DESTIN CITY COUNCIL MEETING
AUGUST 3, 2026
ANNEX COUNCIL CHAMBERS
6:00 PM

*****Core Value of the Month - Stewardship*****

CALL TO ORDER

*** INVOCATION (Paster Steve Farris, First Baptist Church of Destin)**

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

1. **PROCLAMATIONS / RECOGNITIONS / SPECIAL / **PUBLIC PRESENTATIONS / ANNOUNCEMENTS**
2. **PUBLIC COMMENTS (Section 5 - Public Hearings has separate public comments time for these items)** (Note: Individual speakers will be limited to 3 minutes. At the discretion of the mayor, this 3 minute allowance may be adjusted depending on the level of business coming before the City Council)
3. ***** CONSENT AGENDA**
   A. Approval of Minutes of July 13, 2026 City Council Budget Workshop #2
   B. Approval of Minutes of July 15, 2026 Special City Council Meeting
   C. Approval of Minutes of July 20, 2026 Regular City Council Meeting
4. **CITY MANAGER REPORTS**
   A. Undergrounding Update - Substantial Completion
   B. Resolution 26-20, City Council Procedures
   C. Appointment to Emerald Coast Regional Council (ECRC)
   D. Mobility Plan Update
   E. Budget Workshop Date - Reschedule
   F. Update on State-Acquired Land in Holiday Isle Adjacent to City's Norriego Point Park
   G. Draft Minutes of Standing Boards & Committees - **Informational only**
   H. Announcements
5. **PUBLIC HEARINGS**
   A. Second reading of Ordinance 26-16-LC - AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLE 3 “DEFINITIONS” AND ARTICLE 11 “COASTAL MANAGEMENT AND CONSERVATION” OF THE LAND DEVELOPMENT CODE TO AMEND THE DEFINITION OF “BEACH” FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; 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.

B. Second reading of Ordinance 26-17-CC - AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

C. Second reading of Ordinance 26-18-PC - AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING CHAPTER 13 "GLOSSARY" OF THE CITY'S COMPREHENSIVE PLAN TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

D. First reading of Ordinance 26-07-LC - AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, RENUMBERING AND RENAMING ARTICLE 16 "SIGNS," OF THE LAND DEVELOPMENT CODE TO A NEW ARTICLE 8 "SIGN REGULATIONS"; MODIFYING, AMENDING AND UPDATING CITY SIGN REGULATIONS AS PROVIDED HEREIN; 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.

6. COMMENTS / PRESENTATIONS FROM MAYOR, COUNCIL, AND CITY ATTORNEY

A. Councilmember Braden

B. Councilmember Stephens

C. Councilmember Destin

D. Councilmember Trammell

E. Councilmember Hebert

1) HWY98 Turning Lane into Publix, across from Marabella Condominiums

F. Councilmember Morgan

G. Councilmember Schmidt

H. Mayor Wagner

I. City Attorney

7. PUBLIC COMMENTS

8. ADJOURN

** Any invocation that is offered before the official start of the City Council meeting shall be the voluntary offering of a private person, to and for the benefit of the City Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council, or the City staff, and the City is not allowed by law to endorse the religious beliefs or views of this, or any other speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered. A person may exit the City Council Chambers and return upon completion of the opening invocation if a person does not wish to participate in or witness the opening invocation*

*** To be placed on the agenda under public presentations, citizens must contact the City Manager or City Clerk's office one (1) week prior to the scheduled City Council Meeting, completing a Speakers Request Form and providing any accompanying documentation as requested in the form's instructions.*

**** All items listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and may be considered separately.*

Persons with disabilities who require assistance to participate in City meetings are requested to notify the City Clerk's Office at (850) 837-4242 in advance. Hearing Impaired: TTY: 711. Assistance also available through Human Resources, Title VI Coordinator, at (850) 837-4242. Personas con discapacidades que necesitan asistencia o personas que necesiten ayuda con un idioma para participar en las reuniones de la ciudad, deberán notificar la oficina de la Secretaria Municipal al (850) 837-4242 antes de la reunión. Discapacidad auditiva: TTY: 711 (Solicitar Espanol CA). La ayuda tambien está disponible por Recursos Humanos, Coordinador del Título VI, al (850) 837-4242.

All regularly scheduled city council meetings will be streamed live via the city's YouTube channel at https://www.youtube.com/CityofDestin. Past council meetings can also be viewed here. Please visit our agenda center on the city website at https://www.cityofdestin.com/agendas.

MINUTES
BUDGET WORKSHOP #2
DESTIN CITY COUNCIL
JULY 13, 2026
ANNEX COUNCIL CHAMBERS
5:30 PM

The Council of the City of Destin met in special session to hold budget workshop #2 with the following members and staff present:

Destin City Councilmembers Present

Mayor Pro Tem Terésa Hebert
Councilmember Rodney Braden
Councilmember Dewey Destin
Coucilmember Chatham Morgan
Councilmember John Stephens
Councilmember Sandy Trammell
Councilmember Kevin Schmidt

City of Destin Staff Present

City Manager Larry Jones
City Engineer Robert Tomesek
Building Official Noell Bell
Finance Director Krystal Strickland
City Attorney Kim Kopp
City Clerk Lisa Wallace
IT Director Andy Peters
HR Director Jamie Haynes
Public Works Director Michael Burgess
Projects and Grants Manager Joff Cozadd

WORKSHOP #2

A. Fiscal Year 2027 Budget Cycle

Mayor Pro Tem Hebert called the meeting to order at 5:36 p.m.

The City Manager began the workshop by announcing that Council would be asked to adopt a tentative millage rate of 1.6150 at the July 20, 2026 Council meeting. He emphasized that this would be the 10th consecutive year at that rate.

Dr. Jones and Finance Director, Krystal Strickland, then presented the proposed budget summary and the following supporting materials:

City of Destin
2027 Budget Workshop #2

Proposed Budget

July 13, 2026



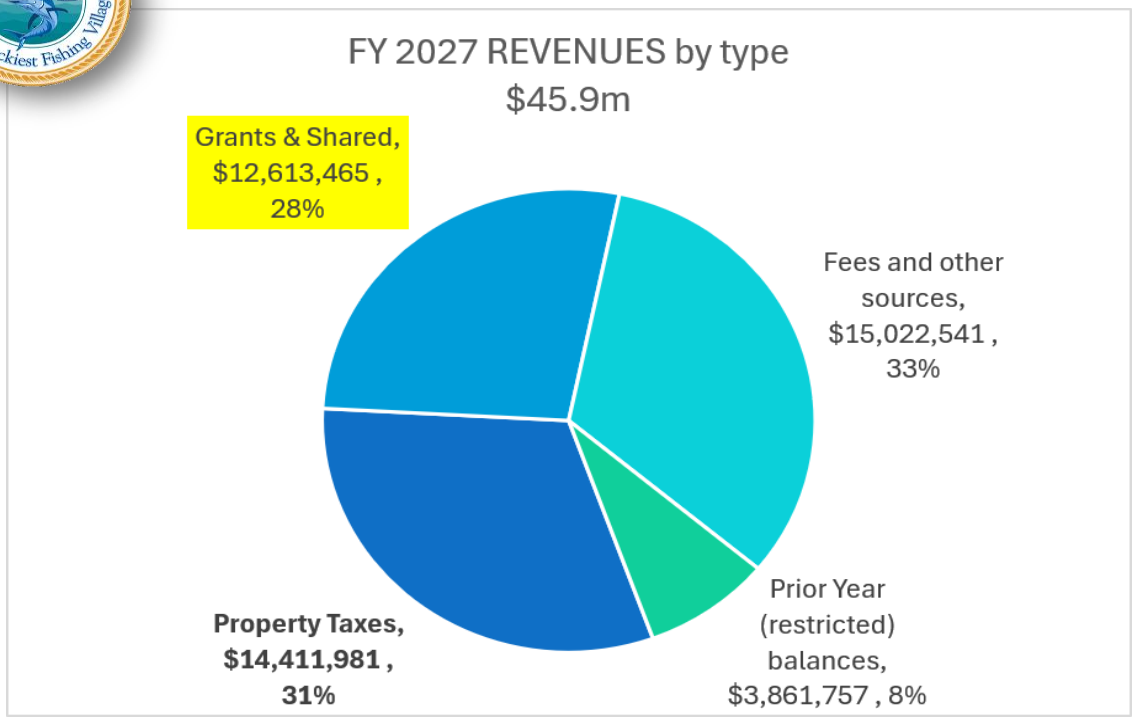
HIGHLIGHTS –

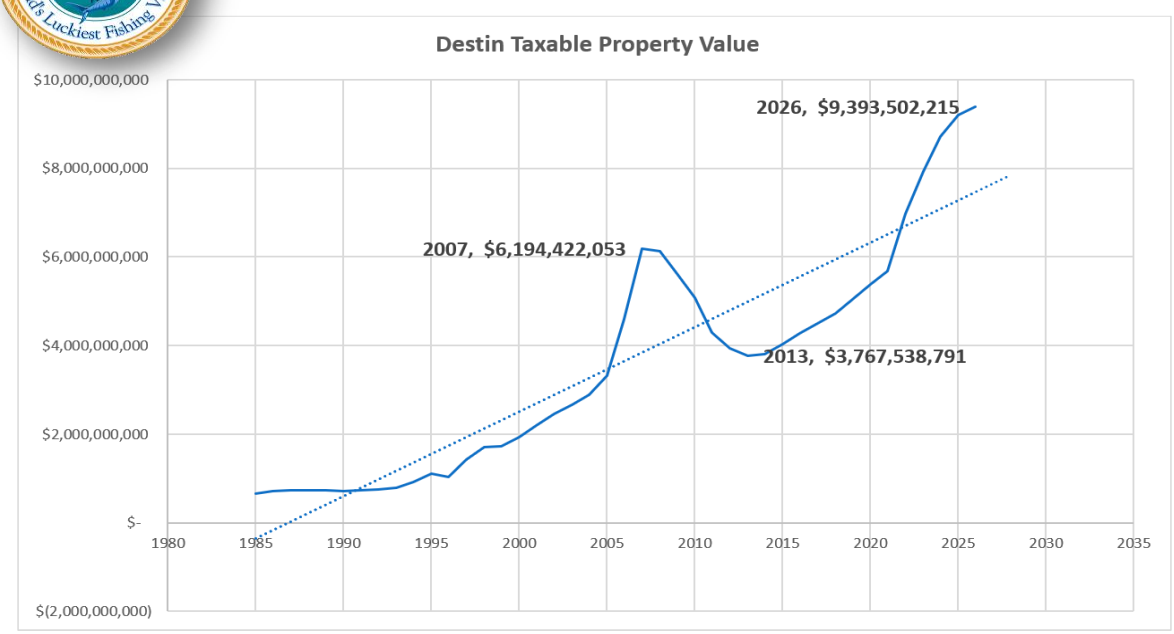
Property values increased approximately 2%

Propose 1.6150 (0.66% tax increase) $4/homestead

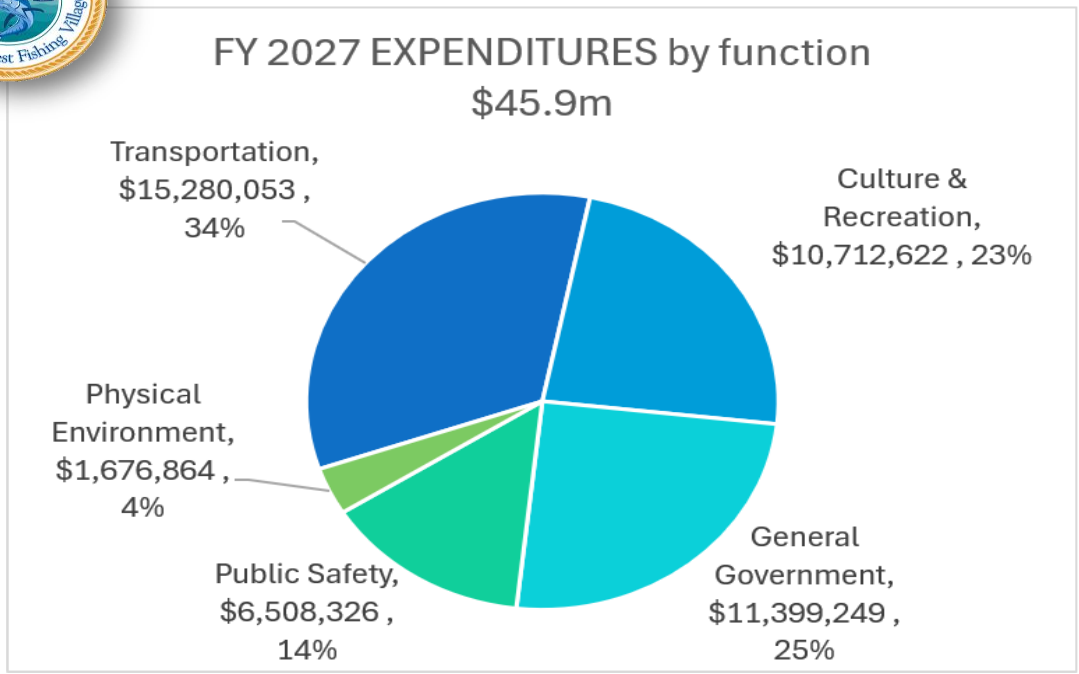
FY 2027 Proposed Operating Budget is 4% lower than the FY 2026 Adopted Budget

REVENUES:	General Fund	Town Center CRA	Harbor CRA	Florida Building Code	NonMajor Special Revenue	Debt Service	Capital Project Funds	Total All Funds
Taxes: Millage Per $1000:								
Ad Valorem Taxes 1.6150	$13,083,236	$687,569	$641,176	$0	$0	$0	$0	$14,411,981
Tax Increment Financing (TIF) / County	-	1,630,090	645,831	-	-	-	-	2,275,921
Delinquent Ad Valorem Taxes	5,000	-	-	-	-	-	-	5,000
Sales and Use Taxes	1,079,600	-	-	-	-	-	769,300	1,848,900
Licenses & Permits	4,953,100	-	-	998,518	25,000	-	1,113,000	7,089,618
Intergovernmental Revenue	4,148,700	-	-	-	1,720,000	750,000	5,994,765	12,613,465
Charges For Services	656,401	-	-	28,900	933,500	-	-	1,618,801
Fines & Forfeitures	85,000	-	-	20,000	-	-	-	105,000
Miscellaneous Revenue	1,072,765	122,800	41,200	15,945	433,538	19,353	373,700	2,079,301
TOTAL SOURCES	$ 25,083,802	$ 2,440,459	$ 1,328,207	$ 1,063,363	$ 3,112,038	$ 769,353	$ 8,250,765	$ 42,047,987
Proceeds from Issuance of Debt or Lease	-	-	-	-	-	-	-	0
Transfers In	-	-	-	-	337,907	4,746,377	4,500,000	9,584,284
Beginning Fund Balances/Reserves/Net Assets	0	177,143	300,675	103,802	1,574,159	0	2,170,091	4,325,871
TOTAL REVENUES, TRANSFERS & BALANCES	$ 25,083,802	$ 2,617,602	$ 1,628,882	$ 1,167,165	$ 5,024,104	$ 5,515,730	$ 14,920,856	**$ 55,958,142**
EXPENDITURES								
General Government	$ 5,610,488	$ -	$ -	$ -	$ -	$ 55	$ -	$ 5,610,543
Public Safety	4,895,808	-	-	1,067,488	392,500	-	-	6,355,796
Physical Environment	908,324	-	-	-	72,440	-	-	980,764
Transportation	2,427,385	-	-	-	272,439	-	-	2,699,824
Economic Environment	16,000	116,680	102,350	-	-	-	-	235,030
Health and Human Services	97,600	-	-	-	-	-	-	97,600
Culture & Recreation	6,298,751	-	-	-	-	-	-	6,298,751
Debt Services	25,500	-	-	-	5,300	5,497,396	-	5,528,196
Capital Outlay	806,720	1,500,000	-	-	1,928,311	-	13,868,209	18,103,240
TOTAL EXPENDITURES	$ 21,086,576	$ 1,616,680	$ 102,350	$ 1,067,488	$ 2,670,990	$ 5,497,451	$ 13,868,209	**$ 45,909,744**
Transfers Out	3,863,879	1,000,923	1,526,532	99,677	2,353,114	-	740,159	9,584,284
Ending Fund Balances/Reserves/Net Assets	133,347	-	-	-	-	18,279	312,488	464,114
TOTAL APPROPRIATED EXPENDITURES, TRANSFERS, RESERVES & BALANCES	$25,083,802	$2,617,602	$1,628,882	$1,167,165	$5,024,104	$5,515,730	$14,920,856	**$ 55,958,142**


FY 2027 REVENUES by type
$45.9m
Grants & Shared, $12,613,465 , 28%
Fees and other sources, $15,022,541 , 33%
Prior Year (restricted) balances, $3,861,757 , 8%
Property Taxes, $14,411,981 , 31%

