



**AGENDA
LOCA PLANNING AGENCY
THURSDAY, JULY 25, 2019
5:30 PM
DESTIN CITY HALL BOARDROOM**

- 1. CALL TO ORDER**
- 2. ROLL CALL/PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MINUTES**
 - A. June 20, 2019**
- 4. NEW BUSINESS**
 - A. Ordinance 19-20-LC**
- 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, JUNE 20, 2019 - 5:30 P.M.
DESTIN CITY HALL BOARDROOM**

1. CALL TO ORDER:

Chairman Wood called the Local Planning Agency meeting to order on Thursday, June 20, 2019 at 5:30 p.m., in the Destin City Hall Boardroom with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Members Present

James T. Wood, Jr.
Darryl Shelton
Corey Ledbetter
Jason Klosterman
Don David

Members Absent

Andrew McDowell

Staff Members Present

Kim Montgomery, Deputy City Clerk
Lauren Witt, Planner
Louis Zunguze, CD Director
Kimberly Kopp, LUA

3. APPROVAL OF MINUTES: May 16, 2019

Motion by Agency member Shelton seconded by Agency member Klosterman to approve minutes of the May 16, 2019 meeting as written, passed 5-0.

4. NEW BUSINESS:

- A. A public hearing regarding Ordinance No. 19-12-LC relating to the regulation of motor vehicle sales within city limits which amends Article 7 of the Land Development Code. The proposed Ordinance title is as follows:

ORDINANCE 19-12-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA REGULATING THE SALE OF MOTOR VEHICLES UNLESS CONDUCTED BY A BUSINESS WITHIN OKALOOSA COUNTY; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AN AMENDMENT TO ARTICLE 7 OF THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Witt explained to the Agency members that Council directed staff to address remote motor vehicle tent sales requirements within city limits similar to an Ordinance adopted by the Okaloosa County Commissioners.

She spoke of the purpose is to clarify the regulation regarding remote “tent” automobile sales within the city limits and how it will only allow automobile dealers with brick and mortar locations within the boundaries of Okaloosa County or the City of Destin to be able to conduct a remote tent sale within city limits, after obtaining proper city issued permits.

The Chairman opened the hearing for public comment. With having none, he closed the public hearing and asked the members for comments or questions.

Agency member Ledbetter asked if this has happened in the past in the city limits. According to Mr. Zunguze, staff is not aware of this happening however, this would prevent any future events from taking place.

Agency member Shelton asked the ordinance would it prohibit mobile RV sales at remote locations such as the parking lot at Walmart; even though he is aware that Walmart is not in the city limits.

Mr. Zunguze spoke of how this even though this ordinance is not actually under a land use category, it was a decision made by the County that the city is mirroring so it could potentially prohibit RV sales.

The Chairman pointed out how to him, RV’s would be exempt because they are not defined in the ordinance.

The LUA agreed that RV’s are not covered under this ordinance, but staff could add them into the ordinance if that is their wish.

There was additional discussion regarding antique car shows and sales taking place at those event and how they would have to be handled.

Motion by Agency member Klosterman, seconded by Agency member Ledbetter to recommend City Council approve Ordinance 19-12-LC. The motion passed 5-0.

5. DIRECTORS REPORT:

Mr. Zunguze provided the members with the current status of the FLU and Zoning Map ordinance and the workshop that will take place on June 24th. He also provided the members with the status of the Harbor Capacity Study which includes the bay and surrounding waterways in the city, a brief description of what the study it will entail, and how it would most likely take about a year for the conclusion. He also spoke of how at that point, once the data is gathered city staff and Council will work closely to determine safety the components of the livery vessel

and fishing industry businesses and how much the harbor can support those industries safely.

6. NEXT MEETING: July 18, 2019

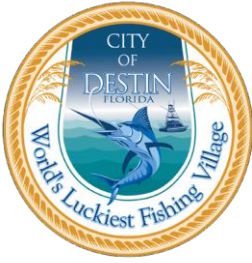
7. ADJOURNMENT:

Having no further discussion at this time, the meeting adjourned at 5:50 p.m.

Adopted and approved this _____ day of _____ 2019.

James Wood, Jr. Chairman

Kim Montgomery, Deputy City Clerk



COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ITEM

LPA MEETING DATE: July 25, 2019**TYPE OF AGENDA ITEM:** Staff Report and Recommendation

TO: Local Planning Agency**THRU:** City Land Use Attorney/Kimberly Kopp
Community Development Director, Louis Zunguze**FROM:** Planner, Lauren Witt
Planner, Dawn McDonald
Planner, Samantha Brisolara**DATE:** July 15, 2019**SUBJECT:** Proposed Ordinance No. 19-20-LC, Short Term Rental Sign Requirements

ISSUE: As part of the Short-Term Rental Program stipulations, the Code of Ordinances requires Short-Term Rentals to post a sign on the property which is legible and visible from the public right-of-way, which in some cases may mean placing the sign on fences. However, the Land Development Code prohibits signs posted on fences. This creates a challenge for those short term rental properties that have fences, to find an acceptable location to post a sign.

