



**AGENDA  
LOCAL PLANNING AGENCY  
TUESDAY, JUNE 24, 2025  
5:30 PM  
ANNEX COUNCIL CHAMBERS**

- 1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE**
- 2. AGENDA APPROVAL**
- 3. APPROVAL OF MINUTES**
  - A. May 15, 2025 Minutes**
- 4. CURRENT BUSINESS**
  - A. Ordinance 25-13-PC Comprehensive Plan Amendments**
  - B. Proposed Ordinance 25-10-LC – Revising Article 7 of the Land Development Code (LDC) to Allow Decks to Encroach Five Feet (5') into Rear Setbacks for Non-Waterfront Townhomes within the High Density Residential (HDR) Zoning District.**
- 5. PUBLIC COMMENTS**
- 6. NEXT MEETING DATE: TBD**

**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)**

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**LOCAL PLANNING AGENCY MEETING MINUTES  
MAY 15, 2025 - 5:30 P.M.  
DESTIN CITY HALL ANNEX CHAMBERS**

**1. CALL TO ORDER & PLEDGE OF ALLEGIENCE:**

Deputy Community Development Director Steve o'Connor called the Local Planning Agency meeting to order on Thursday, May 15, 2025, at 5:30 p.m., in the Destin City Annex Chambers; with the Pledge of Allegiance immediately following.

**2. ROLL CALL:**

**Members Present**

Ken Wampler

Marcie Bell

Jay Purut

Bree Uptigrove

**Members Absent**

James T. Wood, Jr.

Todd Buhr

Tammy Weidenhamer

**Staff Members Present**

Kimberly Montgomery Deputy City Clerk

Daniel Butler Principal Planner

Jesse Hernandez Planner

Steve o'Connor, Deputy CD Director

David Prichard, Community Dev. Director

Kim Kopp City Attorney via phone

**3. Interim Chairman:**

**Committee member Bell nominated Agency member Ken Wampler as the interim Chairman with Agency member Purut providing the second. The motion passed unanimously.**

**4. AGENDA MINUTES:**

**3/6/2025**

**3/20/2025**

**4/3/2025**

**Motion to approve the minutes of the March 6, 2025, March 20, 2025 and April 3, 2025 as written with no changes or additions by Agency member Bell with Agency member Purut providing the second, the motion passed unanimously.**

**4. NEW BUSINESS:**

**A. Ordinance 24-17-CC – Property Maintenance Code**

The Building Official, Mrs. Noell Bell stated that she removed Chapters 4 through 7, which because of redundancy and are now referenced. Additionally, some language was added to Section 302.3 under Exterior Property Areas: "Landscape Maintenance" language. Clarification was provided on unsafe structures. While the specifics of Chapters 4–7 (e.g., light, ventilation,

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plumbing, mechanical, and electrical requirements) are excluded, they are still referenced in the Florida Building Codes and the Land Development Code.

Agency Bell spoke of concern she has for the language removed and spoke of instances where property owners, specifically townhome owners, who remodel the entire inside of without pulling any permits therefore no inspections are performed. It was emphasized that interior issues remain enforceable under building and maintenance codes, even if not stated in the ordinance. A brief discussion followed regarding enforcement challenges related to unauthorized interior renovations in multi-unit structures, such as townhomes, if the work is never reported while it is being renovated. The members acknowledged these concerns, and staff reinforced the role of complaint-based inspections.

**Motion by Agency member Bell, seconded by Interim Chairman Wampler to recommend City Council approve Ordinance 24-17-CC - Property Maintenance Code. The motion passed 5-0.**

### **B. Ordinance 25-08-LC – Adoption of Mobility Fees**

Mr. o'Connor explained to the members how this ordinance has already been to Council and approved for first reading. Additionally, this ordinance proposes replacing the current transportation impact fees with mobility fees as outlined in the previously adopted Mobility Plan. The new fees reflect updated cost structures after 15+ years without changes, and the funds will be usable citywide for eligible projects including pedestrian, bicycle, and multimodal infrastructure, and this represents a shift from the limited-use zone-specific model to a more flexible network-wide approach.

**Motion by Agency member Wampler, seconded by Agency member Bell to recommend City Council approve ordinance 25-08-LC, the motion passed 3-0, with Agency member Bell abstaining from the vote due to a personal gain/loss.**

### **C. Ordinance 25-10-LC – Revising Rear Setbacks for Townhomes within the High Density Residential (HDR) zoning district.**

Mr. Butler explained how this is a staff initiated ordinance which proposes to revise the rear setbacks for townhomes, specifically within the High Density Residential Zoning District from 10 feet to 5 feet for buildings that have a building height of 35 feet or less. He then provided the Agency members with an example how if a lot fronts the harbor, the rear setback is zero and if a lot fronts the Choctawhatchee Bay, they will have to comply with the Shoreline Protection Zone, which is 50 foot for any kind of principal structure, and allowing accessory structures within that area, not to constitute more than 40%. Therefore, all lots that do not front any kind of water body, there would be a rear property line setback of 10 feet across the board, for any building

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having 35 feet or less. Additionally, staff is proposing for the rear setback to be reduced to five feet, because over the years, there have been properties that have either illegally built extensions or structures within their rear setback to five feet, and some others have been erroneously approved by staff between the years 2015 to 2017. Therefore, staff is trying to eliminate these nonconforming structures within the city and make them as equitable as possible.

**Motion to recommend City Council adopt Ordinance 25-10-LC was made by Interim Chairman Wampler with Agency member Bell providing the second. The motion passed with a unanimous vote of 4-0.**

### ➤ **Land Develop Code, Chapter 8 Discussion**

Staff provided an update and collected consensus on multiple points from the December 3rd City Council workshop:

#### ❖ **Wind Devices:**

The members discussed several different options to allow certain events. For the initial 90-days before and 10 days after Agency member Uptigrove pointed out that could potentially be the entire summer and is entirely too long. Seven days before and 3 days, day of event, three days before and three days after, and day of and one day after an event and ultimately the decision was to allow them day of the event and then they be removed.

#### ❖ **Sign Height:**

Staff and board agreed to retain the simple 8 ft max height without variable height percentages.

#### ❖ **Vehicle Signage:**

Clarified that affixed and flush signage is acceptable with mobile billboards and protruding signage remain prohibited.

#### ❖ **Digital Signage:**

Consensus to retain the 7-year amortization period, as initially recommended by LPA. Institutional zoning districts (e.g., churches, schools) are exempt and may retain digital signage.

#### ❖ **Flags:**

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Currently, flags are exempt and not prohibited. However, they will be counted toward total commercial signage allowances, if they're used to advertise commercial speech. Staff clarified distinction between political/non-commercial and commercial content when used as a part of their signage.

No formal motion is required. Staff will incorporate recommendations into the final ordinance draft for Council review.

6. **PUBLIC COMMENTS:** None

7. **ADJOURNMENT:**

Having no further discussion at this time, the meeting adjourned at 6:30 p.m.

Adopted and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2025.

\_\_\_\_\_

\_\_\_\_\_  
Kim Montgomery, Deputy City Clerk

## CITY OF DESTIN – COMMUNITY DEVELOPMENT



# AGENDA ITEM

**MEETING DATE:** June 24, 2025  
**BOARD/COMMITTEE:** Local Planning Agency  
**TYPE OF AGENDA ITEM:** Ordinance  
**OUTLINE NUMBER:** 4.A.

