AGENDA
LOCA PLANNING AGENCY
THURSDAY, MAY 16, 2019
5:30 PM
DESTIN CITY HALL BOARDROOM

1. **CALL TO ORDER**
2. **ROLL CALL/PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF MINUTES**
   - **A. April 18, 2019 Local Planning Agency Minutes**
4. **NEW BUSINESS**
   - **A. Ordinance 19-10-LC Beach Safety Zones**
   - **B. Ordinance 19-09-LC Administrative Zoning Ordinance**
5. **DIRECTOR'S REPORT**
6. **NEXT MEETING DATE: TBD**
7. **ADJOURNMENT**

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)

MINUTES
LOCAL PLANNING AGENCY
THURSDAY, APRIL 18, 2019 - 5:30 P.M.
DESTIN CITY HALL BOARDROOM

1. CALL TO ORDER:

Vice Chairman Shelton called the Local Planning Agency meeting to order on Thursday, April 18, 2019 at 5:30 p.m., in the Destin City Hall Boardroom with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Members Present	**Members Absent**	***Staff Members Present***
Darryl Shelton	James T. Wood, Jr.	Kim Montgomery, DCC
Andrew McDowell	Don David	Lauren Witt, Planner
Corey Ledbetter		Louis Zunguze, CD Dir.
Jason Klosterman		Kimberly Kopp, LUA
		Joey Forgione, Code CCM
		Michael Burgess, PSD
		Steve Bauman, CA

3. APPROVAL OF MINUTES:

A. March 21, 2019

Motion by Agency member McDowell, seconded by Agency member Ledbetter to approve minutes of the March 21, 2019 meeting as written, passed 6-0.

4. NEW BUSINESS:

None

5. DIRECTORS REPORT:

- **FDOT 3R Hwy 98 Project Update – Brad Brenner, Volkert Engineering - Michelle Hill, ABC Communications**

Mr. Zunguze briefly explained the three items that will be presented.

Mrs. Witt introduced Brad Brenner and Michelle Hill with Volkert Engineering.

Mr. Brenner provided the members with a brief summary of what all the 3R project will entail, the phases of the project, what will be eliminated on the roadway that is currently in place as it is now and what all will be added. As well as the depth of the friction surfaces in each phase and the updates they will make to the signalizations and street signage, driveway cuts and drainage improvements.

DRAFT

Ms. Marcie Bell, 3 Gulf Breeze Court asked for clarification about the turn lane onto Stahlman Avenue. Mr. Brenner clarified the exact location and also explained that all the mill work will be done between 9:00 p.m. and 4:00 a.m., with no daytime work.

- **City of Destin Road and Restriping & Resurfacing Projects Update – Michael Burgess, Public Services Director**

Mr. Burgess introduced himself to the members and briefly explained his background and experience to the members. He explained that the roads were evaluated in 2017 by iWorks who provided the city with a pavement management audit. The results of the audit showed that a lot of the city roads were in good condition and did not need any maintenance other than sweeping and patching. He explained how some roads were treated with a product that extends the life of the road for another 5-7 years. The resurfacing plan that they are presenting to Council for this budget year calls for an average of $900k a year, which is paid primarily out of the gas taxes and impact fees. He explained further that this year, $400k was set aside for resurfacing for Restaurant Row, Scenic 98W, portions of Stahlman Ave., Mattie Kelly Blvd., and Gulfshore Drive from Highway 98 to Sandpiper Cove.

He also informed the members that recently, the Public Services Operation Division purchases about $10k of precut thermoplastic panels, which will be used for crosswalks and stop bars. And spoke of the 6 megapixel aerial photography that the city has ordered that will help staff view and assess which roads are in the most need of repair. And finally, he spoke of the signage inventory that will be taking place in the next few weeks that staff will be documenting what kind of shape the signs are in and determining which ones need to be replaced the most.