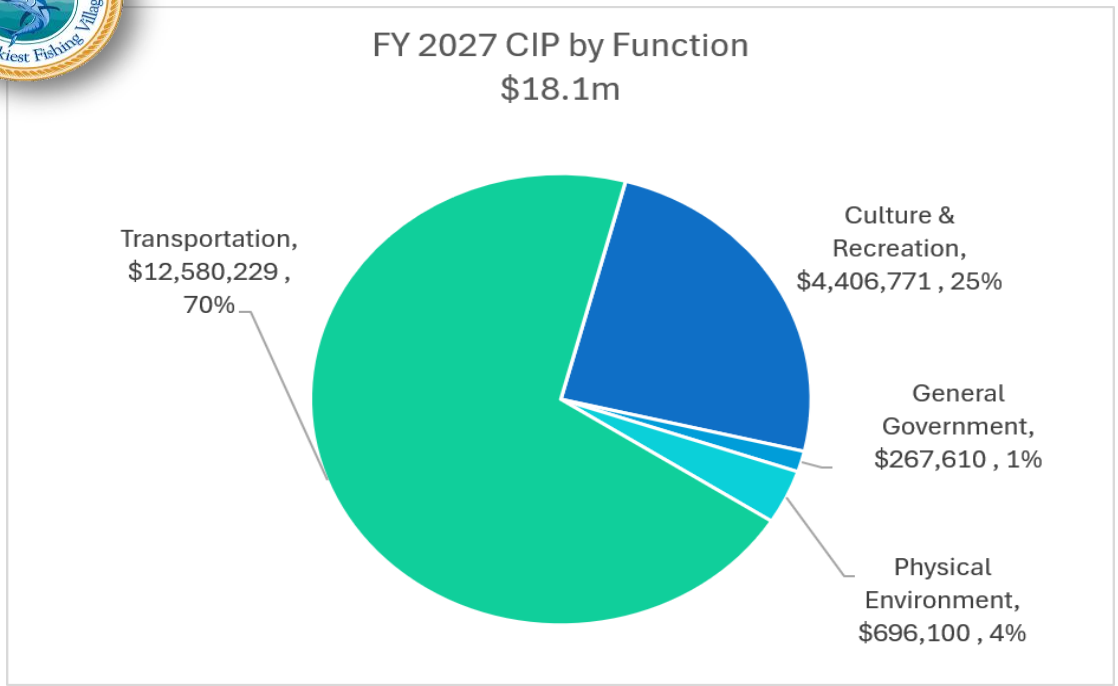

Destin Taxable Property Value
$10,000,000,000
$8,000,000,000
$6,000,000,000
$4,000,000,000
$2,000,000,000
$-
$(2,000,000,000)
1980
1985
1990
1995
2000
2005
2010
2015
2020
2025
2030
2035
2026, $9,393,502,215
2007, $6,194,422,053
2013, $3,767,538,791

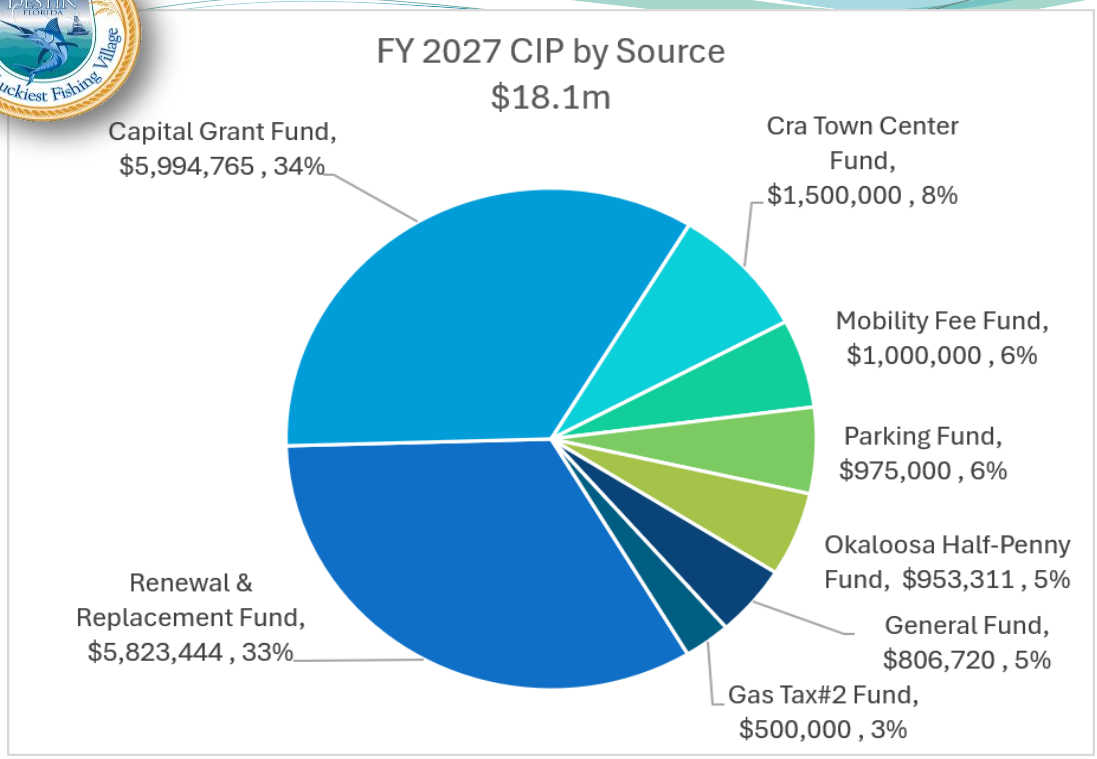
Parcel Use	Parcel Count	07/01/2026 Taxable Value	Ad Valorem @ 1.615 x 96%	Avg Taxes per Parcel	% of Total Taxes
Homesteaded	3,611	1,310,529,656	$ 2,031,845	$ 563	14%
Residential	10,207	6,901,896,276	10,700,700	$ 1,048	74%
Non-Residential	2,406	1,177,122,967	1,825,011	$ 759	13%
Grand Total	16,224	9,389,548,899	$ 14,557,557	$ 897	100%
		LESS: 1% Delinq	$ 145,576		
	Estimated Proceeds from Levy		$ 14,411,981		
				var to 1.6044	
		General Fund	$ 13,083,236	$ 42,432	$ 13,040,804
		Town Center CRA	687,569	17,837	669,732
		Harbor CRA	641,176	34,324	606,852
			$ 14,411,981	$ 94,593	$ 14,317,388
				avg homestead@rollback: $559	
	ROLL-BACK RATE = 1.6044				
	The Proposed rate of 1.615 is %0.66 higher than the Roll-Back Rate				
	The City has maintained a rate of 1.615 since Oct 2017				



2027 Budget Highlights

	FY 2026 Budget	FY 2027 Proposed	FY27-FY26	% change
Operations	$ 23,287,009	$ 22,278,308	$ (1,008,702)	-4%
Debt Service	$ 5,704,731	$ 5,528,196	$ (176,535)	-3%
Capital Outlays	$ 41,296,871	$ 18,103,240	$ (23,193,631)	-56%
Total Expenditures	$ 70,288,612	$ 45,909,744	$ (24,378,868)	-35%





2026 CIP Highlights

- Completed
  - Dredged Harbor Channel
  - Norriego Point Park
  - MSC Playground
  - MSC Athletic Field Lighting
  - MSC Batting Cages
  - DLL artificial turf

2026 CIP Highlights

- Completed
  - Purchased land to expand DLL parking
  - Mattie Kelly Outfall (in prep for Joe's Bayou Park Improvements)
  - Resurfaced Buck Destin Basketball Courts w/new fencing
  - Repaved 11.6 lane miles of roadways (16 segments) including Airport Road

2026 CIP Highlights

- Completed
  - Crosstown Connector stormwater retention units installed
  - Pickleball Courts

2026 CIP Highlights

- In Process
  - Tarpon Beach Park (open 7/15/26)
  - Clement Taylor Park renovations
  - Community Center Roof
  - 9.6 more lane miles of roads (18 street segments) are scheduled

2026 CIP Highlights

- In Process
  - Undergrounding Overhead Utilities – switching will occur when FPL completes installations of additional power infrastructure
  - Crosstown Connector ***Roadway*** (Beach to Benning)
  - MSC field equipment shed

2027 CIP Highlights

- Projects planned for FY 2027:
  - Mattie M. Kelly Blvd N/S road connection
  - Mattie M. Kelly Blvd sidewalk, bike lane
  - John Ave (Dolphin to Sailfish)
  - Dolphin Reconstruction (road and sidewalk)

2027 CIP Highlights

- Projects planned for FY 2027:
  - 36 roadways to be repaved (last paved 1970 - 1995)
  - Main St Beautification (98-Airport)
  - Sibert-Zerbe parking lot consolidation/paving (parking fund)
  - Dalton Threadgill Parking

2027 CIP Highlights

- Projects planned for FY 2027:
  - Community Center – doors, windows, stucco
  - MSC athletic field fencing
  - MSC restrooms
  - Buck Destin Playground
  - Dalton Threadgill field lighting
  - Dog Park Fence

2027 CIP Highlights

- Projects planned for 2027:
  - Shores at Crystal Beach Park (TDC/BOCC)
  - Replace boardwalks at beach access points (TDC)

2027 CIP Highlights

(RE)/CONSTRUCTION	Estimate $
Clement Taylor Park (cont)	$ 185,000
4Prong Lake (cont)	$ 300,000
Crosstown (cont)	$ 3,550,000
Crystal Beach (cont)	$ 1,909,765
Undergrounding (cont)	$ 300,000

2027 CIP Highlights

(RE)/CONSTRUCTION	Estimate $
Community Center	$ 150,000
Morgan Sport Center	$ 844,396
Beach Access Trail Decking	$ 50,000
Buck Destin	$ 154,500
Dalton Threadgill	$ 779,600
Dog Park	$ 95,050
Cemetery	$ 60,000

2027 CIP Highlights

(RE)/CONSTRUCTION	Estimate $
Roads to Repave	$ 3,107,658
New Road/Sidewalk	$ 3,853,311
Main St Beautification	$ 333,720
Parking Lot	$ 525,000
Sidewalk Replacements	$ 61,800

2027 CIP Highlights

ITEMS TO BE REPLACED:	Item Count	Estimate $	
Vehicle	9	$ 448,880	11 to 8 years old
HVAC	16	$ 219,390	25 to 9 years old
Pipehunter	1	$ 190,550	10 years old
Backhoe	1	$ 144,200	10 years old
Skid Steer	1	$ 130,000	10 years old
Generator	3	$ 108,200	26 to 11 years old
Generator Txfr Switch	2	$ 12,360	26 to 11 years old
Gator	6	$ 98,880	15 to 7 years old
Dump Trailer	1	$ 11,330	10 years old
Mower	2	$ 23,690	8 years old
Sand Pro	2	$ 32,960	14 to 7 years old
	44	$1,420,440	
2 new trucks (TDC)	2	$ 80,000	
GRAND TOTAL	**46**	**$1,500,440**	

2027 Budget Highlights

- DRAFT Budget Book
  - Fund Balance Trend Summary FY25-30 starts page 11
  - Capital Project Details start page 62
  - 5-Year Capital Improvement plans with details of items to be replaced/repaved starts page 126

Next Steps:

July 20: Council Adopts Tentative Millage Rate

September 8 & 21: Budget Hearings

Detailed Budget Briefings Available by Appointment



Council reviewed budget items including bank fees and investment earnings, code enforcement revenues, vehicle replacements, seawall repair, improvements at Harbor Boulevard including power to lights and increased funding for fireworks and holiday decorations, turning lane improvements at Airport and Commons, and the Sheriff's contract. Staff agreed to provide additional cost and funding information for future discussion.

PUBLIC COMMENT

Mayor Pro Tem Hebert called for any comments from the public. There being none offered, the public comment period was closed.

ADJOURNMENT

Having no further business, the meeting was adjourned at 6:29 PM.

_____

Terésa Hebert, Mayor Pro Tem

ATTEST:

_____

Lisa Wallace, City Clerk

SPECIAL MEETING
DESTIN CITY COUNCIL
JULY 15, 2026
ANNEX COUNCIL CHAMBERS
6:00 PM

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

Destin City Council

Mayor Bobby Wagner (via Teams)
Mayor Pro-Tem Terésa Hebert
Councilmember Rodney Braden
Councilmember Dewey Destin
Councilmember Chatham Morgan
Councilmember Sandy Trammell
Councilmember Kevin Schmidt
Councilmember John Stephens

Destin City Staff

City Manager Larry Jones
City Attorney Kimberly Kopp
Parks and Recreation Director Lisa Firth
Finance Director Krystal Strickland
IT Director Andy Peters
Projects and Grants Manager Jeff Cozadd
City Clerk Lisa Wallace

CALL TO ORDER, INVOCATION, AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem Terésa Hebert called the meeting to order at 6:00 PM. A moment of silence was held followed by the Pledge of Allegiance.

NEW BUSINESS

City Attorney Kopp asked Council to consider having two public comment periods, one prior to Council's discussion of the State-acquired land in Holiday Isle adjacent to the City's Norriego Point Park and one after Council's discussion. Councilmembers had no objection to this request.

Attorney Kopp also reported that Mayor Wagner is participating in the Council discussions remotely via Teams but would not be able to vote in the event of a tie vote because he is not physically present.

FIRST PUBLIC COMMENTS

Okaloosa County Commissioner Drew Palmer, representing District 5, stated that his position remained unchanged but expressed hope that the County and City could continue working together and find a constructive path forward. He acknowledged that productive work had been occurring but said the matter had become somewhat contentious. Commissioner Palmer stated that, if the City Council believed an ethics violation had occurred, its members had a responsibility to file a formal ethics complaint. He cautioned against using the threat of an administrative or ethics

proceeding to coerce another elected official, interfere with the performance of official duties, or gain leverage in a dispute. He concluded that, if the Council believed sufficient cause existed, the Council should file the complaint, adding that he was not influenced by the threat of such action.

Rob Valatin, a Holiday Isle resident and officer of the Holiday Isle Improvement Association, stated that he was speaking on his own behalf with the support of the board's executive committee, but not on behalf of the full board. He discussed the County's proposal to provide free parking in all City of Destin parking lots to Okaloosa County residents in exchange for County support for the City's control of the state-owned property at Norriego Point. Although he had previously supported the City's decision to counter the proposal by limiting free parking to beach-area lots, he said that, after further consideration, he now supported accepting the County's terms. He estimated that the additional loss in parking revenue beyond the beach parking already offered would be approximately $21,000 to $30,000 annually and suggested that the City could offset any loss by modestly increasing parking fees paid by visitors. Mr. Valatin stated that accepting the County's proposal would provide the most direct and controllable path toward gaining access to and control of the four-acre property, while litigation would involve uncertain costs, resources, time, and results. Based on his professional experience negotiating agreements, he concluded that an arrangement leaving neither party fully satisfied often represents a fair compromise.

A. Update on State-Acquired Land in Holiday Isle Adjacent to City's Norriego Point Park

City Attorney Kopp stated that the City had attempted for several months to engage Okaloosa County in a meaningful and public discussion regarding the future of the state-acquired park property located within the City. She noted that the City had repeatedly requested that the issue be placed on a County Commission agenda to allow open discussion and public participation. Although the County had recently characterized the matter as premature or indicated that it had no present interest in the property, she stated that the County had engaged in lease negotiations with the State and had previously held a town hall meeting outlining concepts for developing and managing the park. She expressed concern that subsequent discussion had generally occurred through comments made at the end of County Commission meetings, after public comment had concluded and without the matter being placed on the agenda, which limited the City's ability to respond and did not provide adequate opportunity for public participation.

Attorney Kopp explained that the dispute involved both process and substance. The City's position was that the property should remain focused on conservation and be developed consistently with the City's Comprehensive Plan and Land Development Code, while the County appeared to support more intensive recreational and commercial uses, including marina-related facilities. She also noted that a County Commissioner had requested an advisory opinion from the Florida Attorney General regarding whether the City's land development regulations applied to state-owned property located entirely within the City, further demonstrating the existence of an intergovernmental dispute.

Since informal discussions had not resolved the matter, she recommended that the City consider initiating the governmental conflict resolution process established under Chapter 164 of the Florida Statutes. She emphasized that the process was not litigation, but rather a structured procedure intended to provide an equitable, timely, effective, and less costly means of resolving disputes between governmental entities. She stated that the statute applies to disputes involving comprehensive planning, natural resource protection, allocation of land and other natural resources, permitting processes, and other intergovernmental matters.

Attorney Kopp advised that, if directed by the Council, she would prepare an initiating resolution for consideration at the July 20 meeting. If approved, notice would be provided to the County and State within five days, followed by a publicly noticed meeting between the City and County within 30 days. If the matter remained unresolved, a second public meeting would be

required within 50 days, followed by mediation if necessary. She stated that the process could address the park property, parking, and other related disputes, while creating the public, agenda-based discussion the City had been requesting and providing an opportunity to resolve the issues without litigation.

Councilmember Morgan stated that he would like to propose a different motion listing his reasons.

Councilmember Morgan made a motion, seconded by Councilman Stephens, to approve free parking for all Okaloosa County residents in all of the city's paid parking facilities, but only in the event that the city obtains the lease to the state property at 50 Gulfshore Drive and further request that Commissioner Palmer bring this to his board for a vote at their next scheduled commission meeting with the understanding that the county is to approach the state in conjunction with the city to formally request that the state leases the property in question to the City of Destin. The motion failed 3-4 with Councilmembers Destin, Morgan, and Stephens voting "yes" and Councilmembers Hebert, Schmidt, Braden, and Trammell voting "no".

Councilmember Braden made a motion, seconded by Councilmember Schmidt, to notify the appropriate state authorities of the city's concerns about the County's August 19 correspondence as well as the city's objection to any inclusion of city owned property in the appraisals or applications submitted to the state [Note: "*and initiate the dispute Resolution*" was added but later Council agreed to vote as two separate items]. The motion passed 4-3 with Councilmembers Hebert, Schmidt, Braden, and Morgan voting "yes" and Councilmembers Destin, Trammel, and Stephens voting "no".

Councilmember Destin made a motion, seconded by Councilmember Schmidt, to direct the City Attorney to prepare the conflict-dispute Resolution for Council's consideration for Monday's meeting noting that it is a substitute motion by itself. The motion passed unanimously.

SECOND PUBLIC COMMENTS

There being no further comments offered, the meeting was adjourned.

ADJOURNMENT

The meeting adjourned at 6:57 p.m.

