting, within the Marine Turtle Conservation Zone shall be brought into compliance by May 1, 2005:
 - 1. Existing artificial light fixtures shall be repositioned, modified, disconnected, or removed so that:
 - a. The point source of light or any reflected surface of the light fixture is not directly visible from the beach;
 - b. Areas seaward of the frontal dune are not directly or indirectly illuminated; and
 - c. Areas seaward of the frontal dune are not cumulatively illuminated.
 - 2. Existing artificial light fixtures that are replaced for any reason shall comply with this Section, and the following measures shall be taken:
 - a. Reposition fixtures so that the point source of light or any reflected surface of the light fixture is no longer visible from the beach;
 - b. Replace fixtures having an exposed light source with fixtures containing recessed light sources or shields;
 - c. Replace traditional light bulbs with yellow "bug" type bulbs not exceeding 50 watts;
 - d. Replace non-directional fixtures with directional fixtures that point down and away from the beach;
 - e. Replace fixtures having transparent or translucent coverings with fixtures having opaque shields covering an arc of at least 180 degrees and extending an appropriate distance below the bottom edge of the fixture on the seaward sides so that the light source of any reflective surface of the light fixture is not visible from the beach;
 - f. Replace pole lamps with low profile, low-level luminaries so that the light source of any reflective surface of the light fixture is not visible from the beach;
 - g. Replace incandescent, fluorescent, and high-intensity lighting with the lowest wattage low-pressure sodium-vapor lighting possible for the specific application;
 - h. Plant or improve vegetation buffers between the light source and beach to screen light from the beach;
 - i. Permanently remove or permanently disable any fixture that cannot be brought into compliance with the provisions of these standards.
 - 3. The following measures shall be taken as applicable to reduce or eliminate the negative effects of interior light emanating from doors and windows within line-of-sight of the beach:
 - a. Apply window tint or film that meets the standards tinted glass;
 - b. Rearrange lamps and other movable fixtures away from windows;
 - c. Use window treatment (i.e., blind, curtains) to shield interior light from the beach; and
 - d. Turn off unnecessary lights.

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4. Public awareness
 - a. Any person submitting an application for coastal construction activities within a Marine Turtle Conservation Zone shall be informed of the existence of and the requirements concerning artificial lighting and marine turtle protection by the City of Destin's Community Development Department.
5. Prohibitions
 - a. The following activities are considered prohibited:
 - i. Laser source light. The use of laser source light or any similar high intensity light for outdoor advertising unless approved by temporary lighting permit as provided by **Section 6.05.05.B**.
 - ii. The operation of searchlights or beacons is prohibited unless approved by temporary lighting permit as provided by **Section 6.05.05.B**.
 - iii. Nuisance Lighting and Glare
 - (a) All outside light sources shall be installed so that the illumination is controlled and not directed across any bounding property line of less than 200 linear feet. The allowable maximum intensity measured at the property line of a Single-dwelling or duplex residential use in a residential district may not exceed 0.2 foot candles.
 - iv. It shall be unlawful to place or maintain on private property any light source of such intensity or brilliance within the field of view of a driver so as to impair his/her vision upon the public roadway, or to interfere otherwise with the operation of a motor vehicle.
 - (a) The brilliance of any light source less than ten degrees from a passenger car driver's line of sight, either along the roadway ahead or toward each traffic control device, sign, or signal, shall not exceed the brilliance of the headlight low beams of an oncoming passenger car whose extended centerline lies ten feet to the driver's left, when the car is between 60 and 100 feet from the driver.
6. Nonconforming Lighting
 - a. The following regulations address nonconforming outdoor lighting
 - i. Following application of this regulation, the installation of lighting, replacement of lighting, and changes to existing light fixture wattage, type of fixture, mounting, or fixture location shall be made in strict compliance with this Code. Routine maintenance, including changing the lamp, ballast, starter, photo control, fixture housing, lens and other required components, is permitted for all existing fixtures not subject to **Subsection ii**, below.
 - ii. All outdoor lighting that fails to conform to this ordinance that is damaged in excess of 50 percent of its market value shall be discontinued, removed, made to conform to this ordinance, or replaced with lighting that conforms to this ordinance.
 - iii. Notwithstanding the above, any fixture that, due to excessive glare, produces Nuisance lighting and glare, or produces Glare on roadways as prohibited in **Paragraph 5**, shall be required to either discontinue use of the fixture in question or replace the fixture with one that conforms with the requirements of this **Section**.
7. Exemptions.
 - a. No provision of this Section shall take precedence over the Outdoor Lighting Standards for the Marine Turtle Conservation Zone in this Section.

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- b. Exemptions from the provisions of this ordinance are permitted when federal or state laws, rules and regulations take precedence over these provisions.
- c. The following are exempted from the provisions of the Outdoor Lighting Regulations.
 - i. A detached single-dwelling home, and any project requiring only a building permit, shall be exempt from **Section 6.05.05**, but shall otherwise be required to comply with the other requirements of this **Section**.
 - ii. Public schools.
 - iii. Municipal street lights.

SECTION 6.05.05 OUTDOOR LIGHTING PLAN

- A. Outdoor lighting plan, permit procedure and certificate of occupancy.
 - 1. Whenever the provisions of this section are applicable, an outdoor lighting permit shall be required.
 - 2. ensure compliance with the provisions of this section, an outdoor lighting plan that is prepared, signed, dated and sealed by a professional engineer registered in the State of Florida shall be submitted to the Planning Division for approval prior to the issuance of any development order. For a listing of which uses are exempt from these provisions, please refer to **Section 6.05.01.A.9. Exemptions**.
 - 3. Contents of outdoor lighting plan. Applicants shall submit sufficient documentation which clearly conveys the required information. It is the responsibility of the applicant to submit sufficient information in a form that allows ready determination of whether the requirements of this Code have been met. The applicant shall submit a sufficient number of copies of the proposed plans, as determined by the Community Development Department, necessary to complete the review. The outdoor lighting plan shall include, as a minimum, the following:
 - a. All plans shall be drawn to one of the following scales that will produce a legible plan. scale. The Community Development Director may require any plan to be provided at a different scale if it is needed for Staff to conduct a proper review.
 - i. 1:10
 - ii. 1:20
 - iii. 1:30
 - iv. 1:40
 - v. 1:50
 - vi. 1:60
 - b. The trimline sheet size shall be 24 inches by 36 inches. A one-half-inch margin shall be provided on all sides except for the left binding side(s) where a two-inch margin shall be provided if multiple sheets are used.
 - c. If multiple sheets are used, the sheet number and total number of sheets must be clearly indicated on each.
 - d. The name, business address and telephone number of those individuals responsible for the preparation of the drawing(s).
 - e. Each sheet shall contain a title block with the name of the development, stated and graphic scale, a north arrow and date.
 - f. Relationships of the site to adjacent public of private rights-of-way, abutting properties and any public or private easements.
 - g. The location of all building and/or structures, transmission lines, refuse dumpsters or containers and size and type of wall or fences.

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- h. Location and area of off-street parking and vehicular use areas.
 - i. Points of ingress and egress and any planned public or private roads, rights-of-way, sidewalks or multiuse pathways, bicycle lanes or paths, transit stop shelters, or other transportation facilities.
 - j. Location and dimensions of all landscape buffers, internal landscaping, and the number, placement, height and species of all trees required (due to their effect on outdoor lighting).
 - k. Proposed open space areas on the development site.
 - l. The location of environmentally sensitive lands designated pursuant to **Article 7** of this Code, if any.
 - m. A point-by-point foot candle array in a printout format overlaid on the site plan. The point-by-point foot candle printout shall indicate compliance with the maximum maintained foot candles required by this Code. This overlay shall also include contours indicating the light source at the property lines and ten feet into adjoining properties, including right-of-way.
 - n. A description of the illuminating devices, fixtures, lamps, supports, reflectors, poles, raised foundations and other devices (including but not limited to manufacturers or electric utility catalog specification sheets and/or drawings, and photometric report indicating fixture classification [cutoff fixture, wall pack, flood light, etc.]
 - o. The location and height of the lighting fixtures (pole and/or wall mounts), the proposed wattage of the light bulbs, the direction of illumination (e.g. straight down, outwards, etc...), the method of shielding and the area of illumination.
 - 4. Permit procedures.
 - a. The following procedures and requirements shall be followed by the applicant and the City:
 - i. Applications for outdoor lighting shall be submitted to the City's Community Development Department.
 - ii. No building permit for the installation of new outdoor lighting, or replacement of existing outdoor lighting erected prior to the effective date of this Section, shall be issued unless and until the City has reviewed and approved the outdoor lighting plan unless the project does not require a development order. Regardless of whether a lighting project does or does not require a development order, the installation of new outdoor lighting, or replacement of existing outdoor lighting must comply with the requirements of **Section 6.05** of this Article
 - iii. A copy of the approved outdoor lighting plan shall be available on-site during installation.
 - 5. Certificate of completion or occupancy.
 - a. No certificate of completion or occupancy shall be issued unless and until the Planning Division has determined, after final inspection, that the required outdoor lighting has been installed according to the approved application and plan; provided, however, that if circumstances preclude completion of the outdoor lighting plan at the time of application for the certificate of completion or occupancy, then the provisions of **Section 2.20.00** Guarantees and sureties shall apply.
- B. Temporary outdoor lighting permit.
 - 1. Temporary outdoor lighting permits for search lights and laser lights may be issued for;
 - a. Special events