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**TO:** Local Planning Agency

**THRU:** Kyle Bauman, Special Projects Attorney  
David Prichard, Community Development Director

**FROM:** Steve O'Connor, Deputy Community Development Director

**DATE:** June 13, 2025

**SUBJECT:** Ordinance 25-13-PC Comprehensive Plan Amendments

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**I. BACKGROUND:** At the March 1, 2021, City Council meeting, Council passed a motion to replace transportation concurrency (MMTD) with a Mobility Fee-Based Plan. Staff worked with 3TP Ventures to create the Mobility Plan, which the Council adopted on September 16, 2024. The Mobility Plan is a comprehensive blueprint for addressing the City's current and future transportation needs. Mobility fees are a crucial tool for cities like Destin to fund transportation projects that address the impacts of future growth, while also addressing service gaps such as multimodal infrastructure and traffic congestion. As the Mobility Plan is a fee-based plan, the Mobility Fee was also developed and approved on May 19, 2025, and will replace the Transportation Impact Fee. Approval of the Mobility Plan and Fee also negated the transportation concurrency requirements of the Comprehensive Plan and LDC. However, the City will continue to track the transportation level of service (LOS) to ensure the system is operating as needed.

**II. DISCUSSION:** Since the Comprehensive Plan currently still references the Multi-Modal Transportation District (MMTD), Transportation Concurrency, and Transportation Impact Fees, it is necessary to replace or modify those references with or to the Adopted Mobility Plan and Mobility Fee, while removing the requirement of tracking transportation concurrency. Each policy, goal, or objective that had either a reference to the MMTD, transportation concurrency, or the Transportation Impact Fee has been identified and modified appropriately.

Several policies, goals, or objectives need to be removed entirely, primarily those requiring monitoring of the MMTD or transportation concurrency. The list of those policies, goals, and objectives is below. These policies or portions of the policies either set standards for

concurrency management for transportation, require monitoring of the transportation concurrency management system, or were only applicable to the MMTD. Each of them can be reviewed in its entirety within the ordinance. All other amendments either replace or modify the MMTD or Transportation Impact Fee with the appropriate reference to either the Mobility Plan or Fee.

Policy 2-1.3.3: MMTD Boundaries.

Policy 2-1.3.4: Conditions for Transportation Concurrency in MMTD.

Policy 2-1.3.6: Crystal Beach Transition Area.

Policy 2-1.3.22: Monitor Multimodal Transportation District.

Policy 2-1.3.23: Use Multimodal Transportation District Performance Measures.

Policy 12-4.1.4: Criteria for Concurrency and Final Development Orders.

C. Transportation. (Only this paragraph of the policy is being removed)

Policy 12-4.1.8: Methodology for Determining Demands on Concurrency Facilities.

A. Transportation. (Only this paragraph of the policy is being removed)

**City of Destin Business Impact Statement – Ord 25-13-PC**

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption may apply, the City hereby publishes the following information:

**1. Summary of the proposed ordinance:**

Proposed ordinance 25-13-PC will amend the City’s Comprehensive Plan, updating it to reference the Mobility Plan & Mobility Fee while also removing the requirement for Transportation Concurrency tracking.

**2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City:**

There is no direct economic impact on businesses concerning this ordinance, as the Mobility Fee was previously adopted with Ordinance 25-08-LC, which established the Mobility Fee. The direct cost of the Mobility Fee will only impact new businesses that locate in the City of Destin.

**3. Estimate of direct compliance costs that businesses may reasonably incur:**

There is no direct compliance cost related to this ordinance. However, Ordinance 25-08-LC has a direct cost that is dependent on the type of business that locates in the City of Destin, whether new development is proposed or an expansion of existing development. The adopted fee schedule will see the cost of the Mobility Fee.

**4. Any new charge or fee imposed by the proposed ordinance:**

There is no new fee or charge associated with this ordinance. However, Ordinance 25-08-LC established the Mobility Fee and replaced the City’s Transportation Impact Fee.

**5. Estimate of the City’s regulatory costs, including estimated revenues from any new charges or fees to cover such costs:**

There are no regulatory costs or administrative fees associated with the amendments to the Comprehensive Plan concerning this ordinance or Ordinance 25-08-LC, which established the

City's Mobility Fee.

**6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:**

10+ businesses could be affected by this ordinance per year.

**A. Link to Strategic Goals / Objectives:** I. Financially sound city providing service excellence

II. Enhanced quality of life and safety for families

III. Economic development and revitalization

IV. Effective, efficient and aesthetically pleasing infrastructure

V. Improve mobility and connectivity

VI. A green and sustainable environment

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

**C. Level of Service (LOS):** Upgrade a variety of mobility services and improve function, safety, and efficiencies throughout the city.

**D. Legislative Sponsor:**

**E. Business Impact Statement:**

**III. CONCLUSION:** In order to fully implement the Mobility Plan and Fee amendments to the Comprehensive Plan need to be made. Specifically, to the reference of the Multi-Modal Transportation District, Transportation Concurrency, and the Transportation Impact Fee.

**IV. RECOMMENDED MOTION:** I move that the Local Planning Agency recommend City Council to adopt the proposed Ordinance 25-13-PC as presented.

Attachments:

1. COMP PLAN  
AMENDMENT  
ORDINANCE 25-13-  
PC

**ORDINANCE NO. 25-13-PC**

**AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, MAKING TRANSPORTATION-RELATED AMENDMENTS TO CHAPTER 1 – FUTURE LAND USE ELEMENT, CHAPTER 2 - TRANSPORTATION ELEMENT, CHAPTER 9 - CAPITAL IMPROVEMENTS ELEMENT, CHAPTER 12 - ADMINISTRATION, AND CHAPTER 13 - GLOSSARY, OF THE CITY’S COMPREHENSIVE PLAN; DELETING THE MULTIMODAL TRANSPORTATION DISTRICT; PROVIDING FOR GOALS, OBJECTIVES AND POLICIES RELATING TO THE CITY MOBILITY PLAN AND CITY MOBILITY FEES; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMERCE; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR A BUSINESS IMPACT ESTIMATE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**SECTION 1. AUTHORITY.**

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

**SECTION 2. FINDINGS OF FACT.**

**WHEREAS**, Chapter 163, Part II, of Florida Statutes, The City of Destin, Florida, proposes to amend the City’s Comprehensive Plan to amend or adopt policies, goals, and objectives relating to the City’s Mobility Plan and Mobility Fee as set forth herein; and

**WHEREAS**, pursuant to Section 163. 3177, Florida Statutes, the comprehensive plan, through required and optional elements, shall provide principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements; and

**WHEREAS**, the comprehensive plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations;

**WHEREAS**, the City of Destin's Comprehensive Plan was adopted, pursuant to Section 163. 3177, consisting of the following elements: Future Land Use, Transportation, Housing; Public Facilities, Conservation, Coastal Management, Recreation and Open Space, Intergovernmental Coordination, Capital Improvements, Economic Development, and Public School Facilities; and,

**WHEREAS**, the City Council desires to update the Comprehensive Plan to adopt policies, goals, and objectives relating to the City’s Mobility Plan and Mobility Fees; and

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

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

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

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

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

**SECTION 3.** Chapter 1: - FUTURE LAND USE ELEMENT of the Comprehensive Plan: 2020 is hereby amended as shown below.

### **FUTURE LAND USE ELEMENT**

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**Policy 1-3.5.7: Promote Compact Development.** Although the City of Destin is a nearly built out urban area, the City is committed to establishing a more compact urban form by promoting redevelopment of its two most visible mixed use urban centers—Town Center Mixed Use and the North and South Harbor Mixed Use areas. These areas are delineated on the FLUM (Map 1-1). ~~The compact planning strategy is further promoted and reinforced by the design of the planned multimodal transportation districts (See the Transportation Element).~~ Within one year, the City shall amend the LDC to include site development standards consistent with discouraging urban sprawl.