_____

Terésa Hebert, Mayor Pro Tem

ATTEST:

_____

Lisa Wallace, City Clerk

REGULAR MEETING
DESTIN CITY COUNCIL
JULY 20, 2026
ANNEX COUNCIL CHAMBERS
6:00 PM

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

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City Attorney Kimberly Kopp
City Clerk Lisa Wallace
Jesse Hernandez, Senior Planner
City Engineer Robert Tomesek
Finance Director Krystal Strickland
Antonio Payne, Systems and Network Specialist
HR Director, Jamie Haynes
Noell Bell, Chief Building Official

CALL TO ORDER, INVOCATION, AND PLEDGE OF ALLEGIANCE

Mayor Bobby Wagner called the meeting to order at 6:00 PM. Pastor Kevin Wendt of Grace Evangelical Lutheran Church gave the invocation which was then followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Councilmember Trammell added items forwarded to Council from the CRA Board meeting to the agenda under her name.

Councilmember Hebert made a motion, seconded by Councilmember Trammell, to approve the agenda as amended. The motion passed 6-0.

2. PUBLIC COMMENTS (Note: Public Comments were heard *before* Item 1, Proclamations/Recognitions/Special/Public Presentations/Announcements)

Ricky Lynn Grant advocated for additional public beach accesses throughout Okaloosa County and suggested constructing a pedestrian skybridge between the harbor and Norriego Point. He also discussed future urban development, economic opportunities, and his desire to secure a permanent home in the area.

Rob Valatin, speaking personally, urged the Council to reconsider its prior decision regarding the state-acquired Holiday Isle property. He supported accepting Commissioner Palmer's proposal as a final diplomatic effort to obtain City management of the property before initiating conflict-resolution or legal proceedings, noting that doing so could reduce costs, strengthen the City's position, and help prevent the property from remaining closed or being commercially developed.

There being no further comments, the first public comment period was closed.

1. PROCLAMATIONS/RECOGNITIONS/SPECIAL/**PUBLIC PRESENTATIONS/ANNOUNCEMENTS

Lobbyist Kelly Horton of Heffley & Associates provided Council with an update on recent legislation and lobbying efforts. She presented an overview of the 2026 legislative sessions, noting that 237 of 1,896 filed bills passed and that the final $114.5 billion state budget included approximately $14 billion in reserves. She reported that the City of Destin secured $1 million each for the Crosstown Connector, Four Prong Lake project, and Stallman Avenue improvements, with all three appropriations surviving the Governor's veto process.

She also discussed pending property-tax relief litigation, unsuccessful efforts to amend Senate Bill 180, and legislation involving land use, beach management, permitting, DEI-related funding restrictions, sovereign immunity, and artificial intelligence. She encouraged the City to begin developing its legislative priorities before committee meetings begin later in the year.

Rich Heffley followed up noting the significant political transition expected following the 2026 elections, including open statewide offices, new agency leadership, legislative turnover, and changes resulting from congressional redistricting. He emphasized that the transition presents opportunities for Northwest Florida leaders to seek appointments, influence policy, and advocate for regional priorities.

He also addressed the proposed property-tax amendment, noting pending legal challenges to the ballot language and polling near the 60% threshold required for passage. He advised waiting for the final ballot language and updated polling before assessing its likelihood of approval.

3. CONSENT AGENDA

A. Approval of Minutes of July 6, 2026 Regular City Council Meeting

B. Destin Water Users, authorization to issue a Purchase Order for new reclaim water line

C. Public Easement #464301901 - DEP/Joe's Bayou Project

D. Renewal & Replacement - Resurfacing of Clipper Cove

Councilmember Hebert made a motion, seconded by Councilmember Trammell, to approve the consent agenda. The motion passed 6-0.

4. PUBLIC HEARINGS

A. First Reading of Ordinance 26-20-LC: AN ORDINANCE OF THE CITY OF DESTIN FLORIDA APPROVING THE UNIFORM METHOD ("INVOLUNTARY") ANNEXATION OF CERTAIN REAL PROPERTY TOTALING 2076.095 +/- ACRES, CONTAINING ALL

UNINCORPORATED LAND LYING EAST AND SOUTH OF CHOCTAWHATCEE BAY LOCATED IN OKALOOSA COUNTY FLORIDA, AS MORE SPECIFICALLY DESCRIBED HEREIN; AMENDING THE CITY CHARTER BY REDEFINING THE CORPORATE LIMITS OF THE CITY OF DESTIN; DIRECTING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS ANNEXATION; DIRECTING THE CITY CLERK TO FILE A COPY OF THIS ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT IN OKALOOSA COUNTY, THE CHIEF ADMINISTRATIVE OFFICER OF OKALOOSA COUNTY, AND THE FLORIDA DEPARTMENT OF STATE WITHIN THIRTY DAYS AFTER ADOPTION, IN ACCORDANCE WITH SECTION 171, FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The City Attorney read Ordinance 26-06-LC by title and presented it to the city council for first reading.

Mayor Wagner opened a public hearing to receive comments from the public on the proposed ordinance.

Mike Weget, 4083 Drifting Sand, asked if Council would be willing to share their thoughts on the proposed annexation prior to the public comments. City Attorney Kopp stated that Council could let their feelings be known prior to the public hearing but that a public hearing must be held before a decision is made by Council.

Councilmembers generally agreed that residents of the unincorporated neighborhoods had clearly expressed opposition to annexation. Several supported postponing the matter for two years, while others opposed establishing a specific reconsideration date and noted that a future Council could revisit the issue at any time. Members also emphasized the City's limited population, the effect of population on grant funding and influence, and the need for broader cooperation on issues affecting the entire Destin community.

Mayor Wagner then called for any comments from the public.

Mike Weger thanked City staff and Council members for their assistance and recommended tabling the matter rather than extending it. He offered to help engage the affected neighborhoods and suggested restarting the process from the beginning to avoid issues associated with the current proposal.

Amy Brooke requested clarification regarding "involuntary annexation." The City Attorney explained that, unlike voluntary annexation initiated by property-owner petitions, the proposed process would require a referendum vote and approval by a majority of voters.

Duke Eliason, representing the Diamond Lakes community, supported postponing the proposal to allow further discussion. He expressed concern about additional City taxes for retirees and residents on fixed incomes who already pay HOA fees and asked the City to explore benefits or cost offsets that could reduce the financial impact of annexation.

Charles Rigdon, President of the Kelly Plantation Homeowners Association, stated that the association's board and a majority of homeowners oppose annexation into the City of Destin. He said the community is self-sufficient, satisfied with existing county, utility, fire, law-enforcement, and

HOA-provided services, and believes annexation would increase property taxes and regulatory requirements without improving residents' quality of life. He also expressed concern that the City had not contacted the HOA or provided an opportunity for meaningful discussion before advancing the proposal.

Carolyn Deetson expressed concern that annexation could reduce the allowable homestead exemption for owners of larger properties from up to 160 acres to one-half acre within a municipality. She asked the City to research and address the potential effect on property owners before further discussing annexation.

Meredith Bush, legal counsel for the Kelly Plantation Owners Association, requested that the City completely withdraw the annexation ordinance rather than reschedule it for consideration in two years. She alleged that the proposal did not satisfy statutory requirements, cited inconsistencies among City documents regarding the acreage involved, and criticized the lack of communication and public engagement with affected property owners. She also questioned whether public funds could lawfully be used to offset private HOA costs and warned that continued action could result in legal challenges.

John Love, a Kelly Plantation resident, opposed annexation, stating that it would substantially increase residents' annual property taxes without providing benefits commensurate with the additional cost. He noted that the HOA already maintains neighborhood roads, landscaping, recreation facilities, and other services, while annexation would add City permitting, inspections, code enforcement, and bureaucracy.

Kevin Kennedy, President of the Bay Winds HOA in Emerald Bay, agreed that annexation did not appear financially beneficial to residents but emphasized that the discussion should extend beyond taxes. He encouraged the City to meet with affected communities and clearly explain how adding approximately 1,500 residents could strengthen Destin's representation and advocacy in Tallahassee and provide broader benefits to the entire community.

Patty Scholard, a Regatta Bay resident, opposed postponing the annexation proposal for two years and expressed concern that uncertainty could cause residents to sell their homes. She cited the financial impact on retirees and raised concerns about additional City permit and development fees, including roofing costs. She also questioned how City setback requirements could affect existing homes and residents' ability to rebuild after a hurricane or other disaster.

Daniel Frankfurt, a Kelly Plantation resident and Regatta Bay property owner, initially supported tabling the annexation proposal to allow additional review. He noted potential benefits of annexation, including voting rights, participation in City government, access to the experience and leadership of residents in the affected communities, and greater local influence over planning and development decisions. He also cited potential long-term revenue and grant benefits and expressed willingness to work with the City to identify a solution that benefits future generations.

Ashley Rogers, an attorney representing several Destin Commons-related entities, expressed serious concerns regarding the feasibility study and the proposal's compliance with statutory requirements. She requested that the Council use the appropriate procedural action to withdraw, terminate, or vote against the annexation proposal and discontinue further proceedings.

An unnamed speaker opposed the annexation proposal and cautioned that some information presented was misleading. He questioned whether the City could regulate or reduce HOA fees

governed by Chapter 720, Florida Statutes, and questioned how annexation would benefit affected residents.

David Long, a Regatta Bay resident, emphasized that the City should conduct a meaningful public outreach program before taking any future action on annexation. He offered to use the Regatta Proud Facebook group to help distribute information, gather resident feedback, and conduct surveys, noting that residents have valuable experience and want opportunities to become more engaged in the broader community.

Vincent Asperante, a new Regatta Bay resident, opposed involuntary annexation, stating that it did not align with the character or expectations of the affected private communities. He expressed willingness to meet with City representatives but urged the Council to discontinue the proposal and allow the communities to remain unincorporated.

Mike Shatz, a 14-year Emerald Bay resident, opposed annexing multiple HOA communities under a single proposal. He recommended evaluating each neighborhood's needs individually and allowing residents of each affected area to vote separately on annexation.

There being no further comments offered, the public hearing was closed.

Councilmember Trammell made a motion, seconded by Councilmember Destin, to table the proposed annexation ordinance 26-20-LC. The motion passed 6-0.

Mayor Wagner acknowledged the residents' concerns and ideas and asked the Council whether tabling the annexation proposal would still allow continued outreach to individual neighborhoods. He expressed a desire to keep working collaboratively with residents regardless of whether annexation moved forward.

The City Attorney clarified that tabling the annexation proposal would halt all official staff work unless the Council expressly authorized the City Manager to continue.

Mayor Wagner stated that he would conduct a personal listening campaign without advocating a position, emphasizing his intent to respect the Council's decision and avoid overstepping his authority.

5. CITY MANAGER REPORTS

A. Establishing the FY 2027 Tentative Millage Rate and Budget Public Hearing Date

Councilmember Stephens made a motion seconded by Councilmember Destin, that council set the tentative millage rate for ad valorem taxes at 1.6150 mills which is 0.66% more than the roll-back rate of 1.6044 mills and confirm the date and times of the public hearings for the FY 2027 Budget on September 8th, 2026 at 6:00 PM and September 21st, 2026 at 6:00 PM. and proceed with the optional budget workshop on Monday, August ~~12~~ 10, 2026 at 5:30 p.m. The motion passed 6-0.

B. Technology Fund - Recommendation to change

Councilmember Destin made a motion, seconded by Councilmember Trammell, to revise the schedule of fees to reduce the percentage of development, permitting and licensing fees restricted to the Technology fund from 10% to 5%. The motion passed 6-0.

C. Resolution 26-06, Amendment to the Schedule of Fees, Section 2 (Building Permit and Developer Fees)

Councilmember Trammell made a motion, seconded by Councilmember Hebert, to adopt Resolution 26-06, which changes the fee base for inspections to meet current Florida statute and to reduce the transfers out of the Technology Fund from 10% of permit and license fees down to 5%. The motion passed 6-0.

D. Resolution 2026-16 in Support of Home Rule and City Land Use Authority

Councilmember Trammell made a motion, seconded by Councilmember Hebert, to adopt Resolution 26-16 supporting local home rule and land use authorities. The motion passed 6-0.

E. Resolution 26-21 Conflict Resolution Proceedings and Notice Letter to Cabinet and FDEP

Councilmember Braden made a motion, seconded by Councilmember Trammell, to adopt Resolution 26-21 to invoke the conflict resolution process provided for in Chapter 164 of the Florida statutes. The motion passed 5-1 with Councilmembers Destin, Hebert, Braden, Trammell, and Stephens voting "yes" and Councilmember Morgan voting "no".

Councilmember Braden made a motion, seconded by Councilmember Hebert, to authorize the City Manager to execute the Notice Letter to the State (all cabinet members and FDEP rep). The motion passed 6-0.

F. Resolution 26-19 Harbor CRA Fundraising Fund

Councilmember Trammell made a motion, seconded by Councilmember Hebert, to adopt Resolution 26-19 to create a new special revenue fund. The motion passed 6-0.

G. Authorization to prepare an Ordinance amending the City's Floodplain Management Regulations

Councilmember Trammell made a motion, seconded by Councilmember Stephens, to authorize preparation of an ordinance amending the City's Floodplain Management Regulations to reduce the required freeboard from two (2) feet to one (1) foot above the applicable Base Flood Elevation, develop and implement a Community Rating System (CRS) enhancement program designed to offset anticipated CRS point reductions and maintain the City's current CRS Class 6 rating, and initiate the ordinance review/adoption process. The motion passed 6-0.

H. Mobility Plan Update

Councilmember Destin made a motion, seconded by Councilmember Stephens, to continue this item until the next meeting. The motion passed 6-0.

I. Capital Project Status - Informational Only

J. Operations Financial Report - Informational Only

K. TDC Monthly Report - Informational Only

L. Quarterly Investment Report - Informational Only

M. Minutes of Standing Boards & Committees - Informational Only

N. Announcements

Public Works Director Michael Burgess provided an update on Tropical Storm Bertha, reporting sustained winds of 40 mph and slow movement approximately 100 miles south of Panama City. The primary local concerns were intermittent heavy rainfall, gusty winds, possible tree damage due to saturated soil, and hazardous beach conditions. Public Works would continue monitoring and remain prepared to respond. Residents and visitors were encouraged to monitor official weather sources, secure outdoor items and trash cans, maintain hurricane supplies, and observe beach warning flags.

Public Information Director, Tamara Young, announced Big Truck Day would be held July 31 from 9:00 to 11:00 a.m. at the Destin Community Center parking lot and would be free for all ages. A Comprehensive Plan EAR Workshop was scheduled for August 10 at 5:30 p.m. in the City Hall Annex, and residents were encouraged to complete the public survey available on the City's website. Staff also announced upcoming road resurfacing projects on North Lakeside Drive and Misty Way later in July and on Gulf Shore Drive in August, with additional information available on the City's website and Facebook page.

6. COMMENTS / PRESENTATIONS FROM MAYOR, COUNCIL, AND CITY ATTORNEY

A. Councilmember Braden

B. Councilmember Stephens

Councilmember Stephens made a motion, seconded by Councilmember Trammell, to direct staff to evaluate signage and a life jacket loaner program for the Norriego Point East Passage area, and to identify necessary permits and potential grant funding (FPL) and bring back to Council for consideration. The motion passed 6-0.

C. Councilmember Destin

D. Councilmember Trammell

Councilmember Trammell made a motion, seconded by Councilmember Hebert, to approve the motion that was made at CRA Board meeting to include $1,500,000 for the completion of the Mattie M. Kelly Connector project along with the sidewalk and bike lane projects to include in the FY 2027 budget. The motion passed 6-0.

E. Councilmember Hebert

F. Councilmember Morgan

G. Councilmember Schmidt

H. Mayor Wagner

I. City Attorney

7. PUBLIC COMMENTS

Ashley Painter, President and CEO of United Contract Solutions and United Fuel Direct, clarified that her company provides an optional dockside concierge fueling service and does not seek to compete with local marinas or the cooperative. She emphasized the company's safety, training, regulatory compliance, emergency-response capabilities, and service to 34 Destin Harbor clients. Painter stated that dockside fueling can reduce harbor congestion, support charter and tournament vessels, and provide backup fuel during emergencies. She requested that the company be allowed to continue operating under its existing approvals.

8. ADJOURNMENT

There being no further business, the meeting adjourned at 8:52 p.m.

_____

Bobby Wagner, Mayor

ATTEST:

_____

Lisa Wallace, City Clerk

ITEM # 2026-929

CITY OF DESTIN

AGENDA ITEM

COUNCIL MEETING DATE: August 3, 2026
TYPE OF AGENDA ITEM: Announcement
AGENDA OUTLINE NUMBER: 4.A.

TO: City Council

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

FROM: Jeffrey Cozadd, Projects, Grants and Contracts Manager

DATE: 6/26/2026

SUBJECT: Undergrounding Update - Substantial Completion

I. BACKGROUND: Councilmember Destin made a motion on June 15, 2026, to withhold $100,000 until the city is satisfied that the action is correct by obtaining an explanation from the consultants on how they came to their conclusion and to have Attorney Schef Wright review and provide an analysis of that explanation.

C. Utility Undergrounding Update

Councilmember Morgan made a motion, seconde
Councilmember Hebert, to direct staff to withhol
$31,500 in liquidated damages due to ADS and ins
the City Manager to continue to negotiate a mitiga
plan for Council's consideration. No vote taken.

Councilmember Destin made a substitution moti
seconded by Mr. Bagby, to withhold $100,000 until
city is satisfied that the action is correct by obtair
an explanation from the consultants on how they
to their conclusion and by having Attorney Schef
Wright review and provide an analysis of that
explanation, passed 7-0.

II. DISCUSSION: Utility Consultants of Florida has provided an explanation of substantial completion (attached letter). Attorney Schef Wright has provided a memo analyzing the situation and identified options available to council (attached).