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- b. Construction activities
 - c. Temporary outdoor lighting needs for public assembly or public safety
- 2. Temporary outdoor lighting permits may be issued, so long as the outdoor lighting does not create or cause any of the following potential distraction by any means or methods;
 - a. Flash blindness,
 - b. Vision impairment,
 - c. Visual interference for aircraft pilots or navigators and would not cause a potential unreasonable risk for flight safety or interfere with any public or military airport operation or with ground activities at military installations.
- 3. A temporary outdoor lighting permit may be issued for one premises or multiple-occupancy complex for a period not to exceed thirty (30) consecutive or non-consecutive calendar days per year.
- 4. The City shall not issue more than five (5) temporary permits for any one (1) calendar day.
 - a. If there are more than five (5) applications or application extensions for the same calendar day or days then five (5) shall be selected randomly.
- 5. The City Manager or their designee may grant a permit for temporary outdoor lighting, as defined herein, if they find the following:
 - a. The lighting proposed will be used not more than 30 consecutive or non-consecutive days within one calendar year;
 - b. The proposed lighting is designed in such a manner as to minimize light pollution and trespass as much as is feasible;
 - c. The proposed lighting will comply with the general intent of this article; and
 - d. The permit will be in the public interest.
- 6. The application for the temporary lighting permit shall include, at a minimum the following information:
 - a. Name and address of applicant and property owner;
 - b. Location of proposed fixtures;
 - c. Type, wattage and lumen output of lamp(s);
 - d. Type and shielding of proposed fixtures;
 - e. Intended use of the lighting;
 - f. Specific calendar days requested;
 - g. The hours of operation (not to occur between midnight CST and sunrise);
 - h. The nature of the activity or event;
 - i. Previous temporary outdoor lighting permits granted to this applicant, if any, and addresses of premises there under (Only one temporary outdoor lighting permit per year is to be granted to a multiple-occupancy complex); and
 - j. Such other information as the City Manager or their designee may request.
- 7. Review of application
 - a. Copies of the permit application and supporting documents shall be distributed to
 - i. Okaloosa County Sheriff's office – Destin Office
 - ii. Okaloosa County Airport Manager
 - iii. Destin Fire Control District
 - iv. Destin Public Works Department
 - v. Destin Parks & Recreation Department
 - vi. 96th Civil Engineer Group (Community Planner)

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- b. The City Manager or designee approve, approve with conditions, or deny the application within sixty (60) days from the date of submission of the application.
 - i. The City Manager or their designee may grant one (1) renewal of the permit for an additional ten (10) days if they finds that, because of an unanticipated change in circumstances, a renewal would be in the public interest.
 - ii. The City Manager is not authorized to grant more than one (1) temporary permit and one renewal for a ten-day period for the same property within one calendar year.

SECTION 6.05.06 STREETLIGHTS

- A. Developer shall provide streetlighting in accordance with the Destin Design Manual.
- B. Maximum pole height is thirty feet (30').
- C. Maximum mounting height is twenty-three feet (23').
- D. All street lighting shall be shielded and directed downward.
- E. Streetlights located within three-hundred feet (300') of a primary dune of a beach must meet the minimum Florida Fish & Wildlife Commission Sea Turtle Lighting guidelines.

SECTION 6.06 LANDSCAPING

SECTION 6.06.01 PURPOSE

- A. The landscape development regulations will serve to protect, maintain and enhance both the immediate and longterm health, safety, economic stability and general welfare of the present and future citizens of the City. These regulations have the following objectives:
 - 1. To aid in stabilizing the environment's ecological balance by contributing to the processes of oxygen regeneration, groundwater recharge, air purification and stormwater runoff retardation, while at the same time aiding in noise, glare and heat abatement.
 - 2. To ensure that the local stock of native vegetation is replenished.
 - 3. To clearly delineate and buffer the bounds of abutting vehicular use areas, particularly public rights-of-way, so that distractions of movement, noise and glare from one area do not adversely affect the activity of another area.
 - 4. To limit physical site access to established points of ingress and egress.
 - 5. To promote energy conservation by maximizing the shading and cooling effects of trees and shrubs.
 - 6. To promote and protect property values within the community by conserving and creating a more aesthetically pleasing and functional environment.

SECTION 6.06.02 GENERAL STANDARDS

- A. All development and redevelopment shall provide landscaping to the standards as set forth in this section.
- B. All landscaping shall be installed in a sound finished workmanlike manner per any applicable approved plan and or according to generally accepted good planting practices.
- C. All elements of landscaping, not including plant material except hedges, shall be installed so as to meet all other applicable requirements.
- D. All landscaping shall be maintained and kept alive at all times.
- E. If a required landscape element dies, is removed, or is otherwise removed from the site, it shall be replaced.

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- F. Adequate irrigation is required for all developments (including right-of-way frontage) to maintain live vegetation.
- G. All areas of a development, property, land, parcel or lot, not utilized for structures, vehicular or pedestrian access or circulation, or other ancillary shall be landscaped and permanently maintained with trees, shrubs, indigenous plants and ground cover, including but not limited to:
 - 1. Grass or sod
 - 2. Mulch, pine straw, or other loose material (must be stabilized and maintained in the intended location and shall not wash or be blown into any right-of-way or another property.)
 - 3. Artificial turf (on private property only)
 - 4. Landscape rock (on private property only)
- H. Landscaping south of the Coastal Construction Control Line (CCCL).
 - 1. Development area(s) between the CCCL and the Gulf of Mexico shall only meet the landscaping standards set forth in the permit issued by the Department of Environmental Protection.
 - 2. For development areas on the same property that is not beyond the CCCL shall meet the minimum requirements set forth in this section.
- I. A minimum of seventy-five percent (75%) of all plant material used to satisfy the requirements of this section shall be native to the Northwest Florida area.
 - 1. Native species shall be selected as identified in the in the "Atlas of Florida Plants" which is maintained by Institute for Systemic Botany at the University of Southern Florida for Okaloosa or Walton County.
 - 2. Portions of a development left in the natural state shall be credited in meeting these landscaping requirements.
- J. Invasive Species
 - 1. In no circumstances shall any invasive species to Florida, Georgia, or Alabama as identified by any City, State, or Federal agency be utilized for plantings
 - 2. This section is not intended to allow any individual the ability to keep unique plantings in a stand alone pot and not planted in the ground.
 - a. If any individual maintains an invasive species on site it shall be kept in a manner so that the plant is contained and controlled to not spread, multiply, or otherwise threaten the local native vegetative ecosystem.
- K. At any street intersection, no plant, tree, shrubbery or any other obstruction shall be allowed to grow in a manner which would impede or restrict the vision of pedestrians or vehicle operators to oncoming traffic.
- L. The type of vegetation used in complying with these requirements shall be indigenous or of a noncompeting exotic species.

SECTION 6.06.03 OPEN SPACE

- A. The minimum required open space within all zoning districts shall be as required in the appropriate zoning district per Article 4.
- B. **Artificial Turf**
 - 1. **Artificial turf is considered impervious surface and shall be included in any stormwater calculations as such.**

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2. Artificial turf may be utilized as open space to a total not to exceed twenty-five percent (25%) of the required open space square footage if the following are met:
 - a. The applicant shall provide a signed and sealed stormwater report/plan from and Florida registered professional engineer that:
 - i. Shows the artificial turf has a retention value
 - ii. Provides a maintenance plan detailing how the artificial turf must be cleaned and how often it should be cleaned.
 - iii. A statement in the stormwater report/plan that clearly states the property owner is responsible for the maintenance and upkeep of the artificial turf in a manner that is in accordance with the maintenance plan.
- C. Paver systems and other Hardscape elements
 1. Paver and hardscape elements are considered impervious surface and shall be included in any stormwater calculations as such.
- D. Open Space Reduction Incentive
 1. Within the North Harbor (NHMU), South Harbor (SHMU), and Town Center Mixed Use (TCMU) districts the minimum required open space can be reduced to not less than 12 percent through adherence to the following requirements:
 - a. Developments that provide, on their property, a pedestrian information kiosk at the Harbor Boulevard-side terminus of a pedestrian walkway and/or pedestrian/bicycle pathway to the Harbor Boardwalk in conjunction with a mass transit pull-off or public access easement (one percent).
 - b. The use of drip irrigation for all shrubs and ground cover areas, where appropriate, on the subject property (two percent).
 - c. The use of 100 percent (100%) plant species native to northwest Florida in all landscaped areas on the subject property (five percent).
 - d. Developments that consolidate their existing accessway in such a way as to eliminate one accessway cut on to Harbor Boulevard/Emerald Coast Parkway (three percent).
 - e. Adjacent developments that consolidate their accessway in such a way as to eliminate one accessway cut on to Harbor Boulevard/Emerald Coast Parkway (three percent).
 - f. Developments located in the SHMU area that contain no permanent/long-term residential units (four percent).
 - g. Developments located in the NHMU and TCMU areas that contain at least 50 percent of the total number of dwelling units as permanent/long-term residential units (four percent).
 - h. Developments that dedicate 70 percent of the first floor of every building on site to "publicly leasable commercial space" (e.g., retail, office, restaurant, etc.). First floor shall mean the first floor of the building as viewed from Harbor Boulevard/Emerald Coast Parkway. Structured garage parking can account for up to 40 percent of the "publicly leasable commercial space" located on the first floor. For those projects located in the SHMU district, this provision shall be in addition to the requirement of the Comprehensive Plan for "publicly leasable commercial space" along the Harbor front (six percent).
 - i. Developments that provide 70 percent of all parking spaces on site in structured parking garages (six percent).

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- j. The total area of all pedestrian and/or vehicular easements or rights-of-way dedicated to the public for access from Harbor Boulevard to the Harbor waterfront and between adjoining properties along the Harbor waterfront and along Harbor Boulevard shall be credited towards the open space landscape requirement of the development.
- k. The total area provided for a transit stop, as specified in **Section 6.02.06**, located either on-site or adjacent to Harbor Boulevard/Emerald Coast Parkway will be given 100 percent credit for area dedicated to the transit stop.