BACKGROUND: Per Section 13-114 of the Code of Ordinances, owners of a short-term rental are required to post a sign which is “prominently placed” on the property and shall be legible and visible from the public right-of-way. Currently Section 16.03.02 of the Land Development Code, specifically prohibits signs posted to fences, which creates a hardship for short-term rental property owners to meet the Code of Ordinances requirements.

REQUEST: Proposed Ordinance 19-20-LC amends Section 16.03 of the Land Development Code to specifically allow a City-approved Short-term Rental sign to be posted on decorative white picket fences located in the Crystal Beach Neighborhood (CBN) and Crystal Beach Resort (CBR) zoning districts, only.

DISCUSSION: The primary purpose of the required sign for a short-term rental unit is not to advertise, but to inform the public of the short-term rental conditions. The sign is required to include the contact information for the responsible party for the unit, as well as the approved occupancy limit and maximum available parking and the City of Destin decal issued by the Code Compliance Division. As such, it is important that the approved sign is in the most visible place possible from the public right-of-way for residents, as well as Code Compliance Officers and emergency service personnel. For these reasons, the proposed ordinance provides flexibility by specifically allowing the required short-term rental sign to be affixed to the fence of the property.

The purpose of this amendment is to provide an exception for short-term rental homes in the Crystal Beach area, only.

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

B. Effect on Budget (EOB): There is not any anticipated effect on the budget.

C. Level of Service (LOS): There is no anticipated change in the level of service in the city as a result of this ordinance.

COMPREHENSIVE PLAN CONSISTENCY: Proposed Ordinance 19-20-LC is consistent with Policy 3-1.3.11 of the Comprehensive Plan, Enhance Public Knowledge of Rental Registration.

CONCLUSION: Proposed Ordinance 19-20-LC is consistent with the Comprehensive Plan, provides increased flexibility for sign location for short-term rentals, ensuring their visibility by members of the public, Code Compliance Officers, and emergency services personnel.

RECOMMENDATION: Staff recommends approval of proposed ordinance 19-20-LC.

RECOMMENDED MOTION: I move the LPA recommend approval of proposed ordinance 19-20-LC to the City Council.

Exhibits:

A. Proposed Ordinance 19-20-LC

ORDINANCE NO. 19-20-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO SIGN REQUIREMENTS FOR SHORT-TERM RENTALS; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR THE AMENDMENT OF THE LAND DEVELOPMENT CODE ARTICLE 16 – SIGNS; AMENDING SECTION 16.03.00 – PROHIBITED SIGNS, PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SERVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. AUTHORITY.

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

SECTION 2. FINDINGS OF FACT.

WHEREAS, the City has determined it necessary and desirable to amend the Land Development Code, Section 16.03.02, to provide a limited exception to the prohibition of signs to allow certain signs on the decorative picket fences in the Crystal Beach Neighborhood Zoning District named in Section 7.12.00 of the Land Development Code; and

WHEREAS, the proposed amendments to the Land Development Code will promote and protect public health safety and welfare and will help accomplish the goals, objectives and policies of the City Comprehensive Plan; and

WHEREAS, the general purpose and intent of this ordinance is to create, preserve and promote a community where all properties are maintained in a fashion that emphasizes an aesthetically pleasing city, that encourages community pride, reserves neighborhood integrity, ensures a comfortable, safe and clean environment, and maintain property values; and

WHEREAS, the Destin City Council recognizes the value in the tradition of the placement of signs on the decorative picket fences in the Crystal Beach Neighborhood Zoning District; and

WHEREAS, the placement of signs on the decorative fences in the Crystal Beach Zoning District can help promote commerce by identifying properties for rent and directing and informing the public when those signs are established in compliance with regulations that protect the aesthetic value of the zoning district; and

WHEREAS, the Destin City Council recognizes the need to establish a set of standards for the fabrication, erection, and use of the signs placed on the picket fences within the Crystal Beach Neighborhood Zoning District within the City; and

WHEREAS, these standards are designed to protect and promote the health, safety, and welfare of persons within the County by providing regulations which allow creativity,

effectiveness, and flexibility in the design and use of signs while promoting short-term rental commerce and avoiding visual blight; and

WHEREAS, it is not the purpose of this ordinance to regulate or control the message or the content of signs, or to afford greater protection to either commercial or noncommercial speech; and

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

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

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

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

SECTION 3. AMENDMENT OF LAND DEVELOPMENT CODE SECTION 16.03.02.