Ms. Marcie Bell, 3 Gulf Breeze Court asked if it was possible to actually have the word "stop" at certain stop bars in the city. She also informed staff that the stop sign at the end of her roadway needs to be replaced as it is in worst shape than the one he used as an example for worn signs in the city. And lastly, she suggested that as the street signs get replaced, they might want to consider having the city logo put on the signs so that people could recognize which streets are in the jurisdiction of the city.

Mr. Burgess addressed her suggestions by stating that the word "stop" at the stop bars is generally not something that is done in this area of the country. And in regards to the signage, the city is working on a wayfinding sign program similar to her suggestions.

- **Future Land Use Map/Zoning Map Alignment Update – Planning Staff**

Mr. Zunguze explained that there are several areas in the Future Land Use Map that do not match up with the Current Zoning Map and staff is tasked to get them up-to-date.

The City Planner, Lauren Witt explained the necessary changes that need to be made to the Future Land Use Map so that it matches up with the Zoning Map and proceeded to explain each district and what they need to be updated to.

Mr. Zunguze explained there is quite a bit of work that needs to be done and staff has developed a phased approach to bring the Future Land Use Map and the Zoning Map in alignment. He explained that City Council at their March 4th meeting directed staff with the following:

- Bring the Zoning Map into compliance with the adopted Future Land Use Map, with the exception of areas 7 and 15.
- Update the Land Development Code based on all adopted Comprehensive Plan amendments
- Create a Calhoun Mixed Use Village Zoning Category

DRAFT

- Revise the Town Center Mixed Use (TCMU) zoning category and;
- Amend the Comprehensive Plan to reduce densities in the TCMU future land use designation

Mr. Zunguze explained the next 4-phases he has planned for the updates with the last phase to work on getting the Land Development Code and Comprehensive Plan in sync with one another.

Agency member Shelton spoke of how glad he is that staff is moving forward to get the Comprehensive Plan in alignment with the Land Development Code.

6. NEXT MEETING: May 16, 2019

7. ADJOURNMENT:

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

Adopted and approved this _____ day of _____ 2019.

_____ _____

Darryl Shelton, Vice Chairman Kim Montgomery, Deputy City Clerk

DRAFT

ORDINANCE 19-10-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA ESTABLISHING SAFETY ZONES ON THE BEACH; PROVIDING FOR AMENDMENTS TO LAND DEVELOPMENT CODE SECTION 11.08.00. BEACH MANAGEMENT; 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 l.0l (b) of the City Charter, Section 166.021, Florida Statutes and Chapter 163, Part II, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, the City Council has deemed it necessary to amend the existing Land Development Code to regulate the placement of persons and beach equipment in certain areas on the beach in order to support public safety personnel in their endeavors to maintain public safety and save lives on the beaches and water; and

WHEREAS, the City Council desires to balance the comfort and convenience of tourists and local beach-goers with the need to protect the health, safety and welfare of those on the beach and in the water; and

WHEREAS, the City Council desires to ensure the safety of all beach-goers enjoying the beaches within the municipal limits of the City of Destin; and

WHEREAS, it is imperative that lifeguards, law enforcement, fire safety personnel, city code compliance officers, and others interested in helping to maintain the safety of beach-goers are able to observe the beaches and waters, and further, it is imperative that such personnel can traverse the beaches and access the water in order to efficiently address safety concerns, prevent drowning, attend to emergency medical events, and save lives; and

WHEREAS, crowds of beach-goers often locate in large numbers on the beaches located within the City of Destin, placing beach equipment including chairs, tents, umbrellas and related items on the beach, obstructing safety personnel's view of the beaches and water, and creating a danger to beach-goers; and

WHEREAS, the placement of beach equipment on the beach obstructs the view of safety personnel and can impede their vehicles/equipment when emergency circumstances dictate that

public safety personnel quickly reach swimmers in distress and/or beach-goers experiencing an emergency medical crisis; and