SECTION 6.06.04 TREES

- A. The number of reforestation trees required on any developed area shall be determined by using the ratio of one (1) tree for each one-tenth of an acre
- B. All required trees shall be a minimum of:
 - 1. Twelve feet (12') in height
 - 2. Three and one-half-inch (3.5") caliper at the time of planting.
- C. Palm trees cannot comprise more than forty percent (40%) percent of the total number of all required trees.
- D. ~~For those properties lying south of Harbor Boulevard and Emerald Coast Parkway palm trees may comprise of no more than eighty percent (80%) of the total number of all required trees.~~
- E. If any palm tree species are utilized for required trees then two palms shall be utilized to equal one required tree and must be grouped together to account for a twenty foot (20') crown spread at maturity.
- F. Tree Protection, Preservation, and Restoration
 - 1. Credit shall be received on the reforestation requirement of this section by preserving existing trees.
 - 2. Trees required for reforestation are in addition to other required trees within this section.
 - 3. No credit will be given for nonindigenous trees.
 - 4. Exclusive of the principal structure area, no "preserved tree" may be removed except as provided in this section.
 - 5. The reforestation requirements shall be credited for existing trees at the following rate as measured at breast height (which ever is less) above the natural grade:

Diameter of Existing Tree	Number of Trees Credited
20" or more	5
13" -19.9"	4
7" – 12.9"	3
2" – 6.9"	2

- 6. Measurement of Trees: See Destin Design Manual **Section 8.00** Measurements.
- 7. Fifty percent of the area within the dripline of preserved trees which are eligible for credit pursuant to this section shall be maintained in either vegetative landscape material or pervious cover.

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8. During development activity, preserved trees shall be protected from activities which may injure or kill them. Tree protection techniques found in the Tree Protection Manual for Builders and Developers, Florida Department of Agriculture and Consumer Services, Division of Forestry, or equivalent techniques shall be used.
9. Exclusive of the principal structure area, when a "protected tree" must be removed or relocated, an indigenous tree(s) shall be replaced.
10. No protected or preserved tree may be removed or relocated without a removal permit as provided in. **See Section 6.06.05.**

SECTION 6.06.05 TREE REMOVAL

A. Permit Required

1. The removal of any tree on private property requires a Clearing and Grading Permit approval from the Community Development Department.
2. For non-residential properties, a licensed and insured landscape professional shall submit the permit along with a tree survey for all trees twelve inches (12") in diameter or greater.
3. For residential properties a licensed and insured landscape professional shall submit the permit for any tree removal that does not meet the exemptions below.
4. Exemptions
 - a. Any tree on any Single-dwelling or duplex lot that is thirty-five inches (35") in diameter or less.
 - b. Any tree on a platted townhome lot (Single-dwelling unit) that is thirty-five inches (35") in diameter or less.
 - c. These exemptions are not intended to exempt any apartment complex, condominium complex, or other multi-dwelling complex, or commonly owned property within a Single-dwelling development.

B. Hazardous or Dangerous Conditions

1. In the event that any tree on Public Property or within the Public ROW, is determined to be in any hazardous or dangerous condition so as to endanger health or safety, the City Manager or their designee shall require immediate removal of the tree.
2. In the event a tree poses a hazard or dangerous condition on Private Property, private property affecting other private property, or private property affecting the public right-of-way, the City Manager or their designee may require the removal of the tree.
 - a. A licensed arborist or licensed landscape architect shall make a recommendation in writing to the City Manager for the removal of the tree that poses a hazardous or dangerous condition.
3. The City Manager or their designee shall make a final determination upon receiving the recommendation from the licensed arborist or licensed landscape architect.
 - a. Any determination made by the City Manager shall become effective five (5) days after the determination is rendered.
 - b. An aggrieved party, withstanding the final determination of the City Manager or designee, shall have upto five (5) days from date of determination to apply to the City Manager for appeal of the determination.
 - c. The City Manager's decision constitute the final determination of the City.

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4. A permit is not required at the moment to rectify a hazardous or dangerous condition, however, a permit shall be applied for retroactively within thirty (30) days of approval to remove the hazardous tree.
5. During the period of declared emergencies such as hurricane, windstorm, flood, freeze, disease epidemic, or other disasters, the requirements of this section may be waived by the City Manager, for a certain period of time and may not be for an indefinite period of time.

SECTION 6.06.06 GROUND COVER, HEDGES, AND SHRUBS

- A. Vines, ground cover, grasses, artificial plant material and architectural planters shall be subject to the following:
 1. Grasses shall be subject to the following:
 - a. Grasses and ground cover, and vines planted for credit on the landscaping requirements, shall be perennial species capable of thriving in Okaloosa County.
 - b. Grasses may be sodded, sprigged, plugged or seeded except that solid sod shall be used in swales or other areas subject to erosion.
 2. All required plantings shall be living or natural.
 - a. No credit shall be granted for use of artificial plant material.
 - b. Artificial turf may be utilized for ground cover where ground cover is required
 3. Credit shall be granted for use of above-grade planters, when such planters are physically attached to and made a part of the building/structure upon which they rest. In no case shall above-grade planters be removed from the property or converted to another use, unless approval is granted by the City.
 4. Endangered plants shall be protected under the provisions of applicable federal and state laws.
- B. Shrubs shall be a minimum of 12 inches in height when measured immediately after planting.

SECTION 6.06.07 PUBLICLY OWNED PROPERTY AND RIGHT-OF-WAY

- A. The table displayed below constitute the official street and park tree species for Destin, Florida.
- B. Prior to street tree planting, all applicable right-of-way permits shall be obtained.
- C. Any tree or shrub that grows over a publically accessible sidewalk or street shall have a vertical clearance of a minimum of fifteen feet (15') as measured from the grade below the tree or shrub.
- D. No species other than those included in the table below may be planted as street tree without written permission of the Public Works & Safety Committee.
 1. If Live oaks are utilized as street tree then the requirements per the Design Manual shall be adhered to along with the following:
 - a. A root barrier with a depth of eighteen inches (18") below grade
 - b. A minimum of a five foot (5') radius clear area surrounding the tree with no utilities in the clear area for thirty-six inches (36") below grade

Small Trees	Medium Trees	Large trees
Southern Wax Myrtle (Myrica cerifera)	Dahoon Holly (Ilex cassine)	Maple (Acer rubrum)
Fringe Tree (Chionanthus virginicus)	Turkey Oak (Quercus laevis)	Southern Live Oak (Quercus virginiana)
Pindo Palm (Butia capitata)	Cabbage Palm (Sabal palmetto) *State Tree	Majesty Palm (Ravenea rivularis)
	Washington Palm	Canary Island Date Palm

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	(Washingtonia robusta)	(Phoenix canariensis)
		Wild Date Palm (Phoenix sylvestris)

- E. No species other than those included in the table below may be planted as park tree without written permission of the Parks & Recreation Committee.

Small Trees	Medium Trees	Large trees
Anise Tree (Pimpinella anisum)	Ash (Fraxinus spp.)	Bald Cypress (Taxodium discithum)
Black Pine (Pinus nigra)	Cedar (Cedrus atlantica)	Bay Magnolia (Magnolia virginiana)
Bottlebrush (Callistemon citrinus)	Cherry Laurel (Prunus caroliniana)	Canary Island Date Palm (Phoenix canariensis)
Crepe Myrtle (Lagerstroemia indica)	Holly Tree (Ilex cassine)	Elm (Ulmus spp.)
Dogwood (Cornus florida)	Persimmon (Diospyros virginiana)	Hickory (Carya spp.)
Fringe (Chionanthus virginicus)	Plum (Prunus cerasifera)	Maple (Acer rubrum)
Ginkgo (Ginkgo biloba)	Redbud (Cercis canadensis)	Oak (Quercus spp.)
Jerusalem Thorn (Parkinsonia aculeata)	River Birch (Betula nigra)	Pecan (Carya glabra)
Ligustrum Tree (Ligustrum japonicum)	Sweetgum (Liquidambar styraciflua)	Pine (Pinus elliotii)
Loquat (Eriobotrya japonica)	Tulip Magnolia (Liriodendron tulipifera)	Southern Magnolia (Magnolia grandiflora)
Pindo Palm (Butia capitata)		Sycamore (Platanus acerfolia)
Red Buckeye (Aesculus pavia)		Walnut (Juelans nigra)
Wax Myrtle (Myrica cerifera)		

- F. Any tree or plant declared or deemed an invasive species by the State of Florida shall not be allowed to be planted within any right-of-way or park within the city.
1. The following list of species is also not permitted
 - a. Chinese tallow (Triadica sebifera)
 - b. Yucca tree (Yucca)
 - c. Any species of tree or plant that has a spike, thorn, spine, or other similar hazard
- G. Protection of Public Trees
1. No tree within any public right-of-way, park, or other publicly owned property shall be removed without a permit from the Community Development Department.
 2. The City Manager or their designee may require approval by the Parks & Recreation or Public Works & Safety Committies as appropriate.