**SECTION 4.** Chapter 2: - TRANSPORTATION ELEMENT of the Comprehensive Plan: 2020 is hereby amended as shown below.

### **TRANSPORTATION ELEMENT**

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**Introduction.** The City's 2027 Strategic Vision priorities include Ease of Mobility. The City's 2017 Goal priorities include Improved Mobility and Connectivity. The Transportation Element provides the framework for achieving the optimum, cost-effective transportation system to balance the needs of the City of Destin's (City) residents, workers, tourists, and through traffic. Optimization is achieved through a combination of land use and site design characteristics along with strategies to enhance the availability and use of multiple modes of transportation.

The major topics of this element include:

- Design of the multi-modal system.
- Level of Service Standard (LOS).
- ~~Multi-modal district implementation.~~
- Airport and multi-modal planning coordination.
- Multi-jurisdiction coordination.

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**Policy 2-1.1.7: Determination of Fair Share.** A development's fair share includes all transportation improvements needed to maintain the adopted LOS as a result of the project impacts to the multimodal transportation system. Offsite improvements may be credited toward required ~~transportation impact~~ mobility fees for the portion of the improvement beyond the minimum level required.

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**Policy 2-1.1.10: Prioritize Transportation Improvements.** The City shall prioritize its maintenance, construction and reconstruction activities in the following manner:

- A. First priority shall be assigned to projects ~~within the multimodal transportation districts (MMTDs)~~ identified in the adopted Mobility Plan to implement multimodal improvements.
- B. Second priority shall be assigned to the renewal and replacement of obsolete or worn out facilities.
- C. Third priority shall be assigned to correcting existing deficiencies in public facilities.
- D. Fourth priority shall be assigned to facilities necessary to accommodate future growth.

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**Policy 2-1.1.12: Construct Transportation Facilities to ~~MMTD~~ Standards.** All new transportation projects within the City shall be constructed to meet City standards identified in the LDC. Such design standards may include, but not be limited to pedestrian access points, shared access, cross access, new or modified signage, striping of roadways, installation of sidewalks and bicycle lanes, widening of roadways, pedestrian crossing facilities, and sidewalk ramps at intersections. ~~Within the MMTD s~~Such standards shall place a priority on non-vehicular access and mobility and a secondary emphasis on vehicular mobility.

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**Policy 2-1.2.2: Multimodal Level of Service (LOS) Standards.** ~~The 2006 LOS standard for each mode is based on the initial conditions in the MMTD~~ All multimodal transportation LOS is set as per Table 9-4 TRANSPORTATION LEVEL OF SERVICE STANDARDS in Chapter 9:- CAPITAL IMPROVEMENTS of this Comprehensive Plan and shall serve as a baseline to ensure that the LOS mode does not degrade below these levels.

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**Policy 2-1.2.3: Establish Adopted LOS Standards.** Adopted LOS standards are based on the maximum achievable LOS grade, given implementation of multimodal improvements on all arterial and collector roads

within the City of Destin MMTD, and pedestrian-oriented urban design. Establishing interim adopted LOS standards reflects the long-term implementation of multimodal improvements and urban design standards.

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**Policy 2-1.2.4: Transportation LOS Standards.** The adopted LOS standards in the MMTD are as follows:

**Table 2-1:  
Adopted Multimodal Level of Service Standards for Collector Roads**

	<b>Bicycle LOS Standard</b>	<b>Pedestrian LOS Standard</b>	<b>Transit LOS Standard</b>
Adopted (2006)	C	E	F
Adopted (2011)	B	C	E
Adopted (2020)	B	B	C

Source: 2011 Biennial MMTD Concurrency Report

**Table 2-2:  
Adopted Multimodal Level of Service Standards for Harbor Boulevard/US Highway 98 East/Emerald Coast Parkway**

	<b>Bicycle LOS Standard</b>	<b>Pedestrian LOS Standard</b>	<b>Transit LOS Standard</b>
Adopted (2006)	E	F	E
Adopted (2011)	D	D	C
Adopted (2020)	C	D	B

Source: 2011 Biennial MMTD Concurrency Report

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**OBJECTIVE 2-1.3: CONTINUE IMPLEMENTATION OF THE MOBILITY PLAN MULTIMODAL TRANSPORTATION DISTRICTS (MMTD).**

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**Policy 2-1.3.1: Reduce Automobile Mobility.** The Mobility Plan MMTD shall emphasize the reduction of automobile mobility and vehicle miles traveled per person, in addition to the reduction of greenhouse gas emissions, while promoting accessibility by all modes through redevelopment of the built environment through improvement of cycling, pedestrian, and transit networks.

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**Policy 2-1.3.3: MMTD Boundaries.** The boundaries for the MMTD are Kelly and Main Streets, the Destin-Fort Walton Beach Airport, and the City boundary with Okaloosa County along US Highway 98 to the north, the Gulf of Mexico to the south, the City boundary with Walton County to the east and the Marler Bridge to

the west. This district is designated on the Multimodal Transportation District Map (Map 2-3) at the end of this chapter and the Future Land Use Map (Map 1-1) at the end of Chapter 1—Future Land Use Element.

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~~**Policy 2-1.3.4: Conditions for Transportation Concurrency in MMTD.** Developments proposed in the MMTD that satisfy the following two conditions shall be deemed in compliance with transportation concurrency requirements for vehicular traffic:~~

- ~~A. Follows urban form and multimodal facility design standards as described in Policy 2-1.3.5; and~~
- ~~B. Contributes towards achieving the adopted multimodal level of service standards designated through the provision of on-site and off-site improvements necessary to mitigate transportation impacts in the immediate project vicinity. The amount of mitigation required will correspond to the project's impact as calculated through application of the City's transportation impact fee. Eligible capital improvements are those located within the MMTD and are included in the Capital Improvements Element of this Plan.~~

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~~**Policy 2-1.3.6: Crystal Beach Transition Area.** Development within the Crystal Beach sub-area overlay, as designated in Chapter 1, the Future Land Use Element, shall serve as a transition area between the MMTD and areas outside of the MMTD.~~

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**Policy 2-1.3.9: Complete Existing Pedestrian and Cycling Infrastructure.** The City shall enhance the existing pedestrian and cycling systems by filling gaps in the network and providing new pedestrian and cycling facilities throughout the City. These facilities shall provide a safe and continuous pedestrian and cycling network between residential areas, the Community Redevelopment Areas (CRAs), major activity zones, and transit connections, ~~particularly within the MMTD~~. Facilities that have been programmed into the City's Capital Improvements Program are displayed in Table 2-3 and on Map 2-2.

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**Policy 2-1.3.13: Coordinate with Okaloosa County.** The City shall coordinate with Okaloosa County on future updates of the Transit Development Plan to ensure continued enhancement of transit service and facilities within the City, ~~particularly the Multimodal Transportation District~~, and transit trip generators and attractors. The City shall continue to dedicate or provide right-of-way, for the provision of access to transit facilities. Alternatively, the City may provide financial contributions towards the costs of expanding transit service coverage. The City shall also encourage the implementation of private shuttle services as a component of planned development.

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**Policy 2-1.3.21: Prioritize Projects.** As revenues become available from the Community Redevelopment Area (CRA) tax increments, the City shall prioritize projects that help support the goals of the Mobility Plan. ~~MMTD~~.

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**Policy 2-1.3.22: Monitor Multimodal Transportation District.** The City shall continue to produce a MMTD Monitoring Report every two years to meet statutory review requirements. This report shall summarize the City's progress towards achieving the multimodal level of service (MMLOS) standards, and achieving the multimodal objectives and policies described herein.