Section 16.03.02 of the Land Development Code is hereby amended as follows:

16.03.02. Specifically. The following signs are expressly prohibited:

D. Signs tacked, nailed, posted, pasted, glued, or otherwise attached to trees, utility poles or fences. As a limited exception to this provision, signs required by City Code section 13-114, that are made of composite, wood, or plastic may be placed on the decorative white picket fences located in the Crystal Beach Neighborhood and Crystal Beach Resorts zoning districts, as defined in Section 7.12.00 of the Land Development Code. Notwithstanding the foregoing, all requirements of section 13-114 of the City Code are applicable to all signage for short-term rentals.

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 _____

Gary Jarvis, Mayor

ATTEST:

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

Kimberly Romano Kopp, Land Use Attorney



Zoning Map



NORTH

- City Limits
- CRA Boundaries
- Ocala County (Not in City Limits)

Residential

- BE - Bay Estates
- LDR-V - Low Density Residential - Village
- LDR-HI - Low Density Residential - Holiday Isle
- LDR-H - Low Density Residential - Harbor
- MDR-V - Medium Density Residential - Village
- MDR-HI - Med. Density Resid. - Holiday Isle
- HDR - High Density Residential
- CBN - Crystal Beach Neighborhood

Commercial

- CL - Commercial Limited
- CG - Commercial General
- CTS - Commercial Trades and Service