SECTION 6.06.08 PARKING LOT LANDSCAPING

- A. The following criteria shall apply regarding interior parking landscape:
1. Vehicles may overhang no more than two feet into landscape areas. The overhang area shall not be included as part of the landscape requirement.
 2. No parking bay shall contain more than fifteen (15) continuous parking spaces without being broken up by a landscaped area, that shall be:

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- a. Ten feet (10') wide
 - b. One-hundred and seventy-five (175) square feet in area
 - c. Planted with one tree that meets the requirements in **Section 6.06.04.**
 - d. This provision does not apply to subterranean or above-grade parking structures.
3. Each row of interior parking spaces shall be terminated at each end by a landscaped area, that shall be:
 - a. Ten feet (10') wide
 - b. One hundred (100) square feet in area
 - c. Planted with one tree that meets the requirements in **Section 6.06.04.**
 - d. This provision does not apply to subterranean or above-grade parking structures.
 - e. Exception: When abutting parking rows each have five or less parking spaces, landscaped areas with breadths of ten feet between the rows may be substituted for the landscaped areas at each end.
4. All interior landscaping areas shall be protected from vehicular encroachment by either f-type curbing or other similar means (stabilized rail road ties, landscaping timbers, etc....).
5. Interior portions of off-street parking facilities which are not specifically designed as parking spaces or maneuvering areas shall not be paved for vehicle use.
 - a. These areas shall be planted and permanently maintained with trees and shrubs and finished with ground cover or other landscape material.
- B. Exemption. Single-dwelling detached and duplex residences are exempt from interior parking landscape requirements.

SECTION 6.06.09 NATIVE PLANTINGS LANDSCAPE REDUCTION INCENTIVE

- A. The minimum landscaping requirement regarding the number of trees, and shrubs may be reduced by 20% if the plan proposes 100% native species to North West Florida for Okaloosa or Walton County as identified in the "Atlas of Florida Plants" as amended, which is maintained by Institute for Systemic Botany at the University of South Florida.

SECTION 6.06.10 LANDSCAPING MAINTENANCE AND USE STANDARDS

- A. Landscaping shall be maintained as follows:
 1. All required plant material shall be maintained in a healthy and viable condition.
 2. Structural elements relating to nonliving landscape material shall be maintained in good condition at all times.
 3. All landscaped areas shall be provided with an irrigation system or a readily available water supply located on-site.
 4. All landscaping planted abutting sidewalks, multiuse pathways, pedestrian gathering areas, bicycle lanes or vehicular use areas shall be trimmed so as to not interfere in the use of said areas.
- B. Dead plant material shall be replaced in accordance with the provisions of this section and within a time period appropriate to the growing season of the species in question, not exceeding one year.
- C. No required landscape area shall be used for parking, except encroachment that provides for accessways, structures, typical mechanical equipment, garbage or trash collection or any functional uses contrary to the intent and purposes of this section.

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1. In no instance shall a property be permitted not meeting the minimum open space requirements per the appropriate zoning district as required in Article 4.

SECTION 6.07 FENCES AND GATES

SECTION 6.07.01 FENCES

- A. Fences must be resistant to decay, corrosion and termite infestation.
- B. No fence shall be located in the clear visibility triangle. No exceptions shall supersede this regulations, any variance requested or application submitted to not comply with this regulation shall not be accepted or approved.
- C. Any fence located adjacent to a public right-of-way or private road shall be placed with the finished side facing that right-of-way.
- D. No fence or hedge shall be constructed or installed in such a manner as to interfere with drainage on the site.
- E. Any fence containing barbed wire or razor wire material shall be prohibited from being erected or maintained on any lot that contains single-dwelling detached, duplex, town home or multifamily residences.
- F. Height and Setbacks:
 1. Front Yard:
 - a. No fence may exceed three feet (3') in height when located within five feet (5') of the front property line.
 - b. Exceptions:
 1. If Building Code requires a fence higher than three feet.
 2. Single dwelling or Duplex dwelling residential units or properties located within the Village, Harbor, or Holiday Isle Planning Areas as defined and identified in the Comprehensive Plan.
 - c. Mult-Frontage Lots or Properties
 1. These provision apply only to the primary frontage, i.e., driveway access, addressed street, or dwelling orientation.
 2. Side Yards:
 - a. Fences, walls and hedges may be permitted in any required side yard or along the side property lines not to exceed eight feet in height.
 - b. Fences in or along the side yards may not be taller than three feet (3') when located within five feet (5') of the front property line.
 - c. Exceptions:
 1. If Building Code requires a fence higher than three feet due.
 2. Single dwelling or Duplex dwelling residential units or properties located within the Village, Harbor, or Holiday Isle Planning Areas as defined and identified in the Comprehensive Plan.
 3. Rear Yards:
 - a. Fences, walls and hedges may be permitted in any required rear yard or along the rear property lines not to exceed eight feet in height.

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- G. A fence for safety or hazard protection identified by the City Manager or their designee may not be subject to height limitations.
 - 1. Approval to exceed maximum height standards may be given by the City Manager or their designee, or designee, upon receipt of satisfactory evidence of the need to exceed height standards.

SECTION 6.07.02 GATES

- A. The City Engineer shall review and approve all gated accessways which shall meet the requirements listed below. However, the City Engineer may allow different configurations based on public safety, traffic volume, geometric constraints of topography, lot shape and dimensions, or other constructability considerations.
- B. General Requirements:
 - 1. Gates must be resistant to decay, corrosion, and termite infestation.
 - 2. Gates shall not open into any right-of-way or onto adjacent property.
 - 3. No gate shall be located in the clear visibility triangle.
- C. Setbacks and Dimensional Limitations:
 - 1. All gated entry ways shall provide a minimum of fifty-seven feet (57') of off-street stacking from key pad or a manned gate house (which ever is applicable) to the outer edge of the travel way.
 - 2. No gate shall exceed eight feet (8') in height.
 - 3. Total gate opening, as measured from the face of the gatepost to face of the gatepost, shall be two feet wider than the accessway.
 - 4. A minimum vertical clearance of 15 feet shall be provided and maintained over the full width of the accessway passing thru the gated area.
- D. Nonresidential, Multi-dwelling, or Subdivision Gate Requirements
 - 1. Prior to any gated entry way there shall be a minimum unobstruted fifteen foot (15') inside turning radius for turnaround, egress, or other method to allow a vehicle the ability to leave the site if the gate does not open.
 - 2. A pedestrian Gate shall be provided and shall meet all ADA requirements.
- E. All single-dwelling and/or duplex properties with gated accessways shall provide a minimum of forty feet (40') of stacking from outer edge of the travel way to the key pad, call box, or front of gate which ever is closer to the travel way.

SECTION 6.08 BUFFERS

SECTION 6.08.01 NON-RESIDENTIAL BUFFERS AND SUPPLEMENTAL SETBACKS

- A. In the following cases supplemental setbacks or buffers shall be provided as detailed in this section.
 - 1. All non-residential development or use shall provide supplemental setbacks or buffers when abutting or adjacent to any residential development or use as detailed in this section.
 - 2. All non-residential development or use shall provide the following supplemental setbacks or buffers when abutting or adjacent to any residential zoning district as detailed in this section.
 - 3. Multi-dwelling, condominium, or apartment style development shall provide the same buffer and supplemental setbacks as non-residential when adjacent to or abutting single-dwelling, duplex dwelling, or townhome development or residential zoning district as detailed in this section.

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4. Non-residential development when adjacent to mixed-use developments that include residential units are not required to adhere to this section.
- B. It shall be the responsibility of the higher density/intensity use to provide and maintain the buffer zone.
 1. It shall not be the responsibility of the higher density/intensity zoning district property owner to provide a buffer if the development was in place and being utilized before the less density/intensity zoning use located adjacent to the higher density/intensity zoning district property.
- C. Nothing in this section is intended to prohibit access between abutting uses where appropriate for automotive and pedestrian movement, if approved by affected parties.
- D. Supplemental Setbacks
 1. Any portion of a building that abuts single-dwelling, duplex or townhome uses shall provide a setback from those uses that is equal to one foot for every foot in height (e.g. 75-foot tall project will have an 75-foot setback).
- E. Front Property Boundary Buffer
 1. All nonresidential and multi-dwelling properties shall provide a minimum ten-foot (10') wide buffer within the front yard abutting the right-of-way.
 - a. Exception: Any nonresidential or multi-dwelling development required to place their buildings within ten feet (10') of the property line due to zoning regulation setbacks are exempt from this requirement where the building or structure is located.
 2. Width of sidewalks may be included within the Front Property Boundary Buffer if the sidewalk is placed within private property.
 3. The remainder of the front perimeter landscape shall be landscaped with grass, ground cover, shrubs, hedges, other landscaping treatment or native plants, excluding paving.
- F. Common Boundary Buffer
 1. A five foot (5') buffer with living vegetated ground cover and may also provide other living plants such as trees and shrubs meeting the requirements of **Section 6.06**, shall be provided along all property lines
 2. Wall Requirement
 - a. All nonresidential development, whether in the same zoning district or not, shall provide a six feet (6') to eight feet (8') tall masonry wall to be located within five feet (5') of the property line when:
 - i. The development is adjacent to existing single-dwelling, duplex, or multi-dwelling development
 - ii. The development is adjacent to a residential zoning district
 - b. Where a wall is required within a buffer per Article 6, the tree requirement shall not apply, however the shrub requirement still applies.
- G. Waterfront Buffer
 1. A vegetated buffer strip shall be retained in its natural state along the banks of all natural watercourses, water bodies, wetlands or beachfront to assist in stormwater management and it shall be sufficient in width to:
 - a. Prevent erosion
 - b. Trap the sediment in overland runoff

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- c. Provide access to the water body
 - d. Allow for periodic flooding without damage to the structures
- 2. Engineering/design solutions may be approved in lieu of the waterfront buffer when such proposed solutions provide for all of the following:
 - a. Inhibit erosion
 - b. Trap the sediment in runoff
 - c. Allow access to the water body
 - d. Inhibit flood damage to waterfront structures
- 3. Manmade water bodies are excluded from this vegetated buffer requirement.
- H. Wetland Buffers shall follow the standards as required in **Article 7** of this Code
- I. Buffer Landscaping Requirements
 - 1. All buffers shall include the following landscaping requirements.
 - 2. All buffer areas shall be covered with grass, ground cover, trees , shrub, or other landscape materials, excluding paving or other hardsurfacing where allowed. All materials shall be organic materials.
 - 3. Tree Requirement:
 - a. One (1) small tree shall be planted for every twenty-five linear feet (25') or fraction thereof, of buffer.
 - b. Trees shall meet the standards listed in **Section 6.06** of this article.
 - 4. Shrub Requirement:
 - a. Four (4) shrubs shall be planted for every ten linear feet (10') or fraction thereof, of buffer
 - b. Shrubs shall meet the standards listed in **Section 6.06** of this article.
 - 5. Existing native vegetation may be incorporated into buffer zones and credited toward the minimum standard.
 - 6. Any vegetation that dies, becomes diseased or is damaged by vehicular traffic, natural disasters, or vandalism must be replaced within 30 days after notification of a violation of this section.
 - 7. Exceptions:
 - a. The Front Property Perimeter Buffer only requires vegetated ground cover to be installed and maintained.
 - b. A certified Arborist or Landscape Architect may submit a plan that is not in compliance with this section if the environment will not support the required landscape elements.
 - i. The alternative plan:
 - (a) Shall detail and show that it still meets the intent of this section
 - (b) Cannot propose to not plant any vegetation or groundcover
 - (c) Shall detail canopy spread of the proposed alternative plan that is equal to or greater than the requirements of this section.