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~~Policy 2-1.3.23: Use Multimodal Transportation District Performance Measures. The City shall use multimodal performance measures to help evaluate the progress towards implementing the goals of the MMTD.~~

- ~~A. On a system wide level, the City shall:~~
- ~~1. Calculate the number of new developments and redevelopments that are completed and meet the design standards of the LDC, contributing towards the development of the multimodal transportation system and the creation of a thriving, functional focal point to the City.~~
  - ~~2. Calculate the number and length of new multimodal facilities that have been completed or planned.~~
  - ~~3. Calculate the transit ridership on all transit services within the City.~~
  - ~~4. Report progress on the implementation tasks identified in Objective 2-1.3.~~
- ~~B. On a corridor level, multimodal performance measures shall include the factors used in the calculation of multimodal level of service: transportation facilities, urban form, accessibility, and connectivity. These include:~~
- ~~1. The corridor multimodal level of service as applied through the ARTPLAN multimodal LOS analysis will be used to monitor the progress towards completing the multimodal network.~~
  - ~~2. Urban form shall be evaluated by measuring development use, density, diversity and design based on the MMTD design standards in Policy 2-1.3.3.~~
  - ~~3. MMTD accessibility shall be determined by identifying pedestrian barriers that limit access to pedestrian facilities and determining the proportion of population with access to multimodal facilities. The most currently available US Census data will be used for this analysis. MMTD accessibility will also be measured by identifying activity centers and determining the proportion of population with multimodal access to those activity centers.~~
  - ~~4. Connectivity for bicycles shall be measured by dividing the number of links in the bicycle facility system by the number of link termini (intersections, cul de sacs, and dead ends). Connectivity for pedestrians shall be measured by computing the number of termini per square mile in the pedestrian facility system. Connectivity for transit is based on the proportion of major activity centers served by fixed route bus service.~~

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**Policy 2-1.3.24: Document Existing Conditions.** The City shall continue to document the existing conditions on all arterial and collector roads within the City by monitoring the traffic counts from various sources such as but not limited to, Florida Department of Transportation, Okaloosa County, Emerald Coast Regional Council, and City initiated traffic count studies, in the Annual Transportation Concurrency Analysis. These data shall be used to monitor the operating conditions on Harbor Boulevard/Emerald Coast Parkway and the collector roads and shall inform decisions on how to prioritize funding for projects. ~~be submitted to the Department of Economic Opportunity, FDOT and adjacent jurisdictions as an informational component of the MMTD monitoring requirements.~~

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**Policy 2-1.4.3: Coordinate for Multimodal Facilities and Service to Airport.** The City shall coordinate with Okaloosa County to construct multimodal facilities and to provide transit service to Destin Airport property as needed for consistency with the policies associated with the Multimodal Transportation District.

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**List of Maps:**

- Map 2-1: Needed Motor Vehicle Transportation Improvements
- Map 2-2: Needed Bicycle/Pedestrian Improvements & Beach/Shoreline Access Points
- Map 2-3: Multimodal Transportation District (MMTD)



**SECTION 4.** Chapter 5: - CONSERVATION ELEMENT of the Comprehensive Plan: 2020 is hereby amended as shown below.

**CONSERVATION ELEMENT**

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**Policy 5-1.1.4: Reduce Vehicle Emissions Through Transportation and Land Use Planning.** The Transportation Element addresses transportation alternatives to automobile use by planning efficient pedestrian and bicycle systems and by evaluating future feasibility for multimodal systems,

including bus transit. ~~New~~ nonresidential and multi-family development and redevelopment within the City ~~Multimodal Transportation District~~ or near pedestrian and transit corridors shall incorporate site plan design that enables efficient and convenient pedestrian movement between public sidewalks within rights-of-way and building entrance points that comply with the City's adopted Mobility Plan.

**SECTION 5.** Chapter 9: - CAPITAL IMPROVEMENTS ELEMENT of the Comprehensive Plan: 2020 is hereby amended as shown below.

CAPITAL IMPROVEMENTS ELEMENT

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TABLE 9-4<sup>1</sup>  
TRANSPORTATION LEVEL OF SERVICE STANDARDS<sup>1</sup>

LOS			
<u>Arterial or State Roads Outside of Multi-Modal Districts</u>			
D			
<del>Facilities Within Multimodal</del> <u>Transpiration Infrastructure<sup>2</sup> District<sup>2</sup></u>			
Implementation Date	Bicycle	Pedestrian	Transit
Collector Roads			
Adopted (2006)	C	E	F
Adopted (2011)	B	C	E
Adopted (2020)	B	B	C
Harbor Blvd./Emerald Coast Parkway (US Highway 98)			
Adopted (2006)	E	F	E
Adopted (2011)	D	D	C
Adopted (2020)	C	D	B

1 Transportation LOS standards are established for two categories: Roadway LOS and Multimodal LOS. The Roadway LOS is established for all collector roads ~~located outside the multimodal district boundary.~~ Refer to the Transportation Element DIA and GOPS and the Glossary for more information concerning these LOS standards and terms.

2 Multimodal LOS: The LOS standard for each mode is based on the initial conditions in the MMTD and shall serve as a baseline to ensure that the LOS mode does not degrade below these levels. Adopted LOS standards are based on the maximum achievable LOS grade given implementation of multimodal improvements on all arterial and collector roads within the City of Destin MMTD and pedestrian-oriented urban design. Establishing interim adopted LOS standards reflects the long-term implementation of multimodal improvements and urban design standards.

**SECTION 6.** Chapter 12: - ADMINISTRATION ELEMENT of the Comprehensive Plan: 2020 is hereby amended as shown below.

## **ADMINISTRATION ELEMENT**

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**OBJECTIVE 12-4.1: PROVIDE A SYSTEMATIC PROCESS.** The CMS is intended to provide a systematic process for the review and evaluation of all proposed development for its impact on *concurrency* facilities and services, as required by the Local Government Comprehensive Planning and Land Development Regulations Act, Chapter 163, Part II, § 163.3177 FS.

Facilities in Destin that are subject to these regulations include:

- Potable Water
- Sanitary Sewer
- Solid Waste
- Drainage
- ~~Transportation~~
- Recreation

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**Policy 12-4.1.2: Definitions of Concurrency Management Terms.** The following definitions shall apply to concurrency management rules and regulations:

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*Concurrency* Facilities: Public facilities and services for which a level of service must be met concurrent with the impacts of development or an acceptable deadline, as mandated in the Comprehensive Plan pursuant to Chapter 163, FS, shall include:

- Potable Water
- Sanitary Sewer
- Solid Waste
- Drainage
- ~~Transportation~~
- Recreation

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**Policy 12-4.1.4: Criteria for *Concurrency* and Final Development Orders.** A final development order shall not be granted for a proposed development unless the City finds that adequate capacity for *concurrency* facilities exists at or above adopted level of service in order to accommodate the impacts of the proposed development, or that improvements necessary to bring *concurrency* facilities up to their adopted level of service will be in place concurrent with the impacts of the development.