Attorney Wright provided the following in his memo:

UCoF's Senior Inspector, Robert Blount, verified completion of the Work by physical inspection. All parties agree that the Work required of ADS has met the Substantial Completion requirements of the ADS Contract.

While it is now clear that ADS could have completed its Work under the ADS Contract by May 18, it is difficult to argue that ADS's decision to defer that part of its Work was unreasonable or based on poor judgment. There is no dispute that ADS has completed the Work satisfactorily, such that the real issue is ADS's delay in providing notice.

I believe that, realistically, ADS knew or reasonably should have known that it would be unable to meet the May 18 deadline more than five days before May 13. On these facts, the City would be within its rights to impose LDs on ADS in the amount of $31,500, which is 21 days times the contractually set LD charge of $1,500 per day. Alternatively, based on ADS's otherwise good performance of its work under the ADS Contract, including the fact that ADS never requested any change orders and promptly mobilized to complete its work, the City could reasonably accept ADS 's explanation that it genuinely believed that it would be able to complete its work timely and waive any LDs. This is a policy decision for the City Council.

A. Link to Strategic Goals / Objectives:
B. Effect on Budget (EOB):
C. Level of Service (LOS):
D. Legislative Sponsor:
E. Business Impact Statement:

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

1. Memo - ADS Contract Issues with Attachments.07-17-2026
2. Contract Extension Request Explanation Letter

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Michael P. Bist*
Garvin B. Bowden†
Robert B. Celander
Charles R. Gardner*
Robert A. "Gus" Harper, III
Kimberly L. King
John T. LaVia, III
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MEMORANDUM

July 15, 2026

TO: DESTIN CITY COUNCIL & MAYOR WAGNER
KIMBERLY ROMANO KOPP, CITY ATTORNEY

FROM: ROBERT SCHEFFEL WRIGHT

SUBJECT: ADS CONTRACT ISSUES

This memorandum responds to the Destin City Council's motion adopted on June 15, 2026, regarding certain issues that have recently arisen between the City and Accurate Drilling Systems, Inc. ("ADS"), pursuant to the Agreement Between the City of Destin, Florida and Accurate Drilling Systems, Inc., for Phase I Utility Undergrounding Conversion Project, dated June 11, 2024 (the "ADS Contract"). As more specifically described below, the issues relate to ADS's compliance with the timing of completion of ADS's work pursuant to the ADS Contract, ADS's compliance with provisions in the ADS Contract that require ADS to give notice of events that may cause delays in ADS's completion of its work under the ADS Contract, and provisions that authorize the City to claim liquidated damages from ADS if ADS's work is not completed within the time specified in the ADS Contract.

Summary

The ADS Contract required ADS to complete the scope of work defined in the Contract documents and plans by May 18, 2026. This "Work" included installing the main, heavier-duty electric wires known as "feeders" and the lighter-duty wires known as "primary" wires, and the conduit (underground tubes) in which the wires are installed in the area along and adjacent to US 98 from the Marler Bridge to Airport Road. The UG Project (as defined below) progressed ahead of schedule and without any significant

problems from the start of construction in November 2024 until the Spring of 2026. To accommodate the installation of additional feeder capacity needed by FPL (beyond that specified in the original Work) and to minimize construction risks, ADS decided to defer installation of the original Project feeders on the Beach Drive to Airport Road segment of the UG Project. Over the first few months of 2026, supply chain issues adversely affected several parts of the UG Project, with the ultimate result that the feeder installation was delayed.

The ADS Contract required ADS to notify the City within five days of any delay event. ADS apparently believed in good faith that the supply chain issues would be resolved in time to complete the original UG Project Work by May 18, but by the time ADS realized that completion by that date would be impossible, it was too late for ADS to give the City the five days notice of the delay required by the ADS Contract. ADS gave notice on May 13, and when the City announced that it would consider imposing liquidated damages ("LDs") as a reduction to ADS's payments, ADS mobilized on May 19 and completed the installation of the feeders required by the ADS Contract on June 8, 2026.

While it is now clear that ADS could have completed its Work under the ADS Contract by May 18, it is difficult to argue that ADS's decision to defer that part of its Work was unreasonable or based on poor judgment. There is no dispute that ADS has completed the Work satisfactorily, such that the real issue is ADS's delay in providing notice.

Based on all the information available to me, I believe that, realistically, ADS knew or reasonably should have known that it would be unable to meet the May 18 deadline more than five days before May 13. On these facts, the City would be within its rights to impose LDs on ADS in the amount of $31,500, which is 21 days times the contractually set LD charge of $1,500 per day. Alternatively, based on ADS's otherwise good performance of its work under the ADS Contract, including the fact that ADS never requested any change orders and promptly mobilized to complete its work, the City could reasonably accept ADS's explanation that it genuinely believed that it would be able to complete its work timely and waive any LDs. This is a policy decision for the City Council.

Parties & Definitions

ADS is the contractor with the City under the ADS Contract. The term "UG Project" means the Phase I Utility Undergrounding Project that ADS is performing for the City pursuant to the ADS Contract; the UG Project includes approximately 3 miles of

heavier-duty electrical "feeder" conductor (wire) to be installed in conduit along U.S. Highway 98 from the Marler Bridge to Airport Drive, plus additional lighter-gauge conductor (referred to as "primary" wire or conductor) connecting from the primary feeder to serve customers as shown in the Plans that are part of the Project Documents. Utility Consultants of Florida ("UCoF") is the City's project manager for the UG Project. The City's Contracts Manager is Jeffrey Cozadd, whose full title is Projects, Grants, and Contracts Manager. FPL is Florida Power & Light Company, the public utility providing electric service to Destin and the surrounding area. The term "Destin UG Team" as used in this memo means representatives of ADS, UCoF, FPL, and the City, who have met and continue to meet regularly (bi-weekly with certain exceptions due to holidays) from the inception of the UG Project through the present time.

Relevant ADS Contract Provisions

The ADS Contract provides that Substantial Completion of the Work was to be achieved by May 18, 2026. This date was calculated pursuant to the ADS Contract as the date that was 560 days from November 4, 2024, which was the date on which Notice to Proceed was issued. ADS Contract, Section 8.1.

"Substantial Completion" and the "Work" are defined terms in the ADS Contract, meaning that all construction and services required by the Contract Documents, including the Plans, are completed to the point that FPL could authorize and undertake the final installation of switching equipment and service connections. ADS Contract at pages 10-11. ADS's obligation to complete the Work is contingent on necessary materials having been procured by the City from FPL.

Sections 18.7-18.9 of the ADS Contract address "Time Extensions and Delay" in instances "where the progress of the Contractor is delayed, and such delay is beyond the control of the Contractor," and where such delay affects the critical path of the Project based on the approved Project schedule. Delays addressed by these sections are different from "force majeure" events such as hurricanes, lightning, and other acts of God, labor strikes, epidemics, and events of such character. (Force majeure events are addressed in Section 18.6.) In summary, these sections provide: (1) that the "Contractor shall, within five (5) days of the start of the delay, notify the Contract Administrator in writing of the delay, and, if justified, requesting an extension of the contract time;" (2) that proper and timely notification to the City's Contract Administrator of the delay is a condition precedent to any obligation of the City to grant relief; and (3) that a "non-compensable time extension shall be the sole remedy available to the Contractor for delays beyond the control of the Contractor."

To the same effect, a separate section of the ADS Contract, "TP CONTRACT DURATION AND SCHEDULE MISCELLANEOUS," found at pdf page 143 (which page does not bear its own page number) of the executed ADS Contract, provides that:

> The Proposed Contract Time (PCT) reflected may be amended if delays associated with other City work creates reason for a time extension outside the Contractor's control.

History of Relevant Events

The ADS Contract was executed on June 11, 2024. Notice to Proceed was given on November 24, 2024, which established May 18, 2026 as the date for Substantial Completion. By all accounts, including minutes of meetings of the Destin UG Team, ADS made satisfactory progress on the Work, installing conduit and conductor for FPL's electrical facilities, throughout the term of the Project, until May 2026.

The ADS Contract required that, by May 18, 2026, ADS achieve Substantial Completion of the installation of all conduit and feeder conductor necessary to prepare the new UG system as described in the Project Plans for FPL to install switches and meters. In the Fall of 2025, FPL realized that additional feeder capacity, greater than that specified in the original ADS Contract and plans, was needed to provide reliable service to the Project Area. FPL, at FPL's expense, authorized JM Utilities, an affiliate of ADS, to install the additional, separate conduit and conductor for this additional feeder; this additional feeder is commonly known as the "Express Feeder" and the project is commonly known as the "Express Feeder Project" or the "FPL Betterment Job." There was no separate contract between the City and FPL regarding the Express Feeder Project, nor was there any separate contract between FPL and JM Utilities for that work; JM Utilities was awarded that work per normal FPL procedures based on its status as an approved FPL contractor.

To understand the construction process and the delays in the UG Project, it is important to recognize that the UG Project includes two main types of electric conductor (wire). "Feeder" wires or "feeders" are heavier-duty conductors that carry more load; these feeders run along US 98 all the way from the Marler Bridge to Airport Drive. Additionally, the UG Project also includes "primary" wire, which is the wire that one would see typically on residential side streets; generally, this is lighter-gauge wire that branches off from the feeders and delivers power to transformers, where the voltage is reduced to 120 volts or 240 volts for use in residences and businesses. In addition to the feeders, the UG Project includes primary wire along US 98 and primary wire that branches out from US 98 to serve customers.

According to UG Team meeting minutes, as of April 13, 100 percent of the conduit for the original UG Project Work was installed and 100 percent of the primary wire on the Beach to Bridge segment had been pulled. As of April 27, 95 percent of the primary wire on the Beach to Airport segment had also been pulled. The feeder on the Beach to Airport segment, however, had not been pulled, because ADS was waiting on materials and equipment to complete the Express Feeder Project before making the final installation of the Beach to Airport feeder. (Copies of the April 13 and April 27 UG Team meeting minutes are attached.)

The Express Feeder is being installed in a separate conduit adjacent to the feeders that are part of the original UG Project. ADS's plan was, once the permit for the Express Feeder Project was issued, to install the Express Feeder conduit and feeder wire and then to pull all of the feeder wire for the original Work immediately thereafter. The permit for the Express Feeder Project was issued by the Florida Department of Transportation on April 7 and activated by ADS on April 22, 2026. ADS began work on the Express Feeder Project that week. Knowing that the Express Feeder would be installed adjacent to the main feeders that are part of the Work of the original UG Project, ADS decided early on to install the conduit for the original feeders (those that were part of the ADS Contract) but to defer installing – "pulling" – the feeders for the original Work until the Express Feeder conduit was installed in order to minimize the risk of damage due to overlapping work in the same areas. All parties were aware of the decision to defer final installation of the original feeders until the Express Feeder was installed.

Beginning in early 2026, the Work on the original UG Project experienced supply chain issues relating at least to switching equipment and vaults (metal boxes) that contain equipment. (This is noted in minutes of the UG Team meetings as early as January 12, 2026; copy attached.) Similar supply chain issues affected the Express Feeder Project when work on that project began in April. According to ADS and UCoF, ADS believed that notwithstanding the supply chain issues, and even though the Express Feeder permit was not activated until April 22, ADS would still be able to achieve Substantial Completion of its Work under the ADS Contract by the May 18 date. As that deadline approached, however, supply chain issues continued and ADS realized that it would not be able to meet the May 18 date and on May 13, ADS requested a 115-day extension of the date. Although there is inconsistent information as to exactly when ADS realized that the supply chain issues affecting the Express Feeder Project would cause it to miss the May 18 deadline, there appears to be no dispute that ADS realized that the supply chain delays were likely to cause the delay more than five days before May 13. See the attached copies of the May 13 letter from ADS to Larry Jones and the May 14 letter from UCoF to Jeff Cozadd.

In response to the City's concerns, which included consideration of reducing ADS's payments as allowed by liquidated damages provisions in the ADS Contract, ADS decided to proceed to complete its work under the ADS Contract. All parties agree that ADS achieved Substantial Completion of the Work on June 8, 2026, 21 days after the May 18 contractual date.

Analysis & City's Options

The ADS Contract required ADS to complete the original Work required by that Contract by May 18, 2026. The ADS Contract also required that ADS give at least five days notice after any event that would cause it to miss the May 18 deadline. In response to the question, "What event actually caused the delay beyond May 18?," I believe the answer is the ongoing delays in delivery of materials for the Express Feeder, the completion of which was deemed to be at least highly desirable, if not absolutely necessary, to minimize construction risks. FPL agreed to pay the full cost of the additional feeder capacity and engaged JM Utilities, an affiliate of ADS, to install the conduit and conductor for the additional capacity. That additional work came to be known as the Express Feeder Project or the FPL Betterment Job. ADS, with the knowledge of FPL and the City, decided to defer final installation of the feeder for the original Work until the conduit for the Express Feeder Project was complete, in order to minimize risks of damage to those facilities, which would be installed very close to each other.

Supply chain issues affected the original Work beginning in January 2026 and also affected the Express Feeder Project after that work began in the week of April 22-26, 2026. All parties to the UG Project, including the City, ADS, UCoF, and FPL, were aware of the supply chain issues affecting both the original Work and the Express Feeder Project throughout this time period. Notwithstanding the ongoing supply chain issues, ADS believed that they would be able to complete the original Work, i.e., including pulling the feeder for that part of the Work, by the May 18 deadline. Unfortunately, the supply chain issues continued longer than expected, with the result that ADS realized in early May that they would not be able to complete the original Work by May 18. Upon that realization, ADS advised the City by letter and a meeting, both on May 13, that they would not be able to meet the deadline and requested a 115-day extension to complete the original Work. The 115-day extension was based on discussions among ADS, UCoF, and FPL, and considering the ongoing supply chain issues, the 115-day extension was chosen based on "worst case scenario" assumptions.

The 115-day requested extension surprised the City, and when the City publicly considered imposing LDs on ADS, ADS decided to complete the original feeder installation despite the risks. ADS began that part of the work on May 19 and completed it on June 8. UCoF's Senior Inspector, Robert Blount, verified completion of the Work by physical inspection. All parties agree that the Work required of ADS has met the Substantial Completion requirements of the ADS Contract. (Some additional equipment, particularly switchgear, remains to be installed, but that is beyond the scope of the Work required of ADS.)

On the facts available, by late April or early May, i.e., more than five days before May 13, ADS knew or reasonably should have known that there was a significant risk that ADS would not be able to complete the installation of the feeder component of the Work by May 18. The supply chain issues had obviously been continuing since January; ADS could have simply given the required notice in late April or early May, and consulted with the City regarding proceeding with the original Work despite the risks. Regarding the late notice, ADS explains that they were trying to complete the Work while minimizing risks to all facilities. Regarding the length of the requested delay, the best information that I have is from conversation with UCoF personnel, from which it appears that the 115-day request was based on a severe "worst case scenario" that might occur with deliveries of necessary equipment. As events unfolded, when faced with a potentially large LDs charge against its payments, and notwithstanding the potential construction risks, ADS mobilized and completed the installation of all conduit and feeder conductor for the original Work on June 8, 2026. (Considering the ongoing productive and professional working relationships that I observed between and among all parties, I cannot say that ADS's conduct was inappropriate in any way; however, the notice requirement in the ADS Contract is explicit and specific.)

Based on the provisions of the ADS Contract, I conclude that the City is within its rights to impose LDs of $31,500 on ADS's final payment. Alternatively, the City could, considering all facts and circumstances, accept ADS's explanation as reasonable, albeit untimely, and waive the LDs. Reasonable grounds for waiving the LDs include the facts that, by all accounts, ADS completed the Work professionally and satisfactorily; ADS did not request any change orders throughout the course of its work on the UG Project; that throughout the course of the UG Project, until early May, the Work proceeded timely; and ADS mobilized quickly and completed the Work three weeks after the contract deadline.

Thus, whether to impose LDs is a policy decision for the City Council.

I am available to answer any questions and to discuss any related issues.

CITY OF DESTIN UNDERGROUNDING PROJECT
Progress Meeting Agenda

Meeting Date:	4/13/2026
Meeting Time:	2:30 p.m.
Meeting Location:	Teleconference
Meeting Call-In No.:	
Meeting Participant Code:	
City:	City of Destin
CEI:	Utility Consultants of Florida
Contractor:	Accurate Drilling Systems

1. **INTRODUCTIONS / SIGN-IN:**

    a. Please mute microphones when not speaking.

2. **CORRECTIONS TO PREVIOUS MEETING MINUTES:**
    a. None reported.

3. **CURRENT STATUS/PROGRESS:**

    a. **PHASE 1**

        i. Hwy 98 - Beach to Bridge - Conduit, equipment installed, wire pulled. FPL is placing termination poles, following this the contractor will be terminating wire.
        ii. Hwy 98 - Beach to Airport - Conduit install is 100% for FPL, 100% for Communications. Equipment placement is 60% complete, primary wire pull is 90% complete.
        iii. Sidewalk restoration is complete.
        iv. Communication's conduit is installed throughout entire project. All carriers are notified to begin proofing pipe, pulling fiber and placing HH's/Peds.
        v. Coordination efforts between the Project Team, FPL, and Carriers are on-going.
        vi. 2-Week Outlook –
            1. Ongoing equipment placement within east half of project over the next 2 weeks.
            2. Wire pull and termination ongoing.
            3. The Project Team is reiterating that the contractor's 2-week work schedule will be 10 days working in a row, with 4 days off following. Weekend work will not involve drilling operations to remove potential impacts to existing utilities over the weekend.