SECTION 6.08.02 RESIDENTIAL BUFFERS

- A. The following buffers are required for all single-dwelling, duplex developments.
- B. Multi-dwelling developments, when abutting or adjacent to single-dwelling or duplex development shall provide the buffer and setback requirements as required in **Section 6.08.01**.
- C. Nothing in this section is intended to prohibit access between abutting uses where appropriate for automotive and pedestrian movement, if approved by affected parties.

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- D. All buffer areas shall be landscaped with grass, ground cover, shrubs, hedges, other landscaping treatment or native plants.
1. The list below are examples of landscape elements or materials not allowed in buffer areas but it is not limited to this list.
 - a. Rocks or pebbles
 - b. Hardscaping such as concrete or asphalt
 - c. Pavers or stepping stones
 - d. Materials similar in make-up or character as listed above
 - e. No vehicular use area shall be placed within any buffer area except where an approved accessway is located.
- E. Front Property Boundary Buffer
1. All residential and multi-dwelling properties shall provide a minimum five-foot (5') wide buffer within the front yard from the right-of-way/front property line in-ward of the private property.
 2. No fence higher than three feet (3') in height may be permitted within the Front Property Perimeter Buffer
 - a. The Chief Building Official or their designee may approve a fence meeting Florida Building Code for pools in the Front Property Perimeter Buffer if a pool is proposed in the front yard.
 3. Exception
 - a. Any multi-dwelling development required to place their buildings within five feet (5') of the property line due to zoning regulation setbacks are exempt from this requirement where the building or structure is located.
 4. Width of sidewalks shall not be included within the Front Property Perimeter Buffer.
- F. Common Boundary Buffer
1. ~~All single-dwelling, duplex, or m~~Multi-dwelling development, whether in the same zoning district or not, shall provide a minimum five-foot (5') wide buffer area along all adjacent property lines when abutting single-dwelling or duplex developments.
 2. ~~Proposed driveway within Common Boundary Buffer~~
 - a. ~~If a property owner wishes to develop a driveway within the Common Boundary Buffer then:~~
 - i. ~~Only one side of the property may be utilized for a driveway in the common boundary buffer~~
 - ii. ~~Open space banking~~
 - (a) ~~The area (square footage) where the Common Boundary Buffer open space would have been shall be transferred (banked) to the front yard at a 1:1 ratio and shall not contain any structure, vehicular use area, or hardscaping except for what is allowed in subparagraph (b) below.~~
 - (b) ~~A walkway from the accessway to the front patio or door of a structure, at no wider than five feet (5') is permitted in this open space banking area.~~
 - (c) ~~The area of the required front perimeter buffer and opposite common boundary buffer shall not be utilized to count towards the open space banking calculation.~~
 - iii. ~~No structure or vehicular use area is permitted between the main façade of the primary structure and the public right-of-way, except as allowed in Paragraph iv. below.~~

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- iv. ~~No more than two vehicles may be allowed to park side by side in front or streetward of the front building line.~~
- G. Driveway Buffer
 - 1. All driveways shall be located a minimum of one foot (1') from any property line.
 - a. Exception: If there is a recorded Joint Accessway Agreement as described in Section 6.02.04 of this article, driveway may be within the Driveway Buffer.
- H. Waterfront Buffer
 - 1. A vegetated buffer strip shall be retained in its natural state along the banks of all natural watercourses, water bodies, wetlands or beachfront to assist in stormwater management and it shall be sufficient in width to:
 - a. Prevent erosion
 - b. Trap the sediment in overland runoff
 - c. Provide access to the water body
 - d. Allow for periodic flooding without damage to the structures
 - 2. Engineering/design solutions may be approved in lieu of the waterfront buffer when such proposed solutions provide for all of the following:
 - a. Inhibit erosion
 - b. Trap the sediment in runoff
 - c. Allow access to the water body
 - d. Inhibit flood damage to waterfront structures
 - 3. Manmade water bodies are excluded from this vegetated buffer requirement.
- I. Wetland Buffers shall follow the standards as required in **Article 7** of this Code.
- J. Buffer Landscaping Requirements
 - 1. All buffer areas shall be covered with grass, ground cover, trees , shrubs, or other landscape materials, excluding paving or other hardsurfacing. All materials shall be organic materials.
 - 2. Front Property Boundary Buffer
 - a. Tree Requirement:
 - i. One (1) small or medium tree shall be planted for every fifty linear feet (50') or fraction thereof.
 - ii. Trees shall meet the standards listed in Section 6.06. of this article.
 - b. Shrub Requirement:
 - i. Four (4) shrubs shall be planted for every fifty linear feet (50') or fraction thereof.
 - ii. Shrubs shall be setback five feet (5') from the front property line.
 - iii. Shrubs shall meet the standards listed in Section 6.06. of this article.
 - 3. Existing native trees may be credited toward the standards of this Section.
 - 4. Any vegetation that dies, becomes diseased or is damaged by vehicular traffic, natural disasters, or vandalism must be replaced within 30 days after notification of a violation of this section.

SECTION 6.09 ENVIRONMENTAL CONTROL PLANS

SECTION 6.09.01 EROSION AND SEDIMENT CONTROL PLAN

- A. An erosion and sediment control plan (ESCP) approved by the City Engineer, or designee, shall be required for all development or redevelopment activities.

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- B. The ESCP plans shall be drawn to an appropriate scale and shall include sufficient information to evaluate and include;
 - 1. The environmental characteristics of the affected areas
 - 2. The potential impacts of the proposed grading on water resources
 - 3. Measures proposed to minimize soil erosion and off-site sedimentation
 - 4. The appropriate design manual details.
- C. The owner/developer shall perform all clearing, grading, drainage, construction, and development in strict accordance with the approved plan.
- D. All projects disturbing land area over one (1) acre shall also provide a copy of the stormwater pollution prevention plan (SWPPP) in addition to the ESCP. All projects disturbing less than one acre shall provide an ESCP.
- E. All erosion and sediment control plans shall contain, as a minimum, the following
 - 1. An attached vicinity map showing the location of the site in relationship to the surrounding area's watercourses, water bodies and other significant geographic features, and roads and other significant structures.
 - 2. An indication of the scale used.
 - 3. The contact information of the owner and/or developer, and contractor of the property where the land disturbing activity is proposed.
 - 4. A 24-hour contact person's phone number. That person shall have demonstrated ability in maintenance of erosion control measures.
 - 5. Suitable contours for the existing and proposed topography.
 - 6. The proposed grading or land disturbance activity including: the surface area involved, excess spoil material, use of borrow material, and specific limits of disturbance.
 - 7. A clear and definite delineation of any areas of vegetation or trees to be saved.
 - 8. A clear and definite delineation of any wetlands, natural or artificial water storage detention areas, and drainage ditches on the site.
 - 9. A clear and definite delineation of any 100-year floodplain on or near the site.
 - 10. Storm drain system, including quantities of flow and site conditions around all points of surface water discharge from the site.
 - 11. Erosion and sediment control provisions to minimize on-site erosion and prevent off-site sedimentation, including provisions to preserve topsoil and limit disturbance.
 - 12. Design Manual details or alternate details as approved by the city engineer, or designee, for temporary erosion control structures.
 - 13. Design Manual details or alternate details as approved by the city engineer, or designee, of permanent erosion control structures.
 - 14. Include the order of operations found within the design manual or alternative as approved by the city engineer, or approved designee.
 - 15. A signed statement on the plan by the owner, developer, and contractor that any clearing, grading, construction, or development, or all of these, will be done pursuant to the plan.
 - 16. The City Engineer may require any reasonable additional information or data deemed appropriate and/or may impose such conditions thereto as may be deemed reasonably necessary to ensure compliance with this section.
 - 17. A description of, and specifications for, sediment retention structures.
 - 18. A description of, and specifications for, surface runoff and erosion control devices.