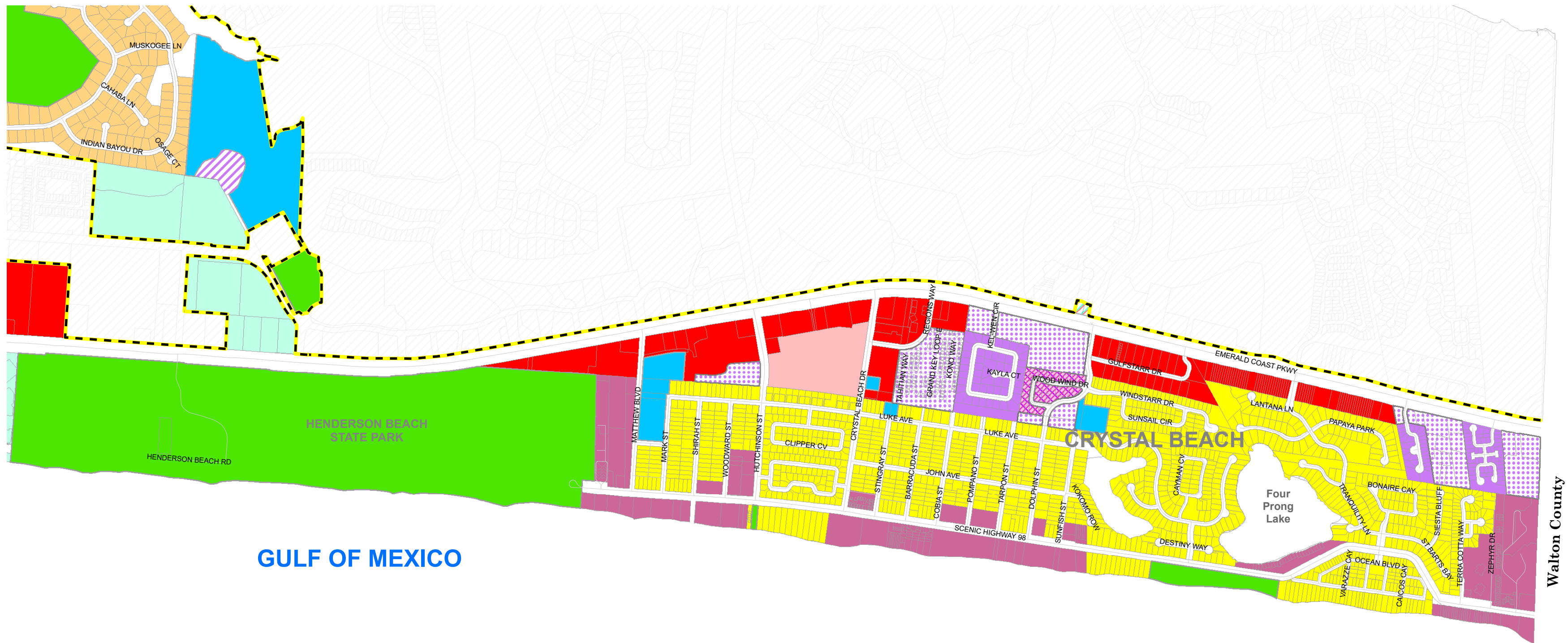
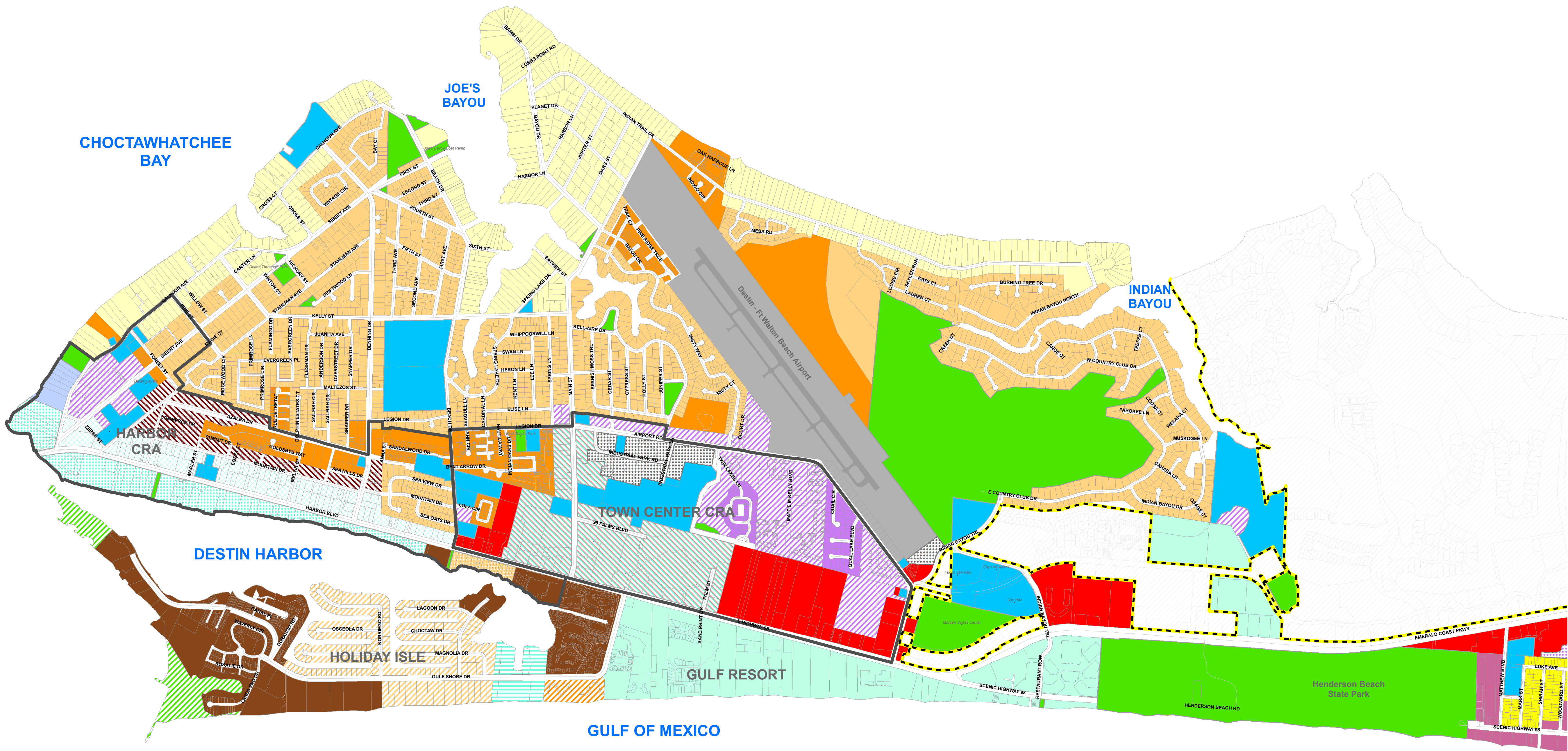
Mixed Use

- CBR - Crystal Beach Resort
- ROI-CBR - Residential, Office, & Institutional - Crystal Beach Residential
- ROI-GD - Residential, Office, & Institutional - General Development
- ROI-TD - Residential, Office, & Institutional - Tourist Development
- ROI-VR - Residential, Office, & Institutional - Village Residential
- CMU - Calhoun Mixed Use
- TCMU - Town Center Mixed Use
- HIMU - Holiday Isle Mixed Use
- GRMU - Gulf Resort Mixed Use
- NHMu - North Harbor Mixed Use
- SHMU - South Harbor Mixed Use
- BRMU - Bay Resort Mixed Use

- CON - Conservation
- REC - Recreation
- INST - Institutional
- IN - Industrial
- A - Airport

- ORD-08-05-LC
- ORD-08-06-LC
- ORD-08-07-LC
- ORD-08-38-LC
- ORD-10-13-LC
- ORD-10-01-LC
- ORD-08-08-LC
- ORD-08-09-LC
- ORD-08-10-LC
- ORD-09-03-LC
- ORD-15-01-LC
- ORD-16-01-LC

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Produced 02/17/2017 by the City of Destin GIS Manager



West Destin
East Destin