4. **UTILITIES:**

    a. Century Link:
        i. Robert Strickland (PM) - Robert.strickland@lumen.com (850)-815-3126
        ii. Total cost to install: (Includes carrier providing conduit)
            a. $198,349.56
            b. FDOT permit – 2025-H-390-00028

b. Cox Communication:
   i. Roger Dixon (PM)
      Roger.dixon@cox.com (850)-259-5083
   ii. Total cost to install: (Includes carrier providing conduit)
      a. Cox w/bore – add $460,179
   iii. Agreement Complete.
   iv. FDOT Permit – 2024-H-390-00189 – APPROVED

c. Uniti Fiber
   i. Kyle Hill (PM)
      James.hill@uniti.com (850)-544-1400
   ii. Total cost to install: (Includes carrier providing conduit)
      a. Uniti w/bore - $607,172
      b. City Contractor w/bore - $373,172 (not including City Contractor's bore labor cost)
   iii. Agreement complete.
   iv. FDOT Permit – 2024-H-390-00292, 2024-H-390-00297, 2024-H-390-00301.

d. FPL –
   i. FDOT Permit 2024-H-390-00161 APPROVED
   ii. FPL Betterment Job - JM Underground was awarded the work. Construction underway.
   iii. As of 1/12/2026 - There are material delays on equipment, specifically switchgears. Current schedule of receipt is not known, however, FPL is working to determine this schedule and concurrently working to source equipment through other avenues.
   iv. Streetlights - Both SLAs have been executed by the City of Destin. Pending FDOT permitting.
      FPL Streetlights – NBV Value has been reduced to under $42,232.78 ($37,459.78 NBV + $4,773 Removal).
   v. FPL Private Owned Parking Lot Lights – Conduit estimate not to exceed 15,000 lf. UCoF is reaching out to property owners to relay way ahead and POC for FPL Lighting Division, outreach and conversion plans in progress.

di. Co-Build Carriers –
   i. Gigapower – FDOT Permits: 2024-H-390-00107, 2024-H-390-00148, 2024-H-390-00096. Contractor has completed this install.
   ii. NextCity Networks – FDOT Permit 2024-H-390-00262. All agreements are complete. Contractor has completed this install.

5. ONGOING EFFORTS:

a. Easements: All Consents Received.
b. Recorded 28 easements. 68 remaining easement areas, total of 96 easements. 13 new sketches requested.
c. City Easements – 1 Harbor (2), 206 Harbor (2), 285 Harbor (3), 108 Stahlman (1)
d. City ROW Equipment – 8 pieces. Palm St., Main St., Benning Dr., Beach Dr.
e. Other: Verifying equipment placements/easements routinely with contractor.

6. OPEN DISCUSSION:

a.

7. MISCELLANEOUS:

a. The next Progress Meeting will be scheduled for Monday, April 27th, 2026.

CITY OF DESTIN UNDERGROUNDING PROJECT
Progress Meeting Agenda

Meeting Date:	4/27/2026
Meeting Time:	2:30 p.m.
Meeting Location:	Teleconference
City:	City of Destin
CEI:	Utility Consultants of Florida
Contractor:	Accurate Drilling Systems

1. **INTRODUCTIONS / SIGN-IN:**

    a. Please mute microphones when not speaking.

2. **CORRECTIONS TO PREVIOUS MEETING MINUTES:**
    a. None reported.

3. **CURRENT STATUS/PROGRESS:**

    a. **PHASE 1**

        i. Hwy 98 - Beach to Bridge - Conduit, equipment installed, wire pulled. FPL has begun placing the termination poles, contractor will begin terminations once all poles are placed.
        ii. Hwy 98 - Beach to Airport - Conduit install is 100% for FPL, 100% for Communications. Equipment placement is 60% complete, primary wire pull is 95% complete.
        iii. Sidewalk restoration is complete.
        iv. Communication's conduit is installed throughout entire project. All carriers are notified to begin proofing pipe, pulling fiber and placing HH's/Peds.
        v. Coordination efforts between the Project Team, FPL, and Carriers are on-going.
        vi. 2-Week Outlook –
            1. Ongoing equipment placement within east half of project over the next 2 weeks.
            2. Wire pull and termination ongoing.
            3. Once FPL Betterment job conduit is installed, contractor will begin pulling feeder cable.
            4. The Project Team is reiterating that the contractor's 2-week work schedule will be 10 days working in a row, with 4 days off following. Weekend work will not involve drilling operations to remove potential impacts to existing utilities over the weekend.

4. **UTILITIES:**

    a. Century Link:
        i. Robert Strickland (PM) - Robert.strickland@lumen.com (850)-815-3126
        ii. Total cost to install: (Includes carrier providing conduit)

            a. $198,349.56
            b. FDOT permit – 2025-H-390-00028

b. Cox Communication:
   i. Roger Dixon (PM)
      Roger.dixon@cox.com (850)-259-5083
   ii. Total cost to install: (Includes carrier providing conduit)
      a. Cox w/bore – add $460,179
   iii. Agreement Complete.
   iv. FDOT Permit – 2024-H-390-00189 – APPROVED

c. Uniti Fiber
   i. Kyle Hill (PM)
      James.hill@uniti.com (850)-544-1400
   ii. Total cost to install: (Includes carrier providing conduit)
      a. Uniti w/bore - $607,172
      b. City Contractor w/bore - $373,172 (not including City Contractor's bore labor cost)
   iii. Agreement complete.
   iv. FDOT Permit – 2024-H-390-00292, 2024-H-390-00297, 2024-H-390-00301.

d. FPL –
   i. FDOT Permit 2024-H-390-00161 APPROVED
   ii. FPL Betterment Job - JM Underground was awarded the work. Construction underway.
   iii. As of 1/12/2026 - There are material delays on equipment, specifically switchgears. Current schedule of receipt is not known, however, FPL is working to determine this schedule and concurrently working to source equipment through other avenues.
   iv. Streetlights - Both SLAs have been executed by the City of Destin. Pending FDOT permitting.
      FPL Streetlights – NBV Value has been reduced to under $42,232.78 ($37,459.78 NBV + $4,773 Removal).
   v. FPL Private Owned Parking Lot Lights – Conduit estimate not to exceed 15,000 lf. UCoF is reaching out to property owners to relay way ahead and POC for FPL Lighting Division, outreach and conversion plans in progress.

di. Co-Build Carriers –
   i. Gigapower – FDOT Permits: 2024-H-390-00107, 2024-H-390-00148, 2024-H-390-00096. Contractor has completed this install.
   ii. NextCity Networks – FDOT Permit 2024-H-390-00262. All agreements are complete. Contractor has completed this install.

5. ONGOING EFFORTS:

a. Easements: All Consents Received.
b. Recorded 28 easements. 68 remaining easement areas, total of 96 easements. 13 new sketches requested.
c. City Easements – 1 Harbor (2), 206 Harbor (2), 285 Harbor (3), 108 Stahlman (1)
d. City ROW Equipment – 8 pieces. Palm St., Main St., Benning Dr., Beach Dr.
e. Other: Verifying equipment placements/easements routinely with contractor.

6. OPEN DISCUSSION:
a.

7. MISCELLANEOUS:

a. The next Progress Meeting will be scheduled for Monday, May 11th, 2026.

CITY OF DESTIN UNDERGROUNDING PROJECT
Progress Meeting Agenda

Meeting Date:	1/12/2026
Meeting Time:	2:30 p.m.
Meeting Location:	Teleconference
Meeting Call-In No.:	
Meeting Participant Code:	
City:	City of Destin
CEI:	Utility Consultants of Florida
Contractor:	Accurate Drilling Systems

1. **INTRODUCTIONS / SIGN-IN:**

    a. Please mute microphones when not speaking.

2. **CORRECTIONS TO PREVIOUS MEETING MINUTES:**
    a. None reported.

3. **CURRENT STATUS/PROGRESS:**

    a. **PHASE 1**

        i. Hwy 98 - Beach to Bridge, north side of ROW - Conduit installed. 90% of equipment installed.
        ii. Hwy 98 - Beach to Airport - Conduit install is 95% for FPL, 100% for Communications.
        iii. Communication's conduit is installed throughout entire project. All carriers are notified to begin proofing pipe, pulling fiber and placing HH's/Peds. Expecting sidewalk restoration in east half of project (Beach to Airport) around March 20th. Sidewalk restoration complete from Bridge to Beach, west side of project.
        iv. Coordination efforts between the Project Team, FPL, and Carriers are on-going.
        v. 2-Week Outlook –
            1. Contractor will be boring private property conduit runs and placing equipment.
            2. The Project Team is reiterating that the contractor's 2-week work schedule will be 10 days working in a row, with 4 days off following. Weekend work will not involve drilling operations to remove potential impacts to existing utilities over the weekend.
            3. Calhoun Avenue roadway repair tentatively scheduled for the 21st, pending FDOT approval of lane closure and MOT.

4. **UTILITIES:**

    a. Century Link:
        i. Robert Strickland (PM) - Robert.strickland@lumen.com (850)-815-3126

        ii. Total cost to install: (Includes carrier providing conduit)

            a. $198,349.56

iii. Agreements complete.
iv. FDOT permit – 2025-H-390-00028

b. Cox Communication:
   i. Roger Dixon (PM)
      Roger.dixon@cox.com (850)-259-5083
   ii. Total cost to install: (Includes carrier providing conduit)
      a. Cox w/bore – add $460,179
   iii. Agreement Complete.
   iv. FDOT Permit – 2024-H-390-00189 – APPROVED

c. Uniti Fiber
   i. Kyle Hill (PM)
      James.hill@uniti.com (850)-544-1400
   ii. Total cost to install: (Includes carrier providing conduit)
      a. Uniti w/bore - $607,172
      b. City Contractor w/bore - $373,172 (not including City Contractor's bore labor cost)
   iii. Agreement complete.
   iv. FDOT Permit – 2024-H-390-00292, 2024-H-390-00297, 2024-H-390-00301.

d. FPL –
   i. FDOT Permit 2024-H-390-00161 APPROVED
   ii. As of 1/12/2026 - There is material delays on equipment, specifically switchgears. Current schedule of receipt is not known, however, FPL is working to determine this schedule and concurrently working to source equipment through other avenues.
   iii. Streetlights - Both SLAs have been executed by the City of Destin. FPL Streetlights – NBV Value has been reduced to under $42,232.78 ($37,459.78 NBV + $4,773 Removal).
   iv. FPL Private Owned Parking Lot Lights – Conduit estimate not to exceed 15,000 lf. UCoF is reaching out to property owners to relay way ahead and POC for FPL Lighting Division, outreach and conversion plans in progress.

di. Co-Build Carriers –
   i. Gigapower – FDOT Permits: 2024-H-390-00107, 2024-H-390-00148, 2024-H-390-00096. Contractor has completed this install.
   ii. NextCity Networks – FDOT Permit 2024-H-390-00262. All agreements are complete. Contractor has completed this install.

5. ONGOING EFFORTS:

a. Easements: 1 pending final consent.
   1. 979 Hwy. 98 – Suso 2 Palms property – under PO legal review.
b. Recorded 25 easements.
c. City Easements – 1 Harbor (2), 206 Harbor (2), 285 Harbor (3), 108 Stahlman (1)
d. City ROW Equipment – 8 pieces. Palm St., Main St., Benning Dr., Beach Dr.
e. Other: Verifying equipment placements/easements routinely with contractor.

6. OPEN DISCUSSION:

7. MISCELLANEOUS:

a. The next Progress Meeting will be scheduled for Monday, January 26th, 2026.

UCoF

14800 WALSINGHAM ROAD, SUITE 102, LARGO, FL, 33774 321-287-8911

May 14, 2026

Jeff Cozadd
City of Destin
4200 Indian Bayou Trail
Destin, FL 32541

Subject: Request for Contract Time Extension – Phase 1 Utility Underground Conversion Project

Jeffrey Cozadd, Project Manager

Included herewith, please find a copy of ADS's request for time extension associated with the above referenced project. We have reviewed the contractor's request for an additional 115 calendar days of contract time and recommend approval based on the following project circumstances.

At this time, the contractor is 100% complete with all project work with the exception of the feeder wire installation, which is currently approximately 50% complete. The remaining feeder wire work cannot be completed as originally scheduled due to impacts associated with FPL's Express Feeder expansion efforts. The requested additional contract time will allow the contractor to continue supporting the FPL Express Feeder scope and complete the remaining feeder wire installation activities. Based on our evaluation, had it not been for this additional scope and associated impacts, the contractor would have completed the project within the original contract duration.

We understand and acknowledge the City's concern regarding the timing of this request given the current contract completion date of May 18th, and we recognize that an earlier notification would have been preferable. Over the past several weeks, however, the project team has been actively working through several uncertainties, including whether the remaining work could still be completed within the original contract duration. In addition, we were recently informed of delays related to certain FPL-furnished materials, specifically the vaults, which further impacted the ability to accurately determine the required extension duration.

Given these unknowns, we were reluctant to prematurely recommend additional time before fully understanding the overall impact and the amount of time ultimately needed. Additionally, we view the May 18th milestone as effectively representing substantial completion, as the project transitions directly into switching activities thereafter, which may minimize impacts to the overall project schedule.

Based on the above, we recommend approval of the contractor's requested 115-day contract time extension. Please let us know if you have any questions or require any additional information.

Sincerely,

Mark Porter

Mark Porter
UTILITY CONSULTANTS of FLORIDA

May 13, 2026

Via email only

Mr. Larry Jones, City Manager
Mr. Jeffrey Cozadd, Project Manager
City of Destin

Ljones@cityofdestin.gov
Jcozadd@cityofdestin.gov
Portermw.ucof@gmail.com

Through

Mark Porter, Sr. Project Manager
Utility Consultants of Florida

RE: **Request for Contract Time Extension – Phase 1 Utility Underground Conversion Project**

Dear Mr. Jones and Mr. Cozadd:

Thank you for taking the time to meet with us on May 13th regarding the request for a contract time extension from Accurate Drilling Systems, Inc. (ADS).

ADS respectfully requests a contract time extension of one hundred fifteen (115) calendar days. The original contract duration of five hundred sixty (560) calendar days establishes a current contract expiration date of May 18, 2026. Accordingly, ADS requests the substantial completion date be extended to September 10, 2026.

At this time, ADS has substantially completed the project work with the exception of the remaining feeder wire installation and associated "switching" activities. The remaining feeder wire work cannot be completed until the FPL Express Feeder project and related betterment activities are complete. These impacts are outside of ADS's control and have directly affected the sequencing and completion of the remaining work.

The project has not stalled, nor has ADS failed to progress the work. The underground infrastructure and primary installation activities are substantially complete, and ADS has continued coordinating with the project team and FPL to support completion of the remaining work as conditions allow.

ADS and the project team have spent the past several weeks evaluating whether the remaining work could still be completed within the original contract duration. Due to ongoing coordination variables associated with utility scheduling, switching activities, and utility-furnished materials, ADS did not want to prematurely request additional contract time before the overall impacts could be reasonably assessed.

Pursuant to the Contract Technical Specifications, Section "TP Contract Duration and Schedule Miscellaneous," contract time may be amended when delays associated with other City work create justification for a time extension outside of the Contractor's control. ADS believes the current circumstances justify a contract time extension, as the delays impacting the remaining work are directly associated with utility coordination and related activities outside of ADS's control. ADS has consistently acted in good faith and in the best interests of the City to further the expeditious completion of this project. We are moving forward on the basis of trust, good faith, and fair dealings, and ADS has made every reasonable and consistent effort to ensure proper coordination with all parties involved.

ADS remains committed to completing the project as efficiently as possible and will continue coordinating closely with the City and FPL throughout the remainder of the work. To support this, ADS is willing to attend City Council meetings to provide project status updates and ongoing coordination progress. Our goal is to continue operating as a partner and maintain proactive communication through completion.

Should you have any questions or require additional information, please do not hesitate to contact us.

Sincerely,
Juan Martinez
Juan Martinez

UCoF

14800 WALSINGHAM ROAD, SUITE 102, LARGO, FL, 33774 321-287-8911

June 22, 2026

Jeff Cozadd
City of Destin
4200 Indian Bayou Trail
Destin, FL 32541

Subject: Clarification of Project Completion Status and Prior Time Extension Request

Jeff Cozadd,

The purpose of this letter is to provide clarification regarding the previously requested 115-day time extension and the subsequent determination that the Contractor, ADS, achieved substantial completion of the City's undergrounding project, resulting in a significantly reduced liquidated damages exposure than was initially contemplated.

We understand there has been confusion regarding how the project could transition from a requested 115-day extension to a determination of substantial completion within a relatively short period of time. We hope the following explanation helps clarify the distinction between the original contract scope and additional work subsequently identified by Florida Power & Light (FPL).

Original Contract Scope

The City's contract with ADS required the underground conversion of approximately 3- miles of existing overhead electrical and communication infrastructure. The contract established an 18-month duration for ADS to complete the underground infrastructure necessary to achieve substantial completion.

Upon substantial completion of the underground infrastructure, the project enters the conversion or "switching" phase. During this phase, FPL coordinates the transfer of individual customers from the existing overhead system to the newly installed underground system. This process involves numerous factors outside the Contractor's control, including customer access and scheduling, utility operations, electrical loading conditions, weather, and other operational considerations. For this reason, the contractual completion milestone was based upon completion of the infrastructure installation rather than completion of all customer conversions and pole removals.

While the switching phase is not governed by a fixed contractual duration, all parties involved remain committed to completing the conversion process as efficiently as possible. As is typical with underground conversion projects, successful completion requires ongoing coordination among the contractor, FPL, communication providers, affected property owners, and other stakeholders. The project team remains fully committed to supporting this effort and would welcome the opportunity to provide periodic status updates to the city to ensure progress, expectations, and any challenges encountered during the conversion process remain transparent and well understood.

Additional FPL Feeder Expansion

In October of last year, FPL informed the City that additional feeder improvements were required to address system redundancy and future capacity needs within the corridor. This additional work resulted from an FPL initial design issue that required correction.