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~~C. Transportation. For transportation facilities (transportation and public transit designated in the adopted Comprehensive Plan), at a minimum, the City shall ensure that the following standards are met to satisfy concurrency requirements, unless State authorized exceptions are enacted by the City and duly approved by the State [Cross reference § 9J-20055 (4-7), F.A.C.]:~~

~~1. At the time the final development order is issued, the necessary facilities and services are in place.~~

~~2. A final development order is issued subject to the conditions that the necessary facilities and services needed to serve the new development are scheduled to be in place or under actual construction not more than three years after issuance of a certificate of occupancy as provided in the City Five Year Schedule of Capital Improvements. However, the City at its discretion may require the necessary facilities to be in place before the issuance of a certificate of occupancy if a proposed development lies within a Coastal High Hazard Area and if such facilities are deemed necessary to assure safe and timely emergency evacuation. The Capital Improvement Program may recognize and include transportation projects included in the first three years of the adopted Florida Department of Transportation Five Year work program. The Capital Improvements Element must include the following policies:~~

~~a. The estimated date of commencement of actual construction and the estimated date of project completion.~~

~~b. A provision that a plan amendment is required to eliminate, defer, or delay construction of any road or public transit facility or service which is needed to maintain the adopted level of service standard and which is listed in the Five Year Capital Improvements Program.~~

~~3. At the time the final development order is issued, the necessary facilities and services are the subject of a binding executed agreement which requires the necessary facilities and services to serve the new development to be in place or under actual construction not more than three years after issuance of a certificate of occupancy.~~

~~4. At the time the final development order is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to § 163.3220, FS, or an agreement or development order issued pursuant to Chapter 380, FS, to be in place or under actual construction not more than three years after issuance of a certificate of occupancy.~~

~~5. For the purpose of issuing a final development order, a proposed development may be deemed to have a de minimis impact and may not be subject to the transportation concurrency requirements, only if all the following conditions are met:~~

~~a. The development proposal is for an increase in density or intensity of less than or equal to twice the density or intensity of the existing development, or for the development of a vacant parcel of land at a residential density of less than four dwelling units per acre or, for non-residential uses, at an intensity of less than 0.1 floor area ratio.~~

~~b. Isolated vacant lots in predominantly built residential areas where construction of a single-family house would be the most suitable use, may be developed for single family residential under the de minimis exception even if smaller than one quarter acre in size.~~

~~c. The transportation impact of the proposed development alone does not exceed one percent of the maximum service volume at the adopted level of service standard for peak hour of the affected transportation facility.~~

~~d. With the exception of impacts of a single family home as described in subsection 5.a. above, the cumulative total transportation impact from the de minimis exemptions shall not exceed 110 percent of the maximum volume at the adopted level of serve of the affected transportation facility.~~

- e. ~~No impact shall be de minimis when impacting any portion of Harbor Boulevard/Emerald Coast Parkway, Danny Wuerffel Way, or any other road designated as a hurricane evacuation route if such impact would exceed the adopted level of service standard for these roadways.~~
  - f. ~~The City has adopted within its Comprehensive Plan policies for granting such exemptions.~~
- DC. Potable Water and Sanitary Sewer.

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### **Policy 12-4.1.8: Methodology for Determining Demands on Concurrency Facilities.**

~~A. Transportation. In determining whether transportation concurrency is met the following criteria shall be used:~~

~~1. For Development Inside the Multimodal Transportation District: All applicants seeking development approval for properties located within the Multimodal Transportation District (MMTD) shall be required to meet the MMTD development standards detailed in the LDC. Additionally, a Transportation Analysis shall be submitted, which shall include a map indicating the distribution of vehicle trips on the surrounding street network as specified in the Land Development Code. The traffic analysis will help the City in determining the overall success of the MMTD in accordance with State requirements.~~

~~2. For Development Outside the MMTD:~~

~~For all new developments seeking development approval for properties located outside the MMTD, which are required to follow the site plan review process, the applicant/developer shall be required to submit a transportation analysis that identifies the development's impact on the City transportation system. The Community Development Director or designated Administrator may also require the submission of a transportation analysis for developments if the site location, anticipated total trip generation, circulation patterns or other such factors warrant a more extensive review of traffic impacts.~~

~~If the preliminary level of service information indicates a deficiency in capacity based on adopted level of service standards, the developer may at his option, prepare a more detailed alternative analysis as described below. If the alternative analysis, after review and acceptance by the Community Development Director or designated Administrator, indicates no deficiency in the capacity based on the adopted level of service standard the results of the alternative analysis will be used. However, the City shall, at its discretion, reserve the option to have the methodology reviewed by a professional transportation engineer or transportation planner prior to accepting the methodology. The cost for such review shall be borne by the applicant.~~

~~The transportation analysis shall follow the requirements:~~

~~a. Trip Generation. Trip Generation will be based on the guidelines and rates published in the latest edition of ITE's Trip Generation Manual. Transportation impact analysis will be based upon the PM peak hour, peak direction volume of adjacent roadways. Trip generation of redevelopment projects will be based upon net project trips. Net project trips will be estimated by subtracting trips generated by existing site development from trips estimated for the proposed development.~~

~~b. Mixed Land Uses. Projects with a mix of land uses may apply an internal capture rate based on original or published land use analysis (e.g. planned unit developments (PUD) or office buildings with support services such as banks). Internal capture rates must be justified by the applicant.~~

City of Destin

Ordinance No. 25-XX-PC

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Published empirical data used to estimate internal capture rates should be from a source generally acceptable to the transportation planning profession. Internal capture rates should be derived from similar land uses located in similar urban environments. Other land uses that by definition (in the ITE Trip Generation) contain a mix of land uses should not apply an internal capture rate, (e.g., planned unit developments (PUD) or office buildings with support services such as banks and restaurants). Internal capture rates for mixed use developments rarely exceed 20–25 percent of gross project trips. If internal capture rates for mixed use developments exceed 25 percent of gross project trips the applicant will have to justify the rate to and receive approval from the City.

e. Pass-by and diverted trip credits. Credit for pass-by and diverted trips may be allowed for retail and some commercial uses (e.g., fast food restaurants, service stations and drive-in banks). Pass-by and diverted trip rates must be justified by the applicant. The percent of pass-by trips should generally not exceed 10 percent of adjacent street traffic or 25 percent of the project's net external trip generation potential. If either or both of these percentages are exceeded the applicant will have to justify the rate(s) to and receive approval from the City.

d. Trip Distribution and Assignment. Trip distribution and assignment will follow the procedures as outlined in the FDOT Site Impact Handbook for manual assignments. A manual distribution assignment process, based on local knowledge of travel patterns may be applied. The applicant's traffic distribution and assignment methodology will include clear justification for assumptions used.

e. Site Impact Area Methodology. Determination of a proposed project's transportation impact area will be based on the magnitude and extent of impact. The project area of influence shall include all major transportation facilities as identified in the City or County comprehensive plan, where project traffic is equivalent to five percent of the new trips generated by that project. This determination will be based on the trip generation, distribution and assignment methodology described above.

f. LOS Analysis. A LOS analysis will be conducted by the developer for all projects that do not qualify as a de minimis impact, as defined within the Land Development Code to determine the effects of development proposals on the operating characteristics of all major collectors and arterials within a project's area of influence. The latest version of FDOT's arterial analysis software (Art Plan) will be used. If an alternate analysis is performed, the latest version of SYNCHRO will be the traffic operational model used for this analysis. Traffic volumes used for this analysis will include existing background traffic plus vested and committed development trips, which have been approved by the jurisdictional authority, which govern the project.

3. Unified Transportation Concurrency Management System. Pursuant to Transportation Element Policy 2-1.5.7 and the Unified Transportation Concurrency Management System (UTCMS) Inter-local Agreement between the City of Destin and Okaloosa County, the City will provide Okaloosa County with monthly updates regarding the status of approved development orders in the UTCMS area. The UTCMS area is specifically described as the area bounded by Choctawhatchee Bay on the north, East Pass on the west, the Gulf of Mexico to the south, and the Walton County line to the east, an area comprised of the entire city limits of the City of Destin and a portion of unincorporated Okaloosa County.