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19. A description of permanent erosion control measures.
 20. The applicant may propose the use of any erosion and sediment control techniques in a final plan provided such techniques are proven to be as or more effective than the equivalent best management practices as contained in the Florida Department of Environmental Protection Florida Stormwater Erosion and Sedimentation Control Inspection Manual (latest edition).
 21. Proof of all federal and/or state approvals (as applicable) is required prior to obtaining any City permit.
- F. Exemptions.
1. The following activities are exempt from providing an ESCP.
 - a. Cemetery graves.
 - b. Emergencies posing an immediate danger to life or property, or substantial floor or fire hazards.
 - c. Any activity where the total volume of material disturbed, stored, disposed of, or used as fill, does not exceed five cubic yards. Or, the area disturbed does not exceed 750 square feet provided it does not obstruct a watercourse, and is not located in a floodplain. Erosion and sediment control devices may be required pending a site evaluation by the City Engineer.
- G. Construction site or other grading and/or filling activities
1. All work at construction sites or other site work involving grading and/or filling activities shall be governed by the following regulations:
 - a. Ground cover. All bare ground, stripped of vegetation during the clearing/grading process, shall be covered to the maximum extent practicable.
 - i. Minimize the amount of existing vegetation that you must disturb for construction.
 - ii. Keep out of critical areas and their buffers.
 - iii. Areas not being worked on for 30 calendar days or more shall be vegetated and/or stabilized using BMPs.
 - iv. Slopes and stockpiles 3H:1V or steeper and more than ten feet of vertical relief shall be covered if they are un-worked for more than 48 hours.
 - v. Areas that are being hydro-seeded shall have a tackifier mixed into the hydro-seed to help stabilize mixture onto the soil.
 2. Perimeter Protection is required for all development or redevelopment activities.
 - a. Perimeter protection to filter sediment for sheet flow washout shall be located down slope of all disturbed areas and be properly installed prior to upslope grading.
 3. Environmentally sensitive area (ESA) restrictions shall include but not be limited to all wetlands, open water bodies and beaches.
 - a. Phasing and more conservative Best Management Practices (BMPs) must be evaluated for construction activities near environmentally sensitive areas.
 - b. A minimum of two rows of properly installed erosion control devices (as shown in the Design Manual) are required to protect from sediment inflow and wind-borne debris from entering these areas.
 4. Surface water controls are required when development activity is:
 - a. Within 15 feet of the shoreline of an open water body.
 - b. In and/or over an open water body.

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5. Traffic area stabilization
 - a. One temporary construction accessway/driveway entrance is allowed per construction site (per Design Manual) and shall be located such to minimize motor vehicle and pedestrian impacts on the adjacent properties and rights-of-way.
 - b. Multiple entrances may be approved if the developer can prove that more are needed to protect the health, safety, and welfare of the general public.
 - c. The following regulations apply to all temporary construction accessway/driveways:
 - i. Temporary construction accessway/driveway entrances, access roads, and parking areas used by construction traffic shall be stabilized to minimize erosion and prevent tracking mud or soil from the site as per the Design Manual.
 - ii. Before clearing and grading, construction entrance(s) shall be stabilized wherever traffic will be leaving a construction site and traveling on paved roads or other paved areas within the site that is open to the public.
 - iii. Construction entrance(s) shall be set up so that all traffic leaving a job site is required to travel the entire length of entrance.
 - iv. Additional techniques to reduce soil tracking off of a site and onto a roadway such as wheel washing stations may be required (see Design Manual).
 - v. Any sediment that is tracked onto the road pavement shall be removed immediately and placed back on-site (prior to the end of the workday) by sweeping.
 - vi. The pavement shall not be cleaned by washing/flushing streets.
6. Sediment retention
 - a. All sediments/soils shall remain on site. The following sediment retention regulations are required on all areas of development and redevelopment activities:
 - i. Sediment retention facilities shall be installed before grading.
 - ii. If sediment retention facilities need to be removed for grading, additional ponds/traps/systems to accommodate storage capacity need to be installed on site. This will be done prior to removal of existing facility.
 - iii. Catch basin protections are to be used to prevent sediments from entering drainage system. Inserts are to be inspected and cleaned weekly and after each rainfall event.
 - b. Catch basins need to be checked for buildup of sediments. If sediment trap (area between pipe invert and bottom of basin) is $\frac{1}{3}$ or more filled with sediments, they are to be cleaned out and sediments removed or stabilized on-site.
- H. Maintenance of erosion control devices
 1. The following maintenance of erosion control device regulations are required on all areas of development or redevelopment activities:
 - a. All projects shall have a designated erosion and sediment control (ESC) supervisor who will be responsible for ESC review, maintenance, and compliance.
 - b. The ESCP shall be installed, implemented, and maintained at all times throughout the entire duration of the project until issuance of Certificate of Occupancy or Certificate of Completion, whichever is applicable.
 - c. ESC shall be maintained and inspected in accordance with all FDEP/NPDES requirements.

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- d. The ESC supervisor must be available, 24 hours, for rapid response to ESC problems and emergencies.
 - e. A 24-hour phone number for the ESC Supervisor shall be posted in a clearly visible location on the project site.
- I. Final stabilization conditions
 - 1. The following final stabilization conditions must be met prior to final construction approval:
 - a. All temporary construction accessway/driveway entrances shall be removed and the right-of-way re-graded, restored, and re-vegetated to original or better condition.
 - b. All disturbed areas of the site shall be vegetated or otherwise permanently stabilized.
 - c. Structural measures such as silt fence, slope drains, etc. shall be removed from site.
 - d. All permanent stormwater facilities including catch basins, pipes, etc. shall be cleaned. Drainage system videoing may be required at the request of the city engineer.
 - e. Any off-site catch basins or curb inlets that require protection shall be cleaned.
- J. Post construction erosion monitoring and maintenance
 - 1. The continued monitoring and maintenance of erosion for all post development activities shall be the responsibility of the property owner or as prescribed in a recorded easement or legal agreement that runs with the land. This code applies to all current as well as future developments.
 - a. Sediment/soil erosion leaving a site or property shall be prohibited.
 - b. Sediment/soil erosion from uplands into environmentally sensitive areas shall be prohibited.
 - c. Dumping or piling vegetative debris or clippings in environmentally sensitive areas shall be prohibited.
 - d. Tracking sediment or soil onto a roadway shall be prohibited.
 - e. Should the owner of a property fail to maintain their sediment or soil erosion, control facilities, the City shall give written notice to the owner stating the nature of the discrepancy and the recommended action necessary to correct the discrepancy. Should the owner fail, within 30 calendar days from the date of the notice, to take corrective action satisfactory to the City, the City may enter upon such lands and take such action necessary to correct the discrepancy and place a lien on the property of the owner for the costs incurred. The City may also require a Special Magistrate Hearing to rectify the situation

SECTION 6.09.02 POST CONSTRUCTION EROSION MONITORING AND MAINTENANCE

- A. The continued monitoring and maintenance of erosion for all post development activities shall be the responsibility of the property owner or as prescribed in a recorded easement or legal agreement that runs with the land. This code applies to all current as well as future developments.
- B. The following activities are prohibited:
 - 1. Sediment/soil erosion leaving a site or property shall be prohibited.
 - 2. Sediment/soil erosion from uplands into environmentally sensitive areas shall be prohibited.
 - 3. Dumping or piling vegetative debris or clippings in environmentally sensitive areas shall be prohibited.
 - 4. Tracking sediment or soil onto a roadway shall be prohibited.

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- C. Should the owner of a property fail to maintain their sediment or soil erosion, control facilities, the City shall give written notice to the owner stating the nature of the discrepancy and the recommended action necessary to correct the discrepancy.
- D. Should the owner fail, within 10 calendar days from the date of the notice, to take corrective action satisfactory to the City, the City may enter upon such lands and take such action necessary to correct the discrepancy and place a lien on the property of the owner for the costs incurred.

SECTION 6.09.03 DUST CONTROL PLANS

- A. A dust control plan, prepared, signed, dated and sealed by a professional engineer registered in the State of Florida, must be submitted to the City for review and approval.
- B. The approved plan shall remain in effect on the property until a Certificate of Completion or Certificate of Occupancy (whichever applies) has been issued for the project.
- C. The following dust control regulations are required on all areas of development or redevelopment activities:
 - 1. If water truck is used to control dust on dirt/graded areas only, water truck will only drop enough water to control the dust or reach the optimum moisture content of the soil for compaction. No run-off is to be generated.
 - 2. Controlling dust on paved roadways will be done using a sweeper with water-jet sprayers. Only enough water should be applied to control dust while sweeping. Do not generate run-off from sprayers that run into catch basins.
- D. Dust Control Plan requirements
 - 1. How grading operations will be handled/suspended when winds exceed 30 miles per hour.
 - 2. How water will be applied to all surfaces prior to, and if necessary during, excavation.
 - 3. How water or a covering will be applied to all particulate materials contained in open-bodied trucks, trailers or other vehicles transporting particulate matter prior to operation of the vehicle, in order to prevent as much dust as possible from becoming airborne during transportation.
 - 4. How water or a covering will be applied to all stockpiles of particulate material to prevent as much dust as possible dust from becoming airborne during high wind conditions.
 - 5. How transfer processes involving free fall of soil or other particulate matter will be performed in order to minimize free fall distance and thus reduce dust emissions.
 - 6. How and when water will be applied to unpaved surfaces, including adjacent rights-of-way, or any other surface that can create airborne dust in order adequately to control dust emissions.
 - 7. How and when ground cover on the development site will be reestablished prior to final occupancy.
 - 8. The designated routes within the job site that will be used by vehicles transporting soil or other materials to and from the site.
 - 9. How soil, sand, dirt and any other particulate matter will be removed from vehicle tires and undercarriages prior to leaving the development site, in order to prevent the tracking out of said soil, sand, dirt, etc., onto the adjacent rights-of-way.
 - 10. The maximum speed limit on unpaved roads through the construction site and how and where speed limit signs will be posted along the haul road routes so that they are visible to vehicles entering and leaving the development site.
 - 11. How and when soil, sand and other particulate material deposited or emitted onto any right-of-way near the development site will be removed.