WHEREAS, the City Council has determined that establishing safety zones, in the form of a grid of safety corridors upon the beach, will help to ensure that public safety personnel is able to effectively observe the beaches and waters, and further, will help to ensure that public safety personnel is able to reach swimmers in distress and/or beach-goers experiencing an emergency medical crises, and;

WHEREAS, the City Council has determined that the following unobstructed zones would create an effective grid of safety corridors and ensure the protection of human lives: (1) a corridor 20-feet from the ambulatory water's edge landward, towards the foot of the dunes, (2) a corridor 15-feet seaward from the foot of the dunes; and (3) five-foot setbacks from all side property lines; and

WHEREAS, the City Council has determined that no person or thing shall obstruct the safety corridors established herein; and

WHEREAS, the City Council desires to define "access" to the beach to mean the public's right to laterally traverse the sandy beaches of the City; including where the public has established an accessway through private lands to lands seaward of the mean high tide or water line by any legal means; and

WHEREAS, the City Council does not endeavor to impede upon the rights of the public or private property owners to traverse the sandy beaches of the City; and

WHEREAS, the City Council does not wish to interfere with the enjoyment and comfort of beach goers and this Ordinance will not prohibit individuals from traversing through the safety corridors; and

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

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

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

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

NOTE: Language in all sections of this ordinance that is ~~strike-thru~~ is language proposed to be deleted, <u>underline language</u> is language to be added, language that is not in

strike-thru or underlined is not to be changed. The symbol * represents sections of the Land Development Code that have been skipped and remain unchanged.**

SECTION 3. AMENDMENT OF LAND DEVELOPMENT CODE SECTION XX.XX.XX – DEFINITIONS. Section 11.08.02 – Definitions of the Land Development Code is hereby amended as follows:

11.08.02. Regulation of the use and conduct on the beach.

***

N. ***Prohibition of Placement of Beach Equipment in the Safety Corridors***. It shall be unlawful for any person or entity to set-up within, or to place or allow the placement of beach equipment and other such personal articles to be placed within, the safety corridors on the beach. Nothing herein shall prohibit the public from accessing the beach or traversing within the safety corridors, however no person shall remain within any safety corridor except for the purpose of accessing or traversing the beach.

For the purposes of this subsection 11.08.02(N), the following definitions shall apply:

For the purpose of this Code, the following terms, phrases, words and their derivations shall have the meaning contained herein, except where the context clearly requires otherwise.

Access shall mean the public's right to laterally traverse the sandy beaches of the City; including where the public has established an accessway through private lands to lands seaward of the mean high tide or water line by any legal means; and

Beach Equipment: means an individual piece or group of equipment, furniture, tools or non-motorized vehicles customarily used for recreation on a beach. Beach equipment shall include but not be limited to the following type of equipment: chairs; umbrellas; tents, tarps, pavilions, cabanas and canopies; surf, body and paddle boards; bicycles, skate boards and scooters; metal detectors and any other ancillary equipment associated with those specific types of equipment.

Safety Corridor(s): Areas at the beach to include unobstructed zones that establish the following grid of safety corridors upon beaches located within the City of Destin (1) a corridor 20-feet from the ambulatory water's edge landward, towards the foot of the dunes, (2) a corridor 15-feet seaward from the foot of the dunes; and (3) five-foot setbacks from all side property lines; and

Traverse: To travel across or through.

***

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

ADOPTED THIS __ DAY OF MAY, 2019 .

_____

By: Gary Jarvis, Mayor

ATTEST:

_____

Rey Bailey, City Clerk

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

_____

Kimberly Romano Kopp, City Land Use Attorney

ORDINANCE NO. 19-09-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATIONS OF 468 PARCELS GENERALLY DEPICTED IN THE LOCATION MAP ATTACHED, DESTIN, FLORIDA TO MATCH THE ASSIGNED LAND USE DESIGNATION OF THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA, AS FOLLOWS:

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, Future Land Use Element Objective 1-3.6. of the City's Comprehensive Plan requires that the City ensure consistency between the City's Zoning Map, and the City's Future Land Use Map; and

WHEREAS, Future Land Use Element Policy 1-3.6.4 requires the City continually review land uses within the City and to ensure appropriate Future Land Use and Zoning Map categories that are consistent and that reflect the City's vision; and

WHEREAS, the City Council has determined that various parcels of property within the City of Destin are not currently within zoning categories that are consistent with the current Future Land Use designations in place for such properties; and

WHEREAS, the City Council desires to administratively rezone the properties listed and depicted in Exhibit A to zoning categories that are consistent with the current Future Land Use designations for such properties; 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;

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

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

SECTION 3. ZONING MAP AMENDMENT. The Official Zoning Map of the City of Destin, Florida, as referenced in the Land Development Code, section 7.12.01(A)2 zoning maps, is hereby amended to include a change of zoning map designation as shown in Exhibit A, for the parcels of land which are depicted in Exhibit A, attached hereto and incorporated herein by this reference.

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. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

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 _____ 2019.

BY: _____
Gary Jarvis, Mayor

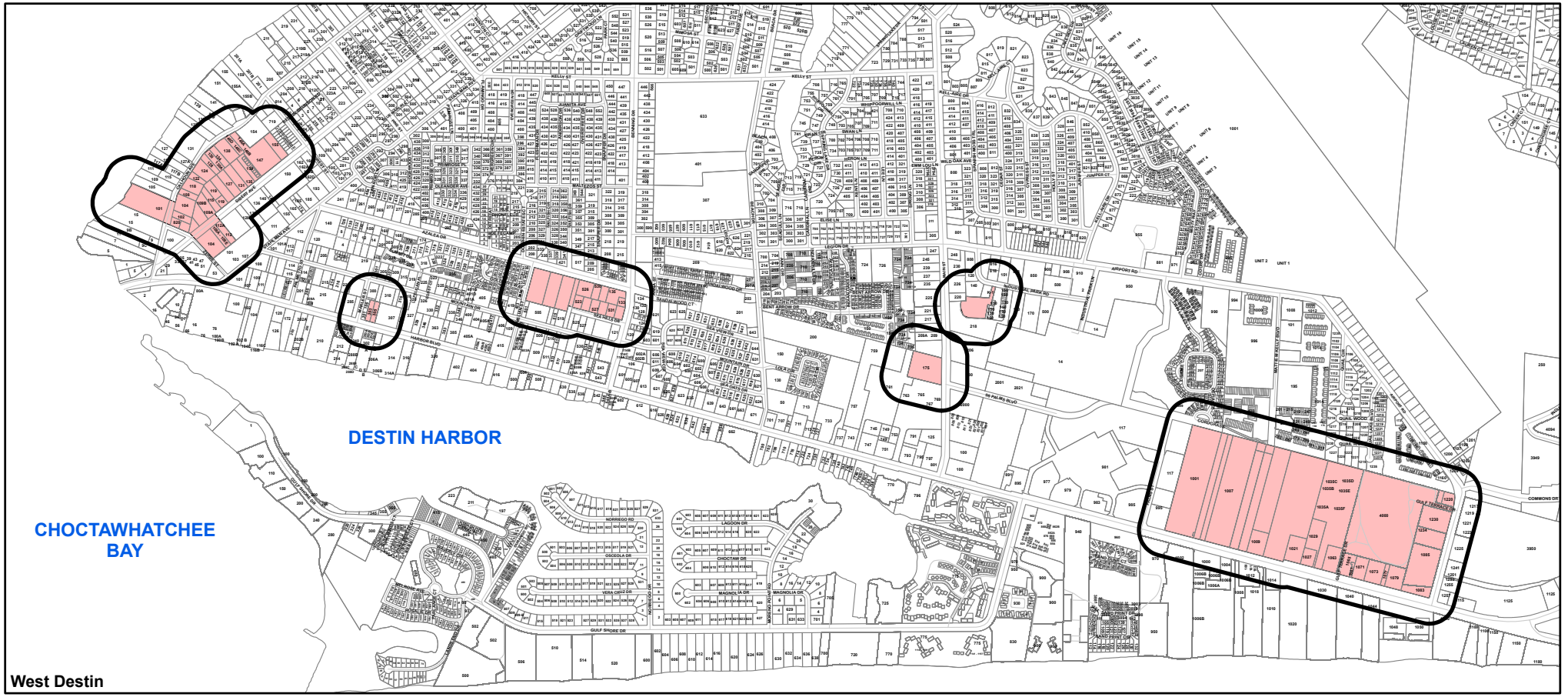
ATTEST:

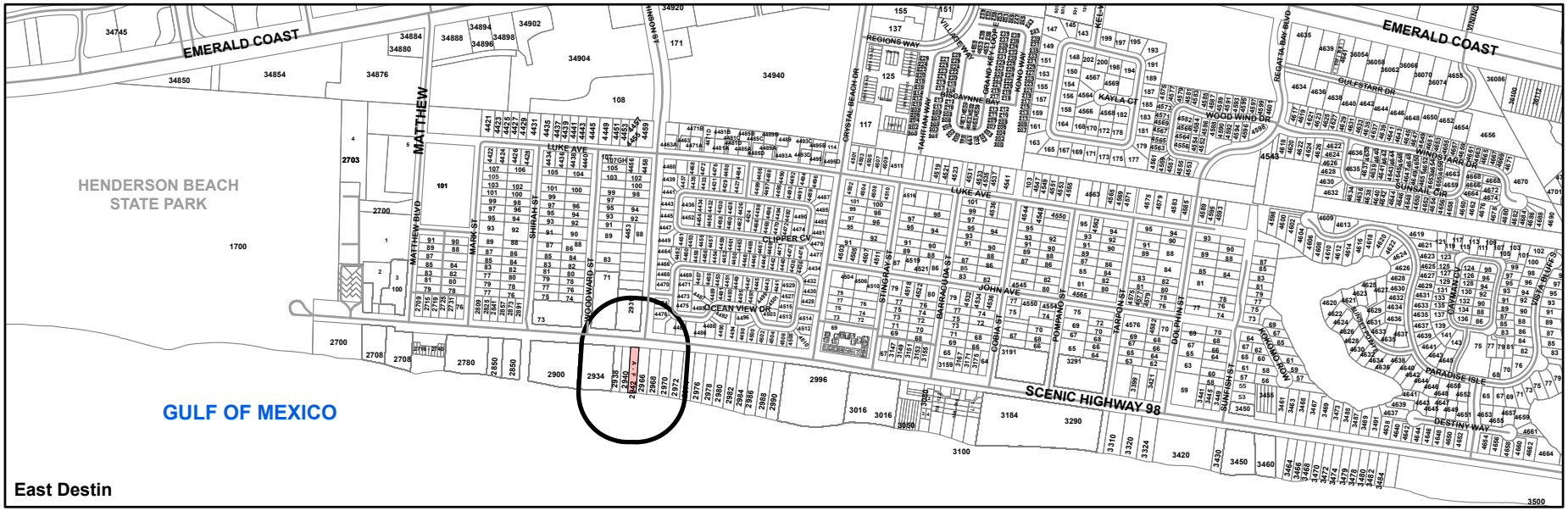
The form and legal sufficiency of the foregoing has been reviewed and approved by the City Land Use Attorney.