## BA. Other Facilities.

**SECTION 6.** Chapter 13: - GLOSSARY of the Comprehensive Plan: 2020 is hereby amended as shown below.

## GLOSSARY

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MMTD: Multimodal Transportation District (replaced with the adopted Mobility Plan)

**SECTION 7. TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY.** The City Manager or his designee is hereby designated to sign a letter transmitting the adopted comprehensive plan amendment to the State Planning Agency, in accordance with the Community Planning Act.

**SECTION 8. BUSINESS IMPACT ESTIMATE.** Prior to enactment of this Ordinance, a business impact estimate was prepared and posted in accordance with section 166.041, Florida Statutes.

**SECTION 9. INCORPORATION INTO COMPREHENSIVE PLAN.** Upon the effective date of the comprehensive plan amendment adopted by this Ordinance, said amendment shall be incorporated into the City of Destin Comprehensive Plan and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

All prior inconsistent ordinances and resolutions adopted by the City of Destin City Council, or parts of ordinances or resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

**SECTION 10. CONFLICTING PROVISIONS.** Special Acts of the Florida Legislature applicable to the incorporated area of the City of Destin, City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superseded by this ordinance to the extent of such conflict.

**SECTION 11. SEVERABILITY.** If any section, phase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 12. EFFECTIVE DATE.** The comprehensive plan amendment shall not become effective until 31 days after the State Planning agency notifies the City that the plan amendment package transmitted by the City is complete, except however, if the plan amendment is timely challenged, this Ordinance shall not become effective until the date a final order is issued by the State Land Planning Agency, or the date that the Administration Commission enters a final order determining the adopted plan amendment is in compliance. No development orders, development permits, or land use dependent on this amendment may be issued or commenced before it has become effective. After and from the effective date of this amendment, the comprehensive plan

amendment set forth herein shall amend the City of Destin's Comprehensive Plan and shall become a part of that plan and the amendment shall have the legal status of the City of Destin's Comprehensive Plan, as amended.

**ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_,  
2025.**

By: \_\_\_\_\_  
Bobby Wagner, Mayor

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Attorney for the City of Destin, only.

DRAFT

\_\_\_\_\_  
Rey Bailey, City Clerk

\_\_\_\_\_  
Kimberly Romano Kopp, City Attorney

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

CITY OF DESTIN – COMMUNITY DEVELOPMENT



# AGENDA ITEM

**MEETING DATE:** June 24, 2025  
**BOARD/COMMITTEE:** Local Planning Agency  
**TYPE OF AGENDA ITEM:** Ordinance  
**OUTLINE NUMBER:** 4.B.

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**TO:** Local Planning Agency

**THRU:** Kyle Bauman, Special Projects Attorney  
David Prichard, Community Development Director  
Steve O'Connor, Deputy Community Development Director

**FROM:** Daniel Butler, Principal Planner

**DATE:** June 12, 2025

**SUBJECT:** Proposed Ordinance 25-10-LC – Revising Article 7 of the Land Development Code (LDC) to Allow Decks to Encroach Five Feet (5') into Rear Setbacks for Non-Waterfront Townhomes within the High Density Residential (HDR) Zoning District.

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**I. BACKGROUND:** Currently, per the City's *Land Development Code (LDC) Section 7.12.08, Table 7-3: Schedule of Dimensional Requirements in Zoning Districts*, townhomes (multi-family development) are required to provide a rear setback of 10' for any portion of a building having a height of 35 feet or less if the property does not front the harbor, bay, or gulf. The language reads as follows –

*For lots fronting the harbor: Zero feet. For lots fronting the Choctawhatchee Bay: rear setback must meet the requirements set forth in section 11.01.10 Bay shoreline protection zone. For lots fronting the gulf the rear setback will be established by DEP. For all lots that do not front the harbor, bay or the gulf, but instead have a rear property line, **ten** feet for any portion of a building having a height of 35 feet or less. Fifteen feet for any portion of a building having a height above 35 feet but below 50 feet. For each ten feet or fraction thereof exceeding 50 feet in height, the rear setback shall be increased by two feet on each side.*

**II. DISCUSSION:** There are multiple non-waterfront townhome properties within the HDR zoning district that have built accessory structures, such as attached decks/patios, onto the rear of their residence, encroaching on the required ten-foot (10') rear setback. Some of these improvements were made illegally without a permit, while a couple of others were erroneously

approved and permitted by previous City Staff.

In an attempt to eliminate these non-conforming structures within the City, Staff is suggesting revising the LDC to allow decks for non-waterfront townhome properties having a maximum building height of 35 feet (35') or less within the HDR zoning district to encroach five feet (5') into the rear setback. This would still provide a minimum of ten feet (10') between any two townhome deck structures that were to back up to each other, if designed accordingly.

As proposed, this ordinance would apply to fifty (50) townhome units (please see attached graphic for reference), and would have no effect on single-family dwellings, apartments, condominium buildings, and/or other waterfront townhome properties within the HDR zoning district.

Currently, the City does not define 'deck' within the Land Development Code (LDC); therefore, along with this ordinance, Staff is proposing the following definition be added within Article 3 of the LDC:

Deck: A roofless outdoor space built as an aboveground platform projecting from the wall of a building and is connected by structural supports at grade or by the building structure.

- A. **Link to Strategic Goals / Objectives:** III. Economic development and revitalization
- B. **Effect on Budget (EOB):** No effect on the City's budget.
- C. **Level of Service (LOS):** No effect on the surrounding LOS.
- D. **Legislative Sponsor:**
- E. **Business Impact Statement:**

**III. CONCLUSION:** Staff recommend that the LPA recommend City Council approval for proposed **Ordinance 25-10-LC**, which would allow decks for non-waterfront townhome properties having a maximum building height of 35 feet (35') or less within the HDR zoning district to encroach five feet (5') into the rear setback.

The City Council voted to approve **Ordinance 25-10-LC** on first reading at the regularly scheduled City Council meeting on Monday, June 16, 2025, with the condition that Staff prepare a definition of 'deck' to be adopted within this ordinance. Staff further recommend that the LPA recommends approval of the definition of "deck" and its inclusion in the ordinance.

**IV. RECOMMENDED MOTION:** I move that the Local Planning Agency recommend City Council approve **Ordinance 25-10-LC**.


Attachments:

1. NonWaterfrontTownhomesHDR
2. 25-10-LC Setbacks HDR townhomes


## Non-Waterfront Townhomes within High Density Residential Zoning

Townhomes (50 Units)

N



1,000      500      0



Feet



**ORDINANCE NO. 2025-10-LC**

**AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PERMITTING DECKS TO ENCROACH UP TO FIVE FEET INTO REAR SETBACKS FOR TOWNHOMES THAT ARE NOT WATERFRONT WITHIN THE HIGH DENSITY RESIDENTIAL (“HDR”) ZONING DISTRICT; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**SECTION 1. AUTHORITY.**

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

**SECTION 2. FINDINGS OF FACT.**

**WHEREAS**, Chapter 163, Part II, of Florida Statutes, entitled the Community Planning Act ("Act"), empowers and requires the City Council to plan for the City’s future development and growth and to adopt and amend its Land Development Code, or elements of portions thereof, to guide the future growth and development of the City; and

**WHEREAS**, the Land Development Code currently requires ten foot rear setbacks for townhomes in the High Density Residential (HDR) zoning district; and

**WHEREAS**, the City Council desires to maintain the ten foot rear setback requirement for all structures other than decks; and

**WHEREAS**, the City Council desires to allow decks to encroach up to a maximum of five feet into the ten foot rear setback; and

**WHEREAS**, the City Council desires to provide for the health, safety and welfare of its citizens by modernizing and simplifying the LDC; and