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12. How 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, will be maintained.
 13. How and when opacity monitoring will be performed by a properly trained and certified individual in order to make sure that dust emissions do not exceed 30 percent over a six-minute period; and how remedial actions to address excess opacity will be immediately managed and documented.
- E. In addition to providing the dust control plan, the contractor shall provide to the City a copy of the daily dust control checklist on which the contractor will document the compliance of the mitigation activities detailed in the dust control plan.
- F. The contractor shall make the dust control plan and the daily dust control checklist available at the job site for periodic review, inspection and copying by the City's representatives.

SECTION 6.09.04 VIBRATION MITIGATION PLANS

- A. A vibration mitigation plan, prepared, signed, dated and sealed by a professional engineer registered in the State of Florida, must be submitted to the City for review and approval.
- B. A Vibration mitigation plan is required for all non-residential and multi-dwelling development.
1. Single-dwelling and Duplex developments are exempt from this section.
- C. All vibration mitigation plan must meet the requirements stated in this section
- D. The approved plan shall remain in effect on the property until a Certificate of Completion or Certificate of Occupancy (whichever applies) has been issued for the project.
- E. Vibration Mitigation Plan requirements
1. a description of the control processes that the Contractor will implement in order to address the following:
 - a. How to ensure that any activity will not transmit vibrations to sensitive receptor structures at or above the Federal Transit Administration (FTA) approximate vibration damage threshold of 95 Vibration Decibels (VdB).
 - b. How to minimize the impact on surrounding areas for any activity exceeding the approximate FTA vibration annoyance threshold of 80 VdB.

SECTION 6.09.05 LITTER CONTROL

- A. The purpose of this section is to provide a sanitary and satisfactory method of handling, collecting, and disposing of litter, and for the maintenance of public and private property that may negatively impact the health and safety of the community.
- B. Construction site.
1. Litter prohibited.
 - a. It shall be unlawful for any owner, agent, or contractor of a construction site to cause, or allow, the presence of litter on such site outside of a proper receptacle or to cause, or allow, litter or waste to be spilled, discharged, or blown by wind or carried away by water.
 - b. It shall be the responsibility of the owner or agent of the property and each contractor performing work on the site to keep the property free of litter.
 2. Receptacles required.

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- a. The owner, agent, or contractor in charge of a construction site shall furnish on site, receptacles sufficient to contain worker's litter and receptacles sufficient to contain all construction waste.
 - b. All receptacles shall be conveniently available, maintained and secured or covered.
3. The number and capacity of receptacles should be determined by the primary contractor, but not less than one receptacle for worker's litter and no less than one receptacle for construction waste shall be placed at each construction site.
 - a. Receptacles required under this subsection shall be not less than 50 gallon capacity.
4. All receptacles shall be emptied as necessary, but not less frequently than weekly, except that receptacles used exclusively to contain construction waste shall be serviced when full.

SECTION 6.09.06 MATERIAL MANAGEMENT

- A. The purpose of this section is to promote good housekeeping practices that are designed to significantly reduce and control stormwater runoff pollution which runs into storm drains, treatment facilities and local waterways.
- B. Construction sites.
 1. Paint/solvent storage shall not be within 50 feet of an environmentally sensitive area (ESA) and shall be enclosed in weather/leak proof storage facility.
 2. Fuel storage tanks shall be located 75 feet or more from an ESA or storm drain and shall be in a state approved leak proof container.
 3. All above ground tanks for fueling shall be secondarily contained.
 4. Portable waste receptacles must be on the construction site and must be serviced on a regular basis.
 5. Construction site accessway/driveways can be installed with or without wheel washing stations, but must prevent construction site vehicle wheels from transporting soil and sediment off of construction site and onto roadways.
 6. All hazardous waste material shall be disposed of in a manner specified by federal, state, local regulations, and manufacturer's specifications.
 7. All on-site vehicles and tanks shall be monitored for leaks and receive regular preventative maintenance to reduce the chance of leakage. Petroleum products shall be stored in tightly sealed containers, which are clearly labeled. Storage shall be at least 75 feet from an ESA or storm drain.
 8. Any pesticide and herbicide usage shall be applied by a state licensed applicator.
 9. Fertilizers used shall be applied only in the minimum amount recommended by the manufacturer. If stored on-site, covered storage shall be provided. Any contents of any partially used bags of fertilizers shall be transferred to a sealable container.

SECTION 6.10 EASEMENTS

SECTION 6.10.01 EASEMENTS

- A. Easements shall be provided for all utilities, facilities, or services which are required for development which include but are not limited to:
 1. Access (Vehicular or Pedestrian)
 2. Communications
 3. Conservation

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4. Drainage or Stormwater
5. Electrical
6. Potable Water
7. Waste Water

SECTION 6.11 HARBOR BOARDWALK AND AMENITIES

SECTION 6.11.01 REQUIRED HARBOR BOARDWALK DEVELOPMENT

- A. The following requirements only apply to development projects located in the SHMU zoning district:
 1. Pedestrian easements dedicated to the public for access from Harbor Boulevard to the Harbor waterfront and between adjoining properties along the Harbor waterfront are required.
 2. For the north-south access, developments have the option to provide either an exclusive pedestrian easement with a minimum width of ten feet when such easement is not located next to an adjoining property line or a five-foot wide easement when it is located next to an adjoining property line of the development.
 3. For east-west access, developments must provide a pedestrian easement for the Harbor Boardwalk and Promenade with a minimum width as indicated in subsection b, listed below. All pedestrian areas shall be constructed of pavers, asphalt, concrete, stamped and colored concrete, boards or other impervious surfaces.
 4. Additionally, all pedestrian easements dedicated to the public for access shall have adequate outdoor lighting to help ensure the health, safety, and welfare of the public at night.
- B. Design and Construction
 1. Each development is responsible for constructing that portion of the Harbor Boardwalk and Promenade fronting its property to the following minimum standards listed below.
 - a. Harbor Boardwalk and Promenade materials:
 - i. ~~Development of~~ The Harbor Boardwalk and Promenade shall ~~be constructed of materials meeting the standards and specifications reviewed and~~ approved by the CRA Board.
 - b. Width and Height of Pedestrian Walking Surface
 - i. Fifteen feet minimum with an average of 25 feet.
 - ii. No structures, other than canopies, may extend over the pedestrian walking surface.
 - iii. A minimum vertical clearance of ten feet (10') must be provided when canopies protrude over the pedestrian walking surface.
 - iv. Height of Pedestrian Walking Surface
 - (a) Four feet (4') to twelve feet (12') above mean high water line.
 - (b) Height of pedestrian walking surface may vary from the previously mentioned standard to be compatible with the height of the Harbor Boardwalk and Promenade fronting adjacent properties and to comply with the Americans with Disabilities Act requirements.
 2. Design and construction of waterfront amenities/improvements.
 - a. Lighting, benches, drinking fountains, trash containers, planters, and other hardscape items shall be as per the standards and specifications approved by the CRA Board.

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- b. Lateral connections to the Harbor Boardwalk Promenade must meet the above standards for walking surface height, hardscape, and vertical boardwalk features.
 - c. Each development shall erect and maintain a historical or informational display board for every 150 linear feet or fraction thereof of Boardwalk. Historical or informational display boards shall be constructed per the standards and specifications approved by the CRA Board.
- C. Water Taxi Stop
 - 1. All nonresidential, mixed use and multifamily development that border the Destin Harbor, the East Pass or Choctawhatchee Bay shall provide a minimum of one loading and unloading area or slip which shall be reserved for use by a water taxi.
 - 2. This water taxi stop must be clearly marked by signage stating that it is reserved for the water taxi. Additionally, water taxi amenities shall be provided in conjunction with the water taxi stop.
 - 3. Water taxi amenities shall include:
 - a. A bench or combination of benches that accommodates a minimum of eight people;
 - b. A trash receptacle;
 - c. Sufficient outdoor lighting for safe pedestrian movement at night;
 - d. A location/information sign that at a minimum shows the location of the water taxi stop in regard to other water taxi stops, transit stops, and public parking garages; and
 - e. A boardwalk/sidewalk that connects the water taxi stop area to the internal (development site) and, if applicable, external (public) sidewalk system.

SECTION 6.12 CONSTRUCTION AND DEVELOPMENT ACTIVITY

SECTION 6.12.01 SIGNAGE

- A. Signage
 - 1. A sign, meeting the following requirements, shall be posted on the property:
 - a. The sign must be prominently placed on the development site and shall not be located further than five feet from the adjacent right-of-way. The required content of the sign shall be legible as viewed from the adjacent right-of-way
 - b. Such sign shall be a minimum of eighteen inches by twenty-four inches (18" x 24") in size;
 - c. The sign must clearly indicate the following:
 - i. Name of the responsible Emergency Contact
 - ii. A phone Number that is accessible 24 hours a day, seven days a week
 - iii. Permit Number
 - d. The sign must be continuously on the property of the development site and shall be removed from said property within five working days after the issuance of Certificate of Completion or Certificate of Occupancy (whichever applies).

SECTION 6.12.02 SCREENING

- A. All construction sites, active or inactive, shall provide site screening fence, along all property lines.
- B. The screen material shall;
 - 1. Be made of an opaque material capable of allowing air to pass but semi-pervious to dust and dirt.