Importantly, the feeder expansion was not part of the original contract scope awarded by the City. FPL elected to absorb the cost of this work, estimated at approximately $1.8 million. The additional work consists of approximately 1.5 miles of supplemental feeder infrastructure located primarily within the original three-mile project corridor. Rather than extending the project limits, the additional feeder provides increased system redundancy and capacity within a critical portion of the corridor where electrical demand is highest, thereby improving reliability during peak loading conditions and accommodating future growth.

Had the need been identified during FPL's original design process, the associated costs would likely have been incorporated into the project and borne by the City. The additional improvements ultimately provide long-term benefits to the City's electrical infrastructure by increasing system reliability, operational flexibility, and future expansion capability.

The project team and the city was made aware of the need for these additional feeder improvements back in October of 2025 by FPL during our bi-weekly progress meetings and subsequent communications throughout the planning and implementation of this additional work.

To perform this work, FPL separately engaged JM Utilities, an FPL-approved contractor through their in-house procurement process. Although JM Utilities also performed subcontract work for ADS on portions of the original project, the feeder expansion work was performed under FPL's direction and contract, not under the City's contract with ADS.

Accordingly, neither FPL nor JM Utilities had a contractual completion obligation to the city associated with the feeder expansion work.

Basis for the 115-Day Extension Request

The previously requested 115-day extension was submitted to accommodate completion of the FPL feeder expansion work in the most efficient and least risky manner.

At the time of the extension request, ADS had completed virtually all infrastructure associated with the original contract scope. The primary remaining item was installation of a portion of feeder wire associated with the original project – approximately 1.5 miles.

The reason this feeder wire had not yet been installed was not because ADS was unable to complete the work, but because installation of the additional feeder expansion conduit was still underway. Installing the original feeder wire before completion of the expansion boring operations created a risk that the feeder wire could be damaged during subsequent construction activities.

Because all feeder wire and related construction materials are supplied by FPL, any damage resulting from premature installation would ultimately require replacement of FPL-owned materials. As a result, the decision was made to defer installation of the remaining feeder wire until the expansion conduit work was completed.

The requested 115-day extension therefore reflected the time FPL anticipated needing to complete its feeder expansion activities and was intended to avoid unnecessary risk and potential rework.

Change in Circumstances

As discussed above, the remaining item associated with the original contract scope was installation of a portion of feeder wire. Based upon its experience with similar underground utility projects, ADS believed it was prudent to defer installation of this feeder wire until completion of the feeder expansion work being performed by FPL and JM Utilities. This approach was intended to minimize the potential for damage to newly installed infrastructure and avoid unnecessary rework or replacement of FPL-owned materials.

Accordingly, the requested 115-day extension was not based upon ADS requiring an additional 115 days to complete its own work. Rather, it reflected the time FPL anticipated needing to complete the separate feeder expansion activities so that the remaining feeder wire associated with the original project could be installed under the most efficient and least disruptive conditions.

Following Council's discussion regarding liquidated damages associated with the extension request, ADS reevaluated this approach. Given the potential exposure to liquidated damages, ADS notified FPL that it intended to proceed with installation of the remaining feeder wire associated with the original contract notwithstanding the possibility that subsequent feeder expansion activities could result in damage to the newly installed facilities.

FPL understood ADS's position and recognized that continued deferral of the feeder wire installation for the benefit of the feeder expansion project could expose ADS to liquidated damages associated with delays beyond its contractual control. ADS therefore proceeded with installation of the remaining feeder wire and completed the final item associated with the original contract scope.

Once the remaining feeder wire installation was completed, the original contract work achieved substantial completion. The fact that FPL's feeder expansion project remains ongoing does not alter the completion status of ADS's contractual obligations to the city because that work is being performed pursuant to FPL's separate agreement and schedule.

Conclusion

The apparent discrepancy between the 115-day extension request and the subsequent determination of substantial completion is therefore not the result of any change in facts regarding the status of the original contract work. Rather, it reflects the distinction between:

1. ADS's contractual obligations under the City's undergrounding project; and
2. FPL's separately funded and separately managed feeder expansion project.

The 115-day extension request was intended to facilitate completion of FPL's additional infrastructure improvements while minimizing risk to installed facilities. Once it became clear that liquidated damages would be assessed, ADS elected to complete the remaining feeder wire installation immediately and allow FPL to assume the risk associated with any subsequent damage during completion of the feeder expansion.

We respectfully submit this explanation to clarify the sequence of events and the basis for our determination that ADS achieved substantial completion of the original contract work. We appreciate the City's continued support throughout this project and remain committed to assisting with the successful completion of the remaining conversion activities and providing any additional information the city may require.

Respectfully,

Mark Porter

Mark Porter
UTILITY CONSULTANTS of FLORIDA

ITEM # 2026-963

CITY OF DESTIN

AGENDA ITEM

COUNCIL MEETING DATE: August 3, 2026
TYPE OF AGENDA ITEM: City Manager Report
AGENDA OUTLINE NUMBER: 4.B.

TO: City Council

THRU:

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

DATE: July 29, 2026

SUBJECT: Resolution 26-20, City Council Procedures

I. BACKGROUND: WHEREAS, the City Council recognizes the need to amend and adopt rules of procedure for Council Meetings; and

WHEREAS, it is recognized that rules of procedure will establish consistent agendas and orderly meetings; and

WHEREAS, the City Council of the City of Destin recognizes that open and transparent government is fundamental to maintaining public confidence in local government and ensuring meaningful civic participation in the decision-making process; and

WHEREAS, Chapter 286, Florida Statutes, commonly known as Florida's Government-in-the-Sunshine Law, requires that meetings of governmental bodies at which official acts are to be taken be open to the public and conducted in a manner that promotes transparency and accountability; and

WHEREAS, Section 286.0114, Florida Statutes, provides that members of the public shall be afforded a reasonable opportunity to be heard on a proposition before a board or commission and authorizes governing bodies to adopt reasonable rules and policies governing public participation; and

WHEREAS, the City Council recognizes that public participation strengthens the legislative process by allowing residents and interested parties to provide input, share information, and express concerns regarding matters under consideration by the City Council; and

WHEREAS, the City Council currently provides opportunities for public comment at the beginning and conclusion of regular City Council meetings and during duly noticed public hearings; and

WHEREAS, the City Council desires to further enhance public participation by providing an additional opportunity for members of the public to address the City Council regarding agenda

items before the City Council takes official action on such items; and
WHEREAS, the City Council finds that allowing public comment on individual agenda items promotes greater transparency while preserving the efficient and orderly conduct of City business; and

II. DISCUSSION: Section 8.3 of the Council Procedures resolution has been amended as follows:

1. **Addressing the Council -- Public Opportunity on Council Propositions:** Any person desiring to address the Council by oral communication shall secure the permission of the Presiding Officer and will be recognized under Public Comments and Public Hearing portions of the agenda. Additionally, the Presiding Officer shall allow members of the public an opportunity to comment on any agenda item at the time the item is introduced and prior to Council action on the item.

A. Link to Strategic Goals / Objectives:
B. Effect on Budget (EOB):
C. Level of Service (LOS):
D. Legislative Sponsor:
E. Business Impact Statement:

III. CONCLUSION: This resolution was prepared at the direction of Council to allow for increased public participation as set forth in the Resolution.

IV. RECOMMENDED MOTION: I move to adopt Resolution 26-20.

Attachments:

1. Resolution 26-20 Rules of procedures for Council Meetings

RESOLUTION 26-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESTIN AMENDING THE RULES OF PROCEDURE FOR COUNCIL MEETINGS TO ALLOW FOR ADDITIONAL PUBLIC INPUT; PROVIDING FOR AUTHORITY; GENERAL RULES; TYPES OF MEETINGS; PRESIDING OFFICER AND DUTIES; ORDER OF BUSINESS; ORDINANCES, RESOLUTIONS, AND OPINIONS; CITIZEN PRESENTATIONS; SUSPENSION AND AMENDMENT OF RULES; AND AN EFFECTIVE DATE.

WHEREAS, the City Council recognizes the need to amend and adopt rules of procedure for Council Meetings; and

WHEREAS, it is recognized that rules of procedure will establish consistent agendas and orderly meetings; and

WHEREAS, the City Council of the City of Destin recognizes that open and transparent government is fundamental to maintaining public confidence in local government and ensuring meaningful civic participation in the decision-making process; and

WHEREAS, Chapter 286, Florida Statutes, commonly known as Florida's Government-in-the-Sunshine Law, requires that meetings of governmental bodies at which official acts are to be taken be open to the public and conducted in a manner that promotes transparency and accountability; and

WHEREAS, Section 286.0114, Florida Statutes, provides that members of the public shall be afforded a reasonable opportunity to be heard on a proposition before a board or commission and authorizes governing bodies to adopt reasonable rules and policies governing public participation; and

WHEREAS, the City Council recognizes that public participation strengthens the legislative process by allowing residents and interested parties to provide input, share information, and express concerns regarding matters under consideration by the City Council; and

WHEREAS, the City Council currently provides opportunities for public comment at the beginning and conclusion of regular City Council meetings and during duly noticed public hearings; and

WHEREAS, the City Council desires to further enhance public participation by providing an additional opportunity for members of the public to address the City Council regarding agenda items before the City Council takes official action on such items; and

WHEREAS, the City Council finds that allowing public comment on individual agenda items promotes greater transparency while preserving the efficient and orderly conduct of City

business; and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Destin does hereby adopt the following as Rules of Procedure for the City of Destin Council meetings:

(NOTE: Language in **this resolution that is struek through is language proposed to be deleted, underlined language is language proposed to be added)**

1. AUTHORITY:

1.1 Authority: The authority for this resolution is the City Charter and Sec. 286.0114, Florida Statutes.

1.2 Rule Power: The Charter of the City of Destin provides that the Council may determine its own rules of procedure for meetings. Limiting mandates are provided by general law.

2. RULES ESTABLISHED:

2.1 Rules Established: The following set of rules shall be in effect upon their adoption by the Council and until such time as they are amended, or new rules adopted in the manner provided by these rules.

3. GENERAL RULES:

3.1 Meetings to be Public: All meetings of the Council shall be open to the public, except for such meetings as are exempt by general law.

3.2 Quorum: A majority of the members of the Council, free of voting conflict, shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time.

3.3 Compelling Attendance: The Council may adjourn from time to time to compel the attendance of absent members.

3.4 Minutes of Proceedings: Minutes of the meetings of the Council shall be kept by the City Clerk, except for such meetings as are exempt by general law.

3.5 Right of Floor: Any Council member desiring to speak shall first be recognized by the Presiding Officer and shall confine his or her remarks to the one subject under consideration or to be considered.

3.6 City Manager: The City Manager or his or her designee is expected to attend all meetings of the Council and shall have the right to take part in all discussions of the Council.

3.7 **City Attorney:** The City Attorney or his or her designee is expected to attend all meetings of the Council and provide guidance and opinions, on questions of law and shall act as the Council's parliamentarian by advising the Presiding Officer regarding matters of procedure.

3.8 City Clerk: The City Clerk or his or her designee shall attend all meetings of the Council and shall keep the official minutes of proceedings and perform such other duties as may be requested by the City Manager or Council.

3.9 Rules of Order: *Roberts Rules of Order Revised* shall serve as a guide to the proceedings of the Council to the extent they are not in conflict with these rules.

3.10 Motion to Reconsider: An action of the council may be reconsidered only at the same meeting at which the action was taken. A motion to reconsider may be made only by a council member who voted on the prevailing side of the question and must be concurred in by a majority of those present at the meeting. Adoption of a motion to reconsider shall rescind the action reconsidered.

3.11 Motion to Rescind: An action of the council taken at a previous meeting (the "previous action") may generally be rescinded at a subsequent meeting. Motions to Rescind shall be governed by the following process:

1. A Councilmember seeking rescission of a previous action shall place a Motion to Consider Rescission on the agenda of a regular Council meeting. If a majority of the full membership of the Council approves the Motion to Consider Rescission, the Motion to Rescind shall be placed on the agenda of the next regular Council meeting. If less than a majority of the full membership vote in favor of the Motion to Consider Rescission, no Motion to Rescind, the previous action shall be considered by the Council.

2. Approval of a Motion to Rescind requires the affirmative vote of a majority of the full membership of the Council.

3. If a Motion to Rescind is approved, the Council shall, at the same meeting, either consider the previous action or set a date certain for its consideration.

4. Notwithstanding anything stated above, a Motion to Rescind initiated by a Councilmember who voted on the losing side in connection with the previous action shall not be in order unless the Council determines:
    a. Subsequent information has become known that (i) would have been material to the Council's decision on the previous action and (ii) would have militated for a different result; or
    b. A rescission of the previous action is imperative to avoid a material cost, risk, harm, or other jeopardy to the city or its citizens, and the material cost, risk, harm, or other jeopardy could not have been known

at the time of the Council's previous action.

5. For purposes of the Motion to Rescind, a Councilmember who was absent for a vote on the motion in connection with the previous action is deemed to have been on the prevailing side of the vote.

6. There may be actions of Council taken regarding which the Council is estopped from rescinding.

3.12 **Action Savings:** No action taken by the Council shall be deemed void or invalid because of the failure to adhere to Robert's Rules of Order or the provisions of these rules of order and procedure, except as may otherwise be provided by general law.

4. TYPES OF MEETINGS:

4.1 Regular Meeting: The Council shall meet in the Council Chambers or another designated place within the City boundaries, for meetings. Regular Council Meetings are to commence at 6:00 p.m. unless otherwise specified. At a regularly scheduled meeting in December of each year, the City Council shall adopt a Resolution publishing the dates of its regular meetings for the next twelve months. This Resolution adopting the meeting schedule may be amended from time to time in the Council's discretion so long as it complies with the City's Charter and Florida law. Generally, regular meetings shall be held on the first and third Monday of each month except for National Holidays which fall on a Monday when the regular meetings shall be on the next Tuesday. However, the Council may adopt any regular meeting schedule for the next twelve months as it sees fit so long as it schedules at least one regular meeting each month in accordance with the City Charter. The Council shall specifically consider its meeting schedule in the months of July due to the intensive budget season, and the months of November, December, and January due to the numerous holidays which may interfere with Councilmembers' and the public's ability to attend meetings.

4.2 Special Meetings: Special Meetings may be held on the call of the mayor or any three (3) Councilmembers. The call for a Special meeting shall be filed with the City Clerk, except that an announcement of a special meeting during any regular meeting shall be sufficient for such special meeting unless otherwise provided by general law. When practical there shall be a twelve-hour notice to each Councilmember and local news media.

4.3 Adjourned Meetings: Any meeting of the Council may be adjourned to a later date and time.

4.4 Workshop Meetings: The Council may meet informally in workshop meetings (open to the public), at the call of the mayor or of any three (3) members of the Council. No ordinances, resolutions or other actions may be adopted at such meeting provided that the Council may direct staff to take actions that do not entail the expenditure of City funds.

4.5 Emergency Meetings: Emergency meetings may be held on the call of the mayor or a majority of the Councilmembers whenever there is a public emergency affecting life, health, property or the public peace, and whenever practicable, upon no less than one (1) hours' notice to each Councilmember and local news media.

5. Telephonic Participation: If a quorum of the City Council is physically present, other members of the City Council may participate, but not vote, by phone provided they can be heard on the record and they can hear the other members of the City Council and the participating public.

6. PRESIDING OFFICER AND DUTIES:

6.1 Presiding Officer: The Mayor, if present, shall preside at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tern shall preside. In the absence of both the Mayor and the Mayor Pro Tern, the meeting shall be called to order by the City Clerk for the purpose of electing a temporary presiding officer.

6.2 Call to Order: The meetings of the Council shall be called to order by the Presiding Officer.

6.3 Preservation of Order: The Presiding Officer shall preserve order and decorum; prevent attacks on personalities or the impugning of members' or motives, and confine members in debate to the question under discussion.

6.4 Points of Order: The Presiding Officer shall determine all points of order, subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the presiding officer be sustained?" A majority of the Council sitting and eligible to vote is required to reverse the ruling of the Presiding Officer.

6.5 Voting: Voting by registering votes on the electronic voting board meets the Charter requirement for roll call vote.

7. ORDER OF BUSINESS:

7.1 Order of Business: The general rule as to the order of business in regular meetings shall be as follows:

CALL TO ORDER INVOCATION
PLEDGE OF ALLEGIANCE

AGENDA APPROVAL *(Matters not specifically listed on the agenda may be added and acted upon with a super-majority vote of the Council members present and eligible to vote on the matter).*

1. **PROCLAMATIONS/RECOGNITIONS/SPECIAL PRESENTATIONS/ANNOUNCEMENTS** *(No public comments)*

   (Note: Individual speakers will be limited to 3 minutes. At the discretion of the mayor, this 3-minute allowance may be adjusted depending on the level of business coming before the City Council).

2. **PUBLIC COMMENTS** *(Section 5 - Public Hearings have separate public comments time for these items)*
3. **CONSENT AGENDA**

4. **CITY MANAGER REPORTS**

5. **PUBLIC HEARINGS**

6. **COMMENTS/PRESENTATIONS FROM MAYOR, COUNCIL, ~~LAND USE ATTORNEY~~ AND CITY ATTORNEY**
7. **PUBLIC COMMENTS** ***(Comments from the public on any matters considered at the meeting, or on any matters not on the agenda)***

ADJOURNMENT

(Resolution continues on next page)

Agenda: The order of business at each regular meeting shall be as contained in the agenda. The agenda shall be a listing by topic of subjects to be considered by council. The agenda shall be published by 12:00 noon on Thursday, prior to the regular meeting.