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

**WHEREAS**, the Local Planning Agency held a public hearing, with all required public notice on for the purpose of providing recommendations to the City Council with regard to this Ordinance amending the Land development Code and recommended that the City Council adopt the Ordinance amending the Land Development Code; and

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

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN,**

**FLORIDA, AS FOLLOWS:**

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

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**Article 7 - LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS**

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**SECTION 3. TABLE 7-3 “TABLE OF DIMENSIONAL REGULATIONS**

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

**(Dimensions are in feet)**

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

**(Dimensions are in feet)**

Zoning Districts	Minimum Lot Area (sq. ft.)	Minimum Lot Size		Maximum Building Height	Setbacks			Maximum Density (units per acre)	Maximum Floor Area Ratio	Minimum Open Space (%)
		Width	Depth		Front	Side	Rear			
BE - one d.u.	15,000	80	150	35/3 stories	20	10	10	2.90	N/A	25
LDR-V/LDR-H/MDR-V - one d.u.	7,500	70	100	35/3 stories	20	7½	10	5.81	N/A	25
LDR-HI/MDR-HI - one d.u.	7,500	70	100	30/3 stories	20	7½	10	5.81	N/A	30
HDR - one d.u.	7,500	70	100	30/3 stories	20	7½	10 <u>See also H</u>	9.90	N/A	30
CL - one d.u.	7,500	70	100	30/3 stories	20	7½	10	9.00	N/A	30
ROI-TD - one d.u.	7,500	70	100	30/3 stories	20	7½	10	9.00	N/A	30

ROI-VR/ROI - CBR - one d.u.	7,500	70	100	35/3 stories	20	7½	10	9.00	N/A	25
CBN - one d.u.	7,500	70	100	30/3 stories	20	7½	10	6.00	N/A	30
CBN-TDD - one d.u. (Y)	Q	50	150	Q	Q	Q	Q	Q	Q	Q
CBR - one d.u.	7,500	70	100	30/3 stories	20	7½	10	6.00	N/A	30
CMU - one d.u.	7,500	70	100	35/3 stories	20	7½	10	6.00	N/A	25
CMU-V - one d.u.	5,000	50	100	35/3 stories	20	7½	10	9.00	N/A	25
CMU-V - two or d.u.	None	None	None	50/4 stories	H	H	H	12.00	N/A	25
CMU-V - non d.u.	None	None	None	F	H	H	H	N/A	.50	25
SHMU - one d.u.	7,500	70	100	30/3 stories	20	7½	10	9.00	N/A	30
NHMU - one d.u.	7,500	70	100	35/3 stories	20	7½	10	9.00	N/A	25
GRMU - one d.u.	7,500	70	100	50/4 stories	20	7½	10	9.00	N/A	30
HIMU - one d.u.	7,500	70	100	50/4 stories	20	7½	10	9.00	N/A	30
BRMU - one d.u.	7,500	70	100	35/3 stories	20	7½	10	9.00	N/A	25
MDR-V/MDR - HI - two or more d.u.	None	None	None	35/3 stories	A/B	A/B	A/B	9.90	N/A	25
HDR - two or more d.u.	None	None	None	50/4 stories	H	H	H	19.90	N/A	25
CBN - two or	None	None	None	50/4 stories	20	A/B	A/B	6.00	N/A	25

more d.u.										
CBN - non d.u.	None	None	None	50/4 stories	20	A/B	A/B	N/A	.50	25
CL - two or more d.u.	None	None	None	50/4 stories	20	A/B	A/B	12.00	N/A	25
CL - non d.u.	None	None	None	C	10	A/B	A/B	N/A	.50	25
CG - two or more d.u.	None	None	None	50/4 stories	K	K	K	16.90	N/A	25
CG - non d.u.	None	None	None	50/4 stories/F	K	K	K	N/A	1.30	25
CTS	None	None	None	35/3 stories	L	L	L	O	1.30	25
ROI-VR - two or more d.u.	None	None	None	35/3 stories/E	A/B	A/B	A/B	12.00	N/A	25
ROI-TD - two or more d.u.	None	None	None	30/3 stories/E	A/B	A/B	A/B	12.00	N/A	25
CBR - two or more d.u.	None	None	None	50/4 stories	M	M	M	12.00	N/A	25
CBR - non d.u.	None	None	None	50/4 stories	M	M	M	N/A	0.7	25
TCMU - one d.u.	5,000	50	100	35/3 stories	20	5	10	9.00	N/A	25
TCMU - two or more d.u.	None	None	None	50/4 stories	K	K	K	24.00	N/A	25
TCMU - none d.u.	None	None	None	75/6 stories	K	K	K	N/A	1.5	25
CMU - two or more d.u.	None	None	None	50/4 stories	H	H	H	12.00	N/A	25
CMU - non d.u.	None	None	None	50/4 stories/F	H	H	H	N/A	.50	25
SHMU - two or	None	None	None	50/4 stories/G	N	N	N	24	N/A	25

more d.u. (short-term)										
SHMU - two or more d.u. (long-term)	None	None	None	50/4 stories/G	N	N	N	24	N/A	25
SHMU - non d.u.	None	None	None	75/6 stories/G	N	N	N	N/A	.60	25
NHMU - two or more d.u.	None	None	None	50/4 stories	K	K	K	24.00	N/A	25
NHMU - non d.u.	None	None	None	35/3 stories	K	K	K	N/A	.60	25
GRMU - two or more d.u.	None	None	None	50/4 stories	M	M	M	24.00	N/A	25
GRMU - non d.u.	None	None	None	65/55 stories	M	M	M	N/A	1.30	25
HIMU - two or more d.u.	None	None	None	50/4 stories	H	H	H	16.90	N/A	25
HIMU - non d.u.	None	None	None	50/4 stories	H	H	H	N/A	1.30	25
BRMU - two or more d.u.	None	None	None	50/4 stories/P	M	M	M	16.90	N/A	25
BRMU - non d.u.	None	None	None	50/4 stories/P	M	M	M	N/A	.75/X	25
IN	None	None	None	35/3 stories	L	L	L	N/A	1.30	25
A	None	None	None	35/3 stories/I	J	J	J	N/A	1.30	25
INST	None	None	None	35/3 stories	None	None	None	N/A	.50	25
REC	None	None	None	35/3 stories	None	None	None	N/A	.20	25

CON	None	None	None	15/1 story	Non e	Non e	Non e	N/A	.05	80
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Footnotes defining requirements:

- A. For all structures three stories in height, the minimum front setback shall be 20 feet, the minimum side setback shall be 15 feet on each side and the minimum rear setback shall be 20 feet.

For all buildings exceeding three stories in height, the minimum front setback shall be 20 feet, the minimum side setback shall be 20 feet and increased by two feet on each side for each story exceeding four stories, and a minimum 25-foot rear yard setback shall be required.

Within the Old Destin MMTD, no minimum front, side or rear setbacks are required, except where the property line is contiguous with a BE or LDR residential district boundary; then ten-foot side and rear yards, maintained as open space, shall be provided.

Buildings or structures three stories or less utilized for residential or multifamily purposes on the same lot shall be a minimum of ten feet apart. All buildings exceeding three stories in height, the distance apart on the same lot shall be increased by two feet for each story exceeding three stories with a maximum of 50 feet between buildings being required. There are no minimum spacing requirements between residential, nonresidential, mixed-use or multifamily buildings located on the same lot in the Old Destin MMTD.