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2. Be of a fineness such that no material over one-eighth (1/8) inch in size shall pass through the mesh.
3. Be securely affixed to the construction fence.
4. Have a minimum height of five (5) feet and a maximum height of eight (8) feet.
- C. The screening material shall be maintained in good condition and taut throughout the allotted permit time.
- D. The screening must be kept secure from any wind action.
- E. 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.
- F. Any image placed on the construction fence screening must be of a non-commercial nature and not promote any activity or entity supporting or providing goods and services.
- G. All construction screening must be removed upon;
 1. The building permit being completed and before issuance of the Certificate of Occupancy or Completion.
 2. The project becoming inactive, and the site is restabilized.
 3. The issuance of a hurricane warning for the greater Destin area by the National Hurricane Center.

SECTION 6.12.03 CONSTRUCTION VEHICLE PARKING MITIGATION PLAN

- A. All construction and development activity must provide a Construction Vehicle Parking Mitigation Plan in accordance with the **Code of Ordinances, Article 2 Chapter 18, Section 21.**

SECTION 6.13 CONCURRENCY MANAGEMENT

SECTION 6.13.01 CONCURRENCY MANAGEMENT SYSTEM

- A. The purpose of the City of Destin's Concurrency Management System (CMS) is to ensure that facilities and services needed to support development are available concurrent with the impacts of such development.
- B. Prior to the issuance of a development order (permit), the system shall ensure that the adopted level of service standards in this Code for, potable water, sanitary sewer, solid waste, drainage, recreation and open space will be maintained.
- C. The City Manager or their designee shall be responsible for ensuring developer compliance with the concurrency management system and shall report on such compliance to the Local Planning Agency and City Council as required.

SECTION 6.13.02 GENERAL REQUIREMENTS

- A. If a proposed development meets the criteria set forth in Article 2, Section 2.05.01, then concurrency compliance shall be met. The burden of showing concurrency compliance shall be upon the developer. Such information shall be compiled and quantified prior to requesting a review of a development order application.
- B. Capacity allocation

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1. Capacity shall be allocated on a first come-first served basis, i.e. reservation of capacity goes to the developer that first obtains approval to perform construction on the site. The allocation of capacity, however, shall be subject to the following sunset provisions:
 - a. Capacity approved and assigned to a development project shall remain valid for a period of not more than one year from the date of the approved development order. The date of the approved development order is the date from which it is issued by the community development department. However, a building permit must be issued for either the construction of infrastructure or construction of the entire project and construction must commence within said one-year period or the development order becomes null and void. "Construction of infrastructure" shall be defined as site work, grading, or other construction activity (not including land clearing and grubbing or demolition of existing structures) related to installation of roadways, access drives, parking lots, underground utilities, stormwater or drainage facilities, or building foundations. If construction activity ceases for a period of one year after a building permit for construction of the infrastructure or construction of the entire project has been issued, the development order will be considered null and void and capacity assigned to the development will be returned to the pool of available capacity.
 - b. If construction of infrastructure is not commenced within one year after allocation of capacity, capacity assigned to an approved development will be returned to the pool of available capacity and the development order will be considered expired. An extension to the one year deadline to obtain a building permit, as defined in Section 6.01.00.B.1.a, is allowed provided that a building permit is obtained in accordance with procedures outlined in Article 2, Section 2.15.00, extension of a final development order. Vested capacity associated with developer development agreements or development orders issued pursuant to Chapter 380 Florida Statutes are exempt from this paragraph and shall be subject to the specific terms stated therein, or in applicable City ordinances.
 - c. If a property and it's associated development order is sold to an individual or company its concurrency shall remain vested, provided that the original developer has complied with all other provisions of this article.
 - d. Capacity cannot be reserved by the payment of impact fees (i.e., parks, public library, police protection, road, water, sewer, tap fees).
 2. In the event of withdrawal of capacity following the issuance of a final development order or a building permit, it shall be incumbent upon the developer to reapply for capacity allocation if a continuation of the project is desired.
- C. Concurrency for all categories shall be evaluated by the Technical Review Team members. For all projects determined to meet the criteria for a major development order, the test for concurrency must be met prior to development order application being advertised for any public hearing. If an applicant disputes a determination that concurrency has not been met, then the applicant may request that the application to be scheduled for the next available public hearing of the City Council. For projects determined to be a minor development order, the test for concurrency must be met prior to the issuance of a development order.
- D. Projects deemed to have a de minimis impact pursuant to the Comprehensive Plan shall not be subject to concurrency requirements.

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SECTION 6.13.03 DETERMINATION OF CONCURRENCY

- A. Determination of concurrency in all measurable categories by the city occurs during the initial review of the development order application by the technical review committee.
- B. Concurrency determination shall be evaluated against the requirements of this Article specifically and generally by this Code.
- C. Developer concurrence assessment shall be in accordance with **Section 6.13**
- D. In no case shall any proposed development proceed without a finding of concurrency which establishes that levels of service (LOS) will not be degraded, unless degradation is allowed pursuant to a policy in the adopted Comprehensive Plan.

SECTION 6.13.04 MINIMUM REQUIREMENTS

- A. As a minimum, at least one of the following standards will be met prior to issuance of a development order:
 - 1. The necessary facilities and services are in place at the time a development permit is issued
 - 2. A development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of development occur
 - 3. The necessary facilities are under construction at the time a permit is issued
 - 4. The necessary facilities and services as they relate to parks, recreational facilities and roads are the subject of a binding executed contract for the construction of the facilities or the provision of the services at the time that the development permit is issued.
 - a. Construction of the facilities and services shall commence within one year of the issuance of the building permit.
 - 5. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to F.S. 163.3220 or an agreement or development order issued pursuant to F.S. ch. 380. Any such agreement shall include provisions pursuant to subparts A., B., or C. above.

SECTION 6.13.05 QUANTIFIING CONCURRENCY

- A. Adding Capacity
 - 1. Add total capacity of existing facilities (sanitary sewer, solid waste, drainage, potable water, recreation and open space).
 - 2. Add to the above, total capacity of new facilities, or facility expansions that will result from planned activity. Capacity of new facilities shall be counted only under one or more of the following conditions:
 - a. Construction of the new facilities is underway at the time of the issuance of a development order.
 - b. The new facilities are the subject of a binding contract for the construction of the facilities or the provision of services at the time of issuance of the final development order.
 - 3. If the development application is for the redevelopment of improved property, add to the above the capacity created by the change in demand created by the redevelopment activity.
 - 4. Capacity credit shall be given for reduction in demand on facilities.
- B. Subtracting capacity.

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1. From the sum calculated above, subtract the following:
 - a. The demand for the service or facility created by existing development as documented by the provider of such facility or in the foundation documents of the comprehensive plan plus the demand upon any new facility, expansions, or improvements anticipated as a result of the planned activity.
- C. Demand
 1. Demand shall be calculated using the following adopted LOS(s)
 - a. Sanitary sewer: includes collection and treatment
 - i. Residential: 255 gallons per residential unit per day
 - ii. Non-residential: 80% of the potable water usage
 - b. Solid waste: Five pounds per capita per day.
 - c. Drainage: Retain the first inch of runoff on-site; and post-development runoff shall not exceed the pre-development rate for a 25-year storm event, up to an including an event with a 24-hour duration.
 - d. Potable water:
 - i. Residential: 294 gallons per household per day on an average annual basis
 - ii. Commercial: 166 gallons per day for every 1,000 square feet
 - e. Recreation and open space:
 - i. Neighborhood park: 1.0 acre per 1,000 functional population
 - ii. Community park: Two acres per 1,000 population.
- D. Deficient capacity
 1. Where capacity is shown to be deficient, the following methods may be used to maintain adopted levels of service.
 - a. The developer may agree to provide necessary capacity improvements to maintain levels of service.
 - b. The planned activity may be reduced in scope so that demand does not exceed capacity.
 - c. The developer may petition the city to provide required infrastructure to maintain LOS.
 - i. Such petition must accompany the application for development approval, either preliminary or final.
 - ii. Such a request, if financed from the general fund, can be granted only under the following conditions:
 - (a) Planned activity will result in multiple benefits for the community, whether economic, cultural, recreational or social.
 - (b) If such an expenditure is authorized, the resulting capacity improvement shall be available to any other developer who may have been previously denied a development order for an identical capacity deficiency (or deficiencies).
 - d. Additional capacity for state-maintained roadways may be counted if capacity improvements are included within the first three years of the Florida Department of Transportation's five-year work program, as the work program exists at the time of application for development approval (see article 8 of this Code).

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SECTION 6.14 LEVELS OF SERVICE

SECTION 6.14.01 ADOPTED LEVELS OF SERVICE

- A. All levels of service (LOS) are adopted in the City's Comprehensive Plan which shall be utilized in the analysis of concurrency if required or a proposed development's impact on the existing infrastructure or systems and the potential degradation.
- B. In no case shall any proposed development proceed without approval of the project a determination from the TRC of either no impact to the LOS or the impacts are an acceptable and there is minimal degradation to the existing infrastructure or systems below the adopted levels of service pursuant to the Comprehensive Plan.
- C. Degradation of LOS during construction is expected and allowed so long as the approved LOS returns once construction is complete.
- D. The construction of any development project may be phased or staged so as to coincide with the phased or staged construction of infrastructure facilities so that the levels of service for such facilities are maintained upon completion of each phase or stage of the development project.

SECTION 6.14.02 MAINTAINING AND MONITORING OF LEVELS OF SERVICE

- A. For the purposes of concurrency and required reporting the City shall require adherence to concurrency requirements for drainage, potable water, sanitary sewer, and solid waste.
- B. The levels of service for parks, open space, recreation, and transportation shall be monitored and mitigated by appropriate means by the developer to maintain the adopted levels of service as part of any proposed development approval.
 - 1. Appropriate means includes but is not limited to:
 - a. Building new playground equipment.
 - b. Dedicating land.
 - c. Building infrastructure for vehicles or other multi-modal transportation needs
 - d. Other means or elements to mitigate the degradation of the levels of service as needed.