7.2 Opening Invocations: United States Supreme Court and Eleventh Circuit have consistently upheld the practice of delivering religious invocations before deliberative public bodies occurring prior to policymaking. See *Town of Greece v. Galloway,* 134 S. Ct. 1811 (2014); *Marsh v. Chambers,* 463 U.S. 783 (1983); *Atheists of Florida, Inc. v. City of Lakeland,* 732 F.3d 577 (1 Jl[11]Cir. 2013); The City recognizes that our City and Nation is comprised of individuals with a diversity of viewpoints, including but not limited to, faiths, religions, beliefs, and non-beliefs. Accordingly, the City will make reasonable efforts to invite, locate, and welcome individuals with a diversity of viewpoints to offer the opening invocation for the benefit of the City Council and the City's policies shall not be intended, implemented, or construed in any manner to affiliate the City Council with or express any preference for or against any faith, non-faith, or religious denomination. In recognition of the diversity of faiths, ideas, viewpoints, and various beliefs as referenced herein, it shall be the policy of the City that sectarian prayer may be allowed that is solemn and respectful in tone that invites the City Council members to reflect upon shared ideals and common ends before embarking on the business of governing. However, invocation speakers are hereby requested to refrain from exploiting the invocation period with proselytizing or advancing any one belief, view, or religion; disparaging any other faith or belief; denigrating nonbelievers or religious minorities; threatening damnation; or preaching conversion; and

7.2.1. Intent. It shall be the policy of the City Council that the procedures stated in this rule concerning opening invocation shall govern all official meetings of the City Council and that the members of the City Council and City staff shall adhere to these rules. These policies and procedures are not intended, shall not be implemented, and shall not be construed in any way to affiliate the City Council or the City with, nor express a preference for or against any faith, belief, opinion, religion, or denomination. Rather, these policies and procedures are intended to acknowledge and express the City Council respect for the diversity of religious denominations and faiths represented and practiced among the citizens of the City.

7.2.2. Timing. After the Call to Order of all official meetings of the City Council an Opening Invocation as described herein shall occur. The opening invocation will occur and be completed during the opening, ceremonial portion of the City Council meeting and shall in no event occur, or be construed to occur, during the policymaking or legislative portions of the City Council meeting.

7.2.3. Speaker Selection. The opening invocation will be performed by a local volunteer selected in accordance with these rules. The local volunteer selected for leading the opening invocation shall be selected from a wide pool of local clergy as specified below, and he/she shall in no event receive compensation from the City for his/her participation or services. To ensure that such person is selected from among a wide pool of local clergy, on a rotating basis, the invocation speaker shall be selected according to the following procedure:

1) The City Manager or his/her designee shall compile and maintain a database of the religious congregations with an established presence within the jurisdictional limits of the City of Destin and Okaloosa County.

2) The Congregation List shall be compiled by referencing the listings for "churches," "congregations," or other similar religious assemblies located within the jurisdictional limits of the City and Okaloosa County in the annual Yellow Pages telephone book(s) published for the City and Okaloosa County, research from the Internet, and consultation with local chambers of commerce. All religious congregations with an established presence within the jurisdictional limits of the City and Okaloosa County are eligible to be, and shall be, included in the Congregation List. Any such congregation, entity, organization, or individual within the jurisdictional limits of the City and Okaloosa County not otherwise identified for participating may request inclusion on the Congregation List by written communication directed to the City Manager that references the opening invocation. This policy is intended to be and shall be applied in a way that is all-inclusive of every diverse religious congregation within the jurisdictional limits of the City and Okaloosa County. The Congregation List is compiled and used for purposes of logistics, efficiency, and equal opportunity for all religious leaders within the jurisdictional limits of the City and Okaloosa County to choose whether to respond to the City Council's Invitation and participate. The City Manager or his/her designee may not inquire into the faith, denomination, or other religious belief of the congregation before adding it to the Congregation List.

3) The Congregations List may also include the name and contact information of any chaplain who serves the Destin Fire District or Okaloosa County Sheriffs Department.

4) The Congregations List shall be updated, by reasonable efforts of the City Manager or his/her designee, on or about the month of July of each calendar year.

5) Within thirty (30) days of the effective date of this policy, and on or about May 1 of each calendar year thereafter, the City Manager or his/her designee shall mail an invitation addressed to the religious leader, chaplain, minister, rabbi or similar, or other contact person of each congregation listed on the Congregations List. The invitation will comport with substantially the following form:

Dear Sir or Madam:

The Destin City Council makes it a policy to invite members of the clergy and other religious leaders having an established presence within the jurisdictional limits of the City of Destin and Okaloosa County to voluntarily offer an invocation before the beginning of its meetings for the benefit and blessing of the City Council. As the leader of one of the religious congregations with an established presence within the jurisdictional limits of the City and Okaloosa County, you are invited to offer this important service at an upcoming meeting of the City Council.

If you are willing to assist the City Council in this regard, please send a written reply at your earliest convenience to the City Manager at the address included on this letterhead. Invocation speakers are scheduled on a first-come, first-serve basis. The dates of the City Council's scheduled meetings for the upcoming year are enclosed. If you have a preference among the date, please state that request in your written reply.

This opportunity is voluntary, and you are free to offer the invocation according to the dictates of your own conscience. To maintain a spirit of respect and ecumenism, the City Council respectfully requests that the invocation opportunity not be exploited as an effort to convert others to the particular faith of the invocation speaker, nor to disparage any faith or belief different than that of the invocation speak or otherwise threaten damnation or denigrate nonbelievers. Statements reflecting ideals relating to peace and security for the nation; safety of our armed forces, police, firefighters and emergency service personnel; wisdom for the lawmakers, and justice for the people are encouraged.

On behalf of the City Council of the City of Destin, I thank you in advance for considering this invitation.

Regards,
City Manager or his/her designee

6) As the invitation letter shall state, the respondents to the invitation shall be scheduled on a first-come, first serve basis to deliver the invocation. All reasonable efforts shall be made to ensure that a variety of invocation speakers are scheduled for City Council meetings. Notwithstanding the preceding, no invocation speaker shall be scheduled to offer an invocation at consecutive meetings of the City Council, or at more than three (3) City Council meetings in any calendar year.

7) No member of the City Council, City employee or staff shall engage in any prior inquiry, review, or involvement in, the content of any invocation to be offered by an invocation speaker. However, consistent with U.S. Supreme Court precedent, invocation speakers are hereby advised that the invocation should not denigrate nonbelievers or religious minorities; threaten damnation; or preach conversion. Statements reflecting ideals relating to peace and security for the nation; safety of our armed forces, police, firefighters and emergency service personnel; wisdom for the lawmakers; and justice for the people are encouraged.

8) The City Manager may add the name and affiliated organization of the selected invocation speaker for a particular meeting to the City Council agenda next to the "Invocation" item.

9) In recognition of the transitional process relating to the policies set forth herein, including but not limited to the completion of the Congregation List and mailing of the invitations, the City Council may invite religious leaders, chaplains, ministers, rabbis or similar of congregations located within the jurisdictional limits of the City and Okaloosa County to conduct the opening invocation until such time as the Congregation List is compiled.

10) In the event a meeting of the City Council does not have a volunteer opening invocation speaker for that meeting, the City Council reserves the right to invite religious leaders, chaplains, ministers, rabbis or similar of congregations located within the jurisdictional limits of the city and Okaloosa County to conduct the opening invocation for that meeting.

7.2.4. Conduct of Opening Invocation. No member of the City Council, City employee or staff, or any other person in attendance at the meeting shall be required to participate in any opening invocation that is offered. An opportunity to exit the City Council Chambers and return upon completion of the opening invocation is afforded to those who do not wish to participate or witness the opening invocation. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. Such invitation constitutes a general invitation that a person in attendance may stand if he/she wishes to do so for such observances.

7.2.5. Agenda Disclaimer. The following statement shall be placed at the bottom of City Council meeting agendas:

> *Any invocation that is offered before the official start of the City Council meeting shall be the voluntary offering of a private person, to and for the benefit of the city Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious beliefs or views of this, or any other speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered. A person may exit the City Council Chambers and return upon completion of the opening invocation if a person does not wish to participate in or witness the opening*

7.3. Presentation by Members of Council: The Agenda shall provide times when the Mayor, Councilmember, City Manager and City Attorney may bring before the Council any business that they feel should be deliberated upon by the Council. These matters need not be specifically listed on the Agenda but may be acted upon only upon an extraordinary vote of the Council members present and eligible to vote on the matter. Except in instances where extraordinary conditions are necessitated, the Mayor and Council shall notify the City Manager of forthcoming agenda topics in keeping with the above deadlines and strive to supply backup materials for timely distribution with the agenda packets.

7.4 Consent Agenda: The Consent Agenda may be used to handle routine matters on the agenda expeditiously. There is no separate discussion of these items unless a Councilmember or a member of the public requests an item be removed for consideration in its normal sequence on the Agenda. The approval of the Consent Agenda is usually handled in one motion from the Council table, "I move that the Consent Agenda, (item numbers may be included) be approved; or if items are to be removed, "for good cause" or "discussion", a typical motion might be, "I move that we approve the Consent Agenda items_through
_____with the exception of item____ "

7.5. Requests for Ordinances, Resolutions or Opinions: Any Council member may request the City Manager or City Attorney to prepare or have prepared proposed ordinances or resolutions. Any Council member or the mayor may request a legal opinion of the City Attorney.

8. CITIZENS PRESENTATIONS:

8.1 Presentation by Public on Proposition before the Council: The agenda shall

provide times when the public is given a reasonable opportunity to be heard on a proposition before the City Council. The opportunity to be heard may or may not occur at the same meeting in which the Council takes official action on the proposition, provided when the opportunity has been extended within sixty (60) days before the meeting at which the Council takes the official action. Public opportunity hereunder does not extend to:

(a) An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board or Council to act.

(b) An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations.

(c) A meeting that is exempt from Sec. 286.01 I Florida Statutes

(d) A meeting during which the board or Council is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

8.2 Addressing the Council -- Scheduled Presentations: Any person desiring to address the Council by oral communication on any subject not already on the Council meeting agenda shall first secure the permission of the Presiding Officer and will be recognized under "Scheduled Presentations from the Public." Only those persons who have completed a speaker's form and who have notified the City Clerk by 12:00 noon of the Wednesday immediately preceding the regular meeting will have their name placed on the agenda and be recognized under the heading "Scheduled Presentations from the Public."

8.3 **Addressing the Council -- Public Opportunity on Council Propositions:** Any person desiring to address the Council by oral communication shall secure the permission of the Presiding Officer and will be recognized under Public Comments and Public Hearing portions of the agenda. Additionally, the Presiding Officer shall allow members of the public an opportunity to comment on any agenda item at the time the item is introduced and prior to Council action on the item.

8.4 Addressing the Council - Public Opportunity on Public Hearings: Any person desiring to address the Council regarding Public Hearings by oral communication shall secure the permission of the Presiding Officer and will be recognized under "Public Hearings" where that item occurs on the regularly scheduled Agenda.

8.5 Manner of Addressing the Council -- Time Limit: Each person addressing the Council shall approach the microphone, shall give his or her name and address and the organization or group they represent if any, in an audible tone of voice for the record and, unless further time is granted by the Council, shall limit their address to three minutes. All remarks shall pertain to City business and shall be addressed to the Council as a body, and not to any member thereof. No person, other than members of the Council or Mayor, and the persons having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Council. No questions shall be asked the Councilmembers or staff, except through the Presiding Officer.

8.6 Personal and Slanderous Remarks: Any person making personal, impertinent or slanderous remarks, or who shall become boisterous or use offensive language, while addressing the Council, may be requested to leave the meeting. No reference by name to any individual present or absent, including Councilmembers and staff, shall be used in a negative manner by any person addressing the Council. All participants and speakers shall refrain from belittling or insulting remarks or making personal attacks.

8.7 Reading of Protests: Interested persons, or their authorized representatives, may address the Council for the reading of protests, petitions, or communications relating to any matter over which the Council has control when the item is under consideration by the Council.

8.8 Referral of Citizens' Complaints: While in session, the Mayor or Councilmembers, individually, or the City Council collectively, through motion, may refer citizen's complaints to staff or an appropriate City Committee.

8.9 Written Communications: Interested parties, or their authorized representatives, may address the Council by written communication on any matter of business. However, in order to preserve the public record as well as comply with Florida's Public Records Law, an exact copy of said written communication must be provided to the City Clerk.

8.10 Presentations by Representatives of Groups or Factions: At meetings, in which four (4) or more individuals of a group or faction wish to be heard, a representative of a group or faction may address the Council rather than all members of the group or faction and in such instances shall limit their address to twenty (20) minutes.

8.11 Challenges to Staff and Advisory Body Recommendations: Anyone who is challenging a staff and advisory body recommendation must submit a request in writing to be placed on the agenda by 12:00 noon on the Wednesday before the upcoming regular meeting. The request must contain a written memorandum setting forth in detail the specific rulings or findings to which they object and stating any Florida Statutes, case law, or sections of the Land Development Code, Comprehensive Plan or ordinances of the City of Destin on which they are basing their objection. Council may not consider a challenge to administrative decisions requiring Board of Adjustment review or decisions of City Boards over which the Council lacks review jurisdiction.

9. SUSPENSION AND AMENDMENT OF THESE RULES:

9.1 Suspension of Rules: Any provision of these rules not governed by the City Charter or City Code may be temporarily suspended by a vote of a majority of all the Councilmembers.

9.2 Amendment of Rules: These rules may be amended, or new rules adopted, by a majority vote of all members of the Council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Council meeting.

10. REPEAL OF CONFLICTING RESOLUTIONS:

10.1 Repeal of Conflicting Resolutions: Any resolution or policy in conflict with this Resolution shall be considered repealed to the extent of the conflict.

Section 4. Effective Date.

This Resolution shall become effective upon adoption by the Destin City Council and signature of the Mayor.

PASSED and ADOPTED this 3rd day of August, 2026.

_____
Mayor Bobby Wagner

ATTEST:

_____
Rey Bailey, City Clerk

Approved as to form and legal sufficiency
for the City of Destin, only.

_____
Kimberly Romano Kopp, City Attorney

ITEM # 2026-1014

CITY OF DESTIN

AGENDA ITEM

COUNCIL MEETING DATE: August 3, 2026
TYPE OF AGENDA ITEM: City Manager Report
AGENDA OUTLINE NUMBER: 4.C.

TO: City Council

THRU: Larry Jones , City Manager

FROM: Lisa Wallace, City Clerk

DATE: July 27, 2026

SUBJECT: Appointment to Emerald Coast Regional Council (ECRC)

I. BACKGROUND: On February 2, 2026, Councilmember Bagby was appointed as the Primary Board Member of the Emerald Coast Regional Council (Mayor Wagner was appointed alternate). Councilmember Bagby's recent resignation from Council left a vacancy on that board and the Emerald Coast Regional Council staff have requested that Council name his replacement.

II. DISCUSSION:

A. Link to Strategic Goals / Objectives:
B. Effect on Budget (EOB):
C. Level of Service (LOS):
D. Legislative Sponsor:
E. Business Impact Statement:

III. CONCLUSION:

IV. RECOMMENDED MOTION: I move to appoint _____ as the Primary Board Member representing the City of Destin to fill the vacancy created by the resignation of Jim Bagby.

Attachments:

None

ITEM # 2026-1013

CITY OF DESTIN

AGENDA ITEM

COUNCIL MEETING DATE: August 3, 2026
TYPE OF AGENDA ITEM: Action Item
AGENDA OUTLINE NUMBER: 4.D.

TO: City Council

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

FROM: Robert Tomasek, City Engineer

DATE: 07/27/2026

SUBJECT: Mobility Plan Update

I. BACKGROUND: Council asked the City Manager to place consideration of the removal of the Pine Street extension project from the Mobility Plan on the agenda.

II. DISCUSSION: The Mobility Plan and Land Development Code require the city to reassess the Plan every five (5) years. The city is currently in year two (2), as the Mobility Plan was adopted in September 2024. After further research, the Pine Street project was not part of the list of projects the initial Mobility Fees were based on; therefore, recalculation of the Mobility Fees would not be required if the project is removed. However, since the Comprehensive Plan specifically references the adopted 2024 Mobility Plan, a Comprehensive Plan Amendment would be required if the Mobility Plan is amended to remove a project.

Council may also wish to consider additional priority adjustments or the removal of other roadways. If so, a special meeting may be scheduled, for October or November, to discuss reassessing the Mobility Plan's priorities or any other removals. This would allow any changes to be included in one Comprehensive Plan amendment.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB): Would not cost the city anything but time and advertisement cost of the special meeting.

C. Level of Service (LOS):

D. Legislative Sponsor: Dewey Destin

E. Business Impact Statement:

III. CONCLUSION: Removing Pine St from the Mobility Plan will require a Comprehensive Plan Amendment.
Other changes including a reassessment of the Mobility Plan priorities may be established

through a special meeting.

IV. RECOMMENDED MOTION: I move to remove the Pine Street extension project completely out of the Mobility Plan and authorize the City Manager to bring back a Comprehensive Plan Amendment,
AND/OR
I move that a special meeting date of Tuesday, October 13, Monday, October 26 or Monday, November 9, 2026, (or another date) be set to reprioritize the Mobility Plan.

Attachments:

None

ITEM # 2026-1008

CITY OF DESTIN

AGENDA ITEM

COUNCIL MEETING DATE: August 3, 2026
TYPE OF AGENDA ITEM: Action Item
AGENDA OUTLINE NUMBER: 4.E.

TO: City Council

THRU: Larry Jones , City Manager

FROM: Larry Jones , City Manager

DATE: July 23, 2026

SUBJECT: Budget Workshop Date - Reschedule

I. BACKGROUND: Budget Workshop is scheduled for August 10th, on the same date as the EAR Workshop.

II. DISCUSSION: Budget Workshop is scheduled for August 10th, on the same date as the EAR Workshop.

A. Link to Strategic Goals / Objectives:
B. Effect on Budget (EOB):
C. Level of Service (LOS):
D. Legislative Sponsor:
E. Business Impact Statement:

III. CONCLUSION: Request to move the Budget Workshop from Monday, August 10, 2026, to Monday, August 17th @ 5:30 pm.

IV. RECOMMENDED MOTION:

Attachments:

None

ITEM # 2026-1103

CITY OF DESTIN

AGENDA ITEM

COUNCIL MEETING DATE: August 3, 2026
TYPE OF AGENDA ITEM: City Manager Report
AGENDA OUTLINE NUMBER: 4.F.

TO: City Council

THRU:

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

DATE: July 30, 2026

SUBJECT: Update on State-Acquired Land in Holiday Isle Adjacent to City's Norriego Point Park

I. BACKGROUND: The following are recent updates relating to the state-owned Park Property in Holiday Isle (City of Destin).

1. **County-Wide Survey Results**

On March 26, 2026, the City received results from a COUNTY-WIDE SURVEY that asked randomly-selected County residents what they prefer to see as the public use of the newly acquired land purchased by the State of Florida for a park in Holiday Isle ("Park" or "Park Property"). An outside firm, Cherry Communications (Tallahassee), was utilized by the City for their expertise in conducting phone surveys. This new information will be discussed at tonight's Council meeting of April 7, 2026. In sum, the survey showed that nearly 88% of County residents desire for the Park Property to remain natural or with minimal amenities, that over 75% of County residents oppose commercial marina use, and that only 2% of the County supports a marina rental model. The margin of error for survey results is approximately 4.9%.
Cherry Communications
207 W. Park Ave., Ste. A
Tallahassee, FL 32301
cherrycom.com

2. **Adoption of City Council Resolution 2026-05 on March 16, 2026, Requesting City Management of Park and Committing Up to Five Million Dollars.**
On March 16, 2026, the City Council approved Resolution 2026-05, ***which is attached to this agenda item as additional background***. Resolution 2026-05 respectfully requests that the State of Florida authorize the City of Destin to serve as the Lessee and local managing entity for the Park Property. In the resolution, the City affirms its commitment to managing the Park in a

manner that emphasizes environmental stewardship, conservation, passive recreation, and compatibility with surrounding residential and conservation areas. Further, the Resolution provides that the City of Destin is prepared to invest municipal resources into the stewardship and improvement of the Park Property and is willing to commit funding for the redevelopment, restoration, and enhancement of the Park in an amount not to exceed **Five Million Dollars ($5,000,000.00)** in order to support environmentally sensitive improvements, passive recreational amenities, and long-term conservation management consistent with the character of the surrounding community. The resolution has been forwarded to County and State representatives as directed by the City Council. It is expected that the City Council's resolution will be considered first at the April 7th BCC meeting, and again on April 21st along with any concept plans approved tonight by the Destin City Council, and a Council decision on free park parking for all County residents, as further explained in the Discussion section of this Staff Report.

3. **Zoning/Land Use/Development Order Background Information**
The following background information is provided for public knowledge (and has been previously provided):

As discussed at prior meetings both at the City and County level, the current land use entitlements for the State Park property adjacent to the City's Norriego Point Park prohibit all nonresidential uses. Since it appears a condo will not be built on the property, given that the State's purchase was described as for "conservation," the entitlements of the property should be updated so that the property may be maintained for non-residential purposes. This process would include:

1. Amendment to the City's Comprehensive Plan (Future Land Use Designation on the Property)
2. Rezoning of the Property, and
3. Amendment to the existing Development Order.

All three of these referenced land use applications would require City Council approvals and public hearings with the public invited to participate, which would occur generally as follows:

Public Hearing One: Future Land Use Map (FLUM) amendment at Land Planning Agency (LPA) meeting
Public Hearing Two: Rezoning at LPA meeting
(Public hearings 1 and 2 would likely be done at the same LPA meeting)
Public Hearing Three: FLUM amendment at City Council meeting (first reading of FLUM ordinance)
Public Hearing Four: Rezoning at City Council meeting (first reading of zoning ordinance)
(Public hearings 3 and 4 would likely be done at the same City Council meeting)
Public Hearing Five: FLUM amendment at City Council meeting (second reading of FLUM ordinance)
Public Hearing Six: Rezoning at City Council meeting (second reading of zoning ordinance)
(Public hearings 5 and 6 would likely be done at the same City Council meeting)

Notably, as has been discussed, the docks are legally classified as a residential use tied to a condominium that was never constructed. Without amendment to the Development Order, the docks cannot lawfully be used independently. In order to comply with existing codes, the docks

would need to be removed or a Major Amendment to Development Order 21-23 would be required, with an additional public hearing before the City Council. Note that Development Order 21-23 prohibits all nonresidential uses of the docks, including but not limited to slip rentals, commercial uses, or any uses that involve boat traffic at a frequency or intensity not typical of a residential area.

The Comprehensive Plan states, in relevant part that:

OBJECTIVE 1-2.8: CONSERVATION LAND USE DESIGNATION. *The FLUM (Map 1-1), shall identify lands that are environmentally fragile for long-term preservation by designating them as "CON." Environmentally fragile lands shall be referred to as conservation resources, which are defined in Rule 9J-5.003(30), Florida Administrative Code. The protection and preservation of conservation resources shall be achieved through the implementation of the following Policies.*

Policy 1-2.8.1: Conservation (CON). *The FLUM shall designate lands that are natural and coastal resources as "CON." It is the intent of the "CON" land use designation to provide for the long-term protection and preservation of environmentally sensitive natural resource systems. The LDC shall be amended to ensure no development is permitted within "CON" designated areas, other than beach accessways, such as dune walkovers, parking, docks, restroom facilities, and passive recreation.*

The City's Land Development Code is consistent with the Comprehensive Plan, pursuant to State Law.

Importantly:

- Norriego Point Park, which is adjacent to the newly acquired State Park, contains the Conservation (CON) future land use designation and zoning.
- The Conservation district is **highly restrictive** and intended for environmental preservation.
- Marinas are **not** permitted in either the Conservation (CON) Future Land Use Designation and Zoning District.
- Under the City's Land Development Code (Section 7.12.06(BB) and Table 7-2), development within CONSERVATION (CON) is limited to beach accessways such as dune walkovers, parking areas, docks, restroom facilities (up to one story), and passive recreation. Norriego Point currently holds a Future Land Use Designation and Zoning of Conservation, and this zoning would maintain consistency between the State and City Park.

Finally, please note that if the future land use and zoning for this Property are changed, any proposed use would still need to be consistent with all additional applicable provisions of the Comp Plan and LDC, State and federal permitting requirements, any applicable easements, and any required development order amendments.

Pursuant to Council directives, the City Manager and City Attorney have contacted appropriate County and State representatives. As of the date of this agenda item, the Property is owned by the State of Florida, and there is no known entity with a leasehold interest or approved

management plan for the Property.

4. April 21st BCC Meeting in Response to City Resolution 2026-05:
On April 21, 2026, the Okaloosa County Commissioners discussed City Resolution 2026-05 and noted the City's concept plan. Several members of the Destin City Council, the City Manager, City Attorney, and several residents spoke during the BCC meeting in support of City Council Resolution 2026-05 and in support of the City of Destin obtaining the Lease and management of the Park Property.

From the City's perspective, the discussion reflected both support and hesitation among County leadership.
Commissioners Sherri Cox and Carolyn Ketchel each expressed clear support for the City's request to lease the Park from the State and to assume management of the Park Property. Their statements aligned with the City's position that local stewardship would best serve residents and the long-term interests of the Park.

However, Commissioner Paul Mixon introduced a motion directing the Okaloosa County Board of County Commissioners to send Commissioner Drew Palmer to meet with State officials, alongside a City representative, to further clarify the State's objectives regarding the Park. This motion was made despite the City's formal request - and despite the support voiced by multiple residents - for the City to move forward with leasing and managing the property.

Commissioner Paul Mixon, Commissioner Drew Palmer, and Chairman Trey Goodwin voted in support of Commissioner Mixon's motion, with Commissioner Sherri Cox and Commissioner Carolyn Ketchel dissenting. The final vote was thus 3-2.

Council Member Destin and Commissioner Palmer were scheduled to attend such a meeting on April 30th. However, it was decided that the meeting will be rescheduled to a date between May 12 and 15th. As of the time/date of this staff report on the morning of May 28, 2026, the meeting has not been rescheduled.

5. Resolution Protection Shorebirds and Staff Recommendation for Conservation FLUM and Zoning; Additional May 2026 Updates

A. RESOLUTION 2026-13 FOR SHOREBIRD PROTECTION AND FURTHER DATA AND ANALYSIS FOR CONSERVATION FUTURE LAND USE AND ZONING: On May 4, 2026, the Florida Fish and Wildlife Commission (FWC) informed the City that the 4 acre state-acquired site is an important bird nesting area and that Audubon Florida would survey and post signage to protect nesting birds and discourage public access to sensitive areas. The following day, Audubon surveyed the site and posted signage to protect these imperiled birds, particularly the least terns.

As previously recognized by the City Council, the Norriego Point area was formerly a bird sanctuary and has long provided important habitat for shorebirds, including the imperiled least tern. With its unique location, dunes, and conservation status, Norriego Point provides critical nesting, resting and foraging habitat for migratory and resident bird species, including species protected under State and Federal law. On May 18,2026, the City Council passed and adopted Resolution 2026-13, which sets forth legislative findings supporting protection of shorebirds and their habitat at Norriego Point, including the newly acquired 3.99 acre state-owned parcel.

The Resolution formally expresses the City Council's support for protecting imperiled shorebird habitat and sensitive nesting areas at and around the City's Norriego Point Park and adjacent state-owned property. **Further, the Resolution provides that the City supports the efforts of the Florida Fish and Wildlife Commission and Audubon Florida to protect shorebirds, promote conservation practices, and educate the public on habitat protection and stewardship. Audubon Florida made a presentation to the City Council on May 18th, in efforts to protect shorebirds on and around Norriego Point and the state lands.**

The Future Land Use and Zoning of the state-acquired lands remain critical considerations. Long term protection of imperiled shorebirds is best supported through minimal development and conservation land use ane zoning designations, as previously discussed by the City Council for the state-owned parcel. These conservation designations would also be consistent with the City's adjacent Norriego Point Park, which is designated and zoned for conservation.

In the event that the State (1) desires the property for use as a public park and (2) does not endeavor to use the property for residential purposes, it would be appropriate for the City to consider changing the current residential Future Land Use and Zoning designations on the state-acquired property to City Conservation.

City Staff continues to strongly recommend that the State of Florida and City Council support a Conservation Future Land Use and Zoning for the property. It is further again noted that the docking facilities on site **do not have a certificate of completion** and are currently approved for **residential purposes only**. Any nonresidential use of the docks is explicitly prohibited in the approved development order for construction of the docks. Under the conservation future land use and zoning designations, the docking facilities could be used as a fishing pier and/or public, transient slips available on a first-come, first serve basis but could **not** be used for overnight slip rentals and/or a marina (provided the City Council also amends the existing development order to allow such nonresidential purposes).

B. STATE/CITY/COUNTY DISCUSSION STATUS: Council Member Destin and Commissioner Palmer were scheduled to attend a meeting with representatives of the State on April 30th. However, it was later decided that the meeting would be rescheduled to a date between May 12 and 15th. As of the time/date of this staff report on the morning of **May 28, 2026,** the meeting has not been rescheduled.

6. OBJECTION TO COUNTY COMMISSIONER DREW PALMER'S REQUEST FOR ATTORNEY GENERAL OPINION

Members of the City Council, the Mayor, City Manager, City Attorney, and residents attended the Board of County Commissioners meeting held on Tuesday, May 19, 2026 at 8:30. The Mayor formally requested the County support protection of the shorebirds but the County took no action on the request.

Instead, near the very conclusion of the BCC meeting during his Commissioner reports, (AFTER all opportunities for public input and without inclusion on the County's agenda) Commissioner Palmer mentioned he had submitted a request for a legal opinion to the office of James Uthmeier, the Attorney General of the State of Florida. **Notwithstanding the BCC's**

prior motion that the City and County approach the State together relating to the State Park Property in the City of Destin, the City was not informed of the County's request for legal opinion prior to it being sent out on Friday, May 15th, nor was any input solicited from the City prior to the County's submission of the request to the State Attorney General. Notably, no copy of the request for opinion was in the May 19th BCC agenda (or any other prior BCC agenda), it is believed that no copies were on the BCC dais for other Board members, and none were provided to the City or residents prior to the meeting. In fact, the sole reason the City received a copy of the Commissioner's request was due to the City's immediate public records request.

A copy of this Request for Legal Opinion is attached to this agenda item. Notably, the Request for Legal Opinion does not include a separate memorandum stating the County's position on the matter, as is typically required to be submitted for such opinion requests. Further, in the opinion of the City Attorney, the County's request for opinion reflects a matter in dispute between governmental entities. Therefore, it was inappropriately submitted to the AGO, which does not opine on intergovernmental disputes.

In summary, the request for legal opinion generally asked the Attorney General (a member of the Cabinet that approved the land acquisition in the first place), whether and to what extent the City's rules and regulations for zoning, permitting and land use entitlements apply, whether the HIIA's restrictions and covenants apply, and whether and to what extent the County would be required to collaborate with the City of Destin (see attached for further details). It appears that the County representatives involved in this request for opinion are searching for an answer other than what the County was already told, in writing, by DEP: i.e., that the County must adhere to City land use, zoning and permitting rules and regulations.

Accordingly, the City Attorney submitted the attached correspondence to the County Attorney on behalf of the City Council, calling upon Commissioner Palmer to immediately withdraw the request for a legal opinion for the following reasons:

1. The most current Okaloosa County BCC Motion relating to the subject property authorized Commissioner Palmer to approach state representatives alongside a representative from the City of Destin. However, the City had absolutely no input in formulating the attached request. This request represents a clear departure from what was agreed upon during the County meeting, where it was understood that the commissioner and a council member would approach the state together. Commissioner Palmer had no authority to submit this letter independently, in place of the agreed joint effort and without any input from the City of Destin.

2. The Attorney General does not have the authority to address the questions posed for several reasons. First, the Attorney General's Office is not the appropriate venue for resolving intergovernmental disputes. If the County's position is to dispute, question, or otherwise challenge the City's land use and permitting authority with respect to the subject property, then a clear dispute exists between the parties. Second, the Attorney General's office cannot issue a legal opinion regarding a legislative action taken by a board or Cabinet on which the Attorney General serves as a member.

3. The Florida Department of Environmental Protection ("FDEP") has already informed Okaloosa County in writing that it must adhere to City zoning and permitting requirements with respect to the subject property. The City possesses copies of this

correspondence, which were previously provided to the County.

The County was reminded that the City's Comprehensive Plan and land development regulations are not arbitrary constraints; they reflect deliberate planning, extensive public input, and long-term policy determinations adopted in the public interest. Further, adequate due process requires that the public be afforded meaningful opportunities for participation in relevant local venues of public engagement.

The City Manager and City Attorney recommend that the City Council reiterate its position for the public record that it will not support, endorse, or acquiesce to any effort that seeks to unilaterally circumvent, undermine or fail to acknowledge the City's established land use and permitting authority. This reflects the Council's commitment to protecting its lawful regulatory role, ensuring transparency and accountability in the development process, and upholding the standards and procedures adopted for the benefit of the community and the orderly governance of municipal affairs.

While the County Attorney submitted a response by email to the City Attorney's May 20, 2026 correspondence, (City/County elected officials were copied), neither the County Attorney, County Administrator, or any other representative of the County has responded to subsequent requests from the City for information as to why the City was left out of the drafting of any request for legal opinion to any entity, including the State Attorney General. This failure to include the City is concerning for multiple reasons, given the City's vital interests in the area, including but not limited to the City's ownership of the adjacent right of way, parking area, and 14 acre City Norriego Point Park, the City's representation of the residents and local public, and the City's regulatory authorities and jurisdiction within its municipal boundaries.

One final note: As you know, the County sold and deeded Norriego Point to the City in 2010, with conditions attached. The City adheres to all conditions and operates the property as a public conservation park (the summary of the conditions is that the property be used by the public for park/recreational purposes, no commercial concession contracts, etc). Interestingly, it has recently been determined by virtue of public records requests that on December 12, 2025 (two days after the State's closing on the 4 acre parcel), the County Attorney sent an email with subject line "Norriego Point conveyance to Destin" to Commissioner Mixon, County Administrator John Hofstad, and Deputy County Administrator Craig Coffey, laying out information on the conditions set forth in the deed. The County Attorney also indicated in her email that failure to adhere to such conditions would result in forfeiture of the City-owned property back to the County. The timing and substance of the email is noted, and no commissioner other than Commissioner Mixon is copied to the email.

On July 20, 2026, the City Council initiated the Chapter 164 Conflict Resolution Procedures in an effort to resolve the conflicts with Okaloosa County, as further discussed below.

II. DISCUSSION: Resolution 26-21 and the proposed Notice Letters were sent to the State and copies to Okaloosa County. City Manager Larry Jones had a preliminary meeting on July 30, 2026 with County Administrator John Hofstad to establish a date for the initial public meeting and to begin the process of a constructive resolution of the governmental conflict concerning the future lease, management, operation, and development of the new state park property located within the City of Destin.

A. Link to Strategic Goals / Objectives:
B. Effect on Budget (EOB):
C. Level of Service (LOS):
D. Legislative Sponsor:
E. Business Impact Statement:

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

1. Agenda for Joint Meeting with Destin City Manager and Okaloosa County Administrator
2. Mixon's 19 Aug 2025 offer to DEP SEC Lambertl $5M and MGT of 50 GSD
3. 6.17.26 Corr to Okaloosa
4. Email Dr Jones_Commissioner Palmer re Parking
5. Edited_Email correspondence with Commissioner Palmer

CITY OF DESTIN – OKALOOSA COUNTY

What led to today:

- Refusal to engage the city early in the process
- August 19, 2025, county letter: official action or not?
- Meetings with council members
- Public town hall meeting
- County-wide survey
- Draft lease seeking to set