_____
Rey Bailey, City Clerk

_____
Kimberly Kopp, City Land Use Attorney

First Reading: _____
Second Reading: _____


DESTIN HARBOR
CHOCTAWHATCHEE BAY
West Destin


EMERALD COAST
HENDERSON BEACH STATE PARK
GULF OF MEXICO
SCENIC HIGHWAY 98
East Destin

Ordinance 19-09-LC, Table

Map Location	**Future Land Use Designation**	**Current Zoning Category**	**Proposed Zoning Designation**	**Nature of Conflict**
1. Captain Leonard Destin Park	Recreation (REC)	Calhoun Mixed Use (CMU)	Recreation (REC)	DO 17-06 was issued 08/25/17 for Park – Zoning Designation was not changed
2. Old Destin area Between Calhoun Ave. and Sibert Ave.	Calhoun Mixed Use – Village (CMU-V)	Residential Office, & Institutional-General Development (ROI-GD)	Calhoun Mixed Use –Village (CMU-V)	FLUM change adopted with Comp. Plan 2020
3. 303 & 305 Harbor Blvd.	North Harbor Mixed Use (NHMU)	Institutional (INST)	North Harbor Mixed Use (NHMU)	FLUM change adopted with Comp. Plan 2020
4. Parcels south of Azalea Dr., east of Melvin St.*	Residential, Office, & Institutional (ROI)	Medium Density Residential-Village (MDR-V)	Residential, Office, & Institutional	FLUM change adopted with Comp. Plan 2020
5. Parcels between Azalea and Sea Hills Dr., west of Benning Dr.*	Residential, Office, & Institutional (ROI)	Medium Density Residential-Village (MDR-V)	Residential, Office, & Institutional	FLUM change adopted with Comp. Plan 2020
6. DWU Property at Azalea Dr. and Benning Dr.*	Residential, Office, & Institutional (ROI)	Institutional (INST)	Residential, Office, & Institutional	FLUM change adopted with Comp. Plan 2020
8. Destin Post Office	Town Center Mixed Use (TCMU)	Institutional (INST)	Town Center Mixed Use (TCMU)	FLUM change adopted with Comp. Plan 2020
9. Parcel south of Industrial Park Rd.	Industrial (IN)	Town Center Mixed Use (TCMU)	Industrial (IN)	FLUM change adopted with Comp. Plan 2020
10. Parcels south of 98 Palms Blvd. and north of Hwy 98 E	Town Center Mixed Use (TCMU)	Commercial General (CG)	Town Center Mixed Use (TCMU)	FLUM change adopted with Comp. Plan 2020
11. Gulf Terrace Condominiums	Town Center Mixed Use (TCMU)	Residential Office, & Institutional-General Development (ROI-GD)	Town Center Mixed Use (TCMU)	FLUM change adopted with Comp. Plan 2020
12. Rezmer Office	Town Center	Commercial General	Town Center Mixed	FLUM change

Map Location	Future Land Use Designation	Current Zoning Category	Proposed Zoning Designation	Nature of Conflict
Building	Mixed Use (TCMU)	(CG)	Use (TCMU)	adopted with Comp. Plan 2020
13. Destin Water Users	Town Center Mixed Use (TCMU)	Institutional (INST)	Town Center Mixed Use (TCMU)	FLUM change adopted with Comp. Plan 2020
14. Parcel located south of the Intersection of Scenic Hwy 98 and Hutchinson St.	Crystal Beach Resort (CBR)	Crystal Beach Neighborhood (CBN)	Crystal Beach Resort (CBR)	FLUM change adopted with Comp. Plan 2020
Zoning Correction: Sibert Avenue Public Parking Lot**	Residential, Office, Institutional (ROI)	Residential Office, & Institutional-General Development (ROI-GD); North Harbor Mixed Use (NHMU)	Institutional (INST)	DO 18-15 was issued for parking lot, zoning designation was not changed

*The specific Residential, Office, and Institutional classification still needs to be assigned by City Council at a later date.

**The Future Land Use Designation of these parcels will be amended with upcoming Comprehensive Plan updates.