- B. For all structures two stories or less in height, the minimum front setback shall be 20 feet, and no side or rear yards are required except where property line is contiguous with residential district boundary; then a ten-foot yard, maintained as open space, shall be provided. Within the Old Destin MMTD, no minimum front setback is required.
- C. Retail, service, restaurant, and similar commercial uses have a maximum height of 35 feet/two stories. Medical, office, hotel, motel, bed and breakfast, and other commercial transient living accommodations have a maximum height of 50 feet/four stories.
- D. Retail, service, restaurant, and similar commercial uses have a maximum height of 35 feet/three stories.
- E. For those properties that abut U.S. Highway 98, the height may be extended to a maximum of 50 feet and four stories.
- F. Office, neighborhood retail commercial goods and services, restaurant, and similar commercial uses have a maximum height of 35 feet/two stories.
- G. Please refer to the footnotes 1 through 3 of Table 1-13: general development standards for "SHMU" designated land of Policy 1-2.4.3(3) of the comprehensive plan for information on maximum building height and measurement of building height.
- H. The following setbacks shall apply to developments proposed in the HDR, CMU and HIMU zoning districts.
- i. *Front setback.* For those properties that front U.S. Highway 98, 15 feet minimum to 25 feet maximum for any portion of a building having a height below 40 feet. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 45 feet. For those properties that do not have frontage on U.S. Highway 98, ten feet minimum to 20 feet maximum for any portion of a building having a height of 40 feet or less. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 30 feet.
  - ii. *Side setbacks.* Zero feet for any portion of a building having a height of 35 feet or less. Fifteen feet for any portion of a building having a height above 35 feet but below 50 feet. For each ten feet or fraction thereof exceeding 50 feet in height, the side setback shall be increased by two feet on each side.
  - iii. *Rear setback.*

(a) For lots fronting the harbor: Zero feet. For lots fronting the Choctawhatchee bay: rear setback must meet the requirements set forth in section 11.01.10 Bay shoreline protection zone. For lots fronting the gulf the rear setback will be established by DEP.

(b) For all lots that do not front the harbor, bay or the gulf, but instead have a rear property line, ten feet for any portion of a building having a height of 35 feet or less, except that on townhome lots with such rear property line, decks shall be permitted to encroach within the ten foot rear setback to a maximum of up to five feet, by right, without obtaining a variance from the Board of Adjustment. Nothing herein abrogates the property owner of the responsibility to obtain a permit from the City for any such deck. Fifteen feet for any portion of a building having a height above 35 feet but below 50 feet. For each ten feet or fraction thereof exceeding 50 feet in height, the rear setback shall be increased by two feet on each side.

I. Aircraft communication towers are exempt from the height limitations of this district, but continue to be subject to the remaining standards set forth in City of Destin Commercial Communications Tower Regulations, as now or hereafter amended.

J. The setback requirements for the A district are as follows:

Setbacks from taxiway pursuant to adopted FAA construction standards.

Setbacks from property lines minimum of 15 feet.

Building separation requirements minimum of ten feet or 20 feet if designated a fire lane.

K. The following setbacks shall apply to developments proposed in the CG, NHMU and TCMU zoning districts:

i. *Front setback.* For those properties that front U.S. Highway 98, 16 feet minimum to 26 feet maximum for any portion of a building having a height below 40 feet. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 45 feet. For those properties that do not have frontage on U.S. Highway 98, ten feet minimum to 20 feet maximum for any portion of a building having a height of 40 feet or less. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 30 feet.

ii. *Side setbacks.* Zero feet for any portion of a building having a height of 40 feet or less. For any portion of a building having a height greater than 40 feet, the side setback shall be increased by two feet on each side for each ten feet or fraction thereof exceeding 40 feet in height. Those portions of a development that abut single-family, duplex or townhome uses shall meet the supplemental setbacks requirements set forth in Section 7.09.03.F.1.f.1.

iii. *Rear setback.* Zero feet. Those portions of a development that abut single-family, duplex or townhome uses shall meet the supplemental setbacks requirements set forth in Section 7.09.03.D.

L. The following setbacks shall apply to developments proposed in the CTS and IN zoning districts:

i. *Front setback.* For those properties within the Old Destin MMTD, zero feet minimum to ten feet maximum setback is required. For those properties outside of the Old Destin MMTD, a front setback of ten feet is required.

ii. *Side setbacks.* For all structures three stories or less in height no side yard is required except where the property line is contiguous with a residential district boundary; then a ten-foot yard, maintained as open space, shall be provided.

iii. *Rear setback.* For all structures three stories or less in height no rear yard is required except where the property line is contiguous with a residential district boundary; then a ten-foot yard, maintained as open space, shall be provided.

M. The following setbacks shall apply to developments proposed in the CBR, BRMU and GRMU zoning districts:

- i. *Front setback.*
    - a. For those properties located in the CBR and BRMU zoning districts, ten feet minimum and no maximum.
    - b. For those properties in the GRMU zoning district and that front U.S. Highway 98, 15 feet minimum to 25 feet maximum for any portion of a building having a height below 40 feet. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 45 feet.
    - c. For those properties in the GRMU zoning district that do not have frontage on U.S. Highway 98, ten feet minimum to 20 feet maximum for any portion of a building having a height of 40 feet or less. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 30 feet.
    - d. For those properties in the GRMU zoning district that have frontage on that portion of Scenic Highway 98 lying west of Henderson Beach State Park, zero feet minimum to ten feet maximum.
  - ii. *Side setbacks.* Ten feet for any portion of a building having a height of 35 feet or less. Fifteen feet for any portion of a building having a height above 35 feet but below 50 feet. For each ten feet or fraction thereof exceeding 50 feet in height, the side setback shall be increased by two feet on each side.
  - iii. *Rear setback.* For lots fronting the gulf the rear setback will be established by DEP. For all lots that do not front the gulf, ten feet for any portion of a building having a height of 35 feet or less. Fifteen feet for any portion of a building having a height above 35 feet but below 50 feet. For each ten feet or fraction thereof exceeding 50 feet in height, the rear setback shall be increased by two feet.
- N. The following setbacks shall apply to developments proposed in the SHMU zoning district:
- i. *Front setback.* For those properties that front U.S. Highway 98, 16 feet minimum to 26 feet maximum for any portion of a building having a height below 40 feet. For those properties that do not have frontage on U.S. Highway 98, ten feet minimum to 20 feet maximum for any portion of a building having a height of 40 feet or less. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 45 feet.
  - ii. *Side setbacks.* Zero feet for any portion of a building having a height of 35 feet or less. Fifteen feet for any portion of a building having a height above 35 feet but below 50 feet. For each ten feet or fraction thereof exceeding 50 feet in height, the side setback shall be increased by two feet on each side.
  - iii. *Rear setback.* Note: For lots that have a rear lot line on the harbor, a minimum setback of 15 feet shall apply in order to have enough space for the Harbor Boardwalk to be constructed when said boardwalk cannot be constructed over the Destin Harbor. Properties must still provide for the Harbor Boardwalk in accordance with Section 8.09.03(A)(9). For lots that have a rear lot line on Choctawhatchee Bay: rear setback must meet the requirements set forth in Section 11.01.10, Bay shoreline protection zone. For all lots that do not have a rear lot line on the harbor or the bay, but instead have a rear property line: Zero feet.
- O. No residential uses allowed, except for one custodian or night-watchman residence per development.
- P. In the BRMU zoning, district, the maximum height by right shall be 35 feet and three stories, excepting those properties that abut Emerald Coast Parkway, in which case height may be extended to a maximum of 50 feet and four stories.
- Q. Crystal Beach Neighborhood-Traditional Development District (CBN-TDD) overlay applies only to minimum lot width and depth.

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

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

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

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

**ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025.**

By: \_\_\_\_\_  
Bobby Wagner, Mayor

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Attorney for the City of Destin, only.

\_\_\_\_\_  
Rey Bailey, City Clerk

\_\_\_\_\_  
Kimberly Romano Kopp, City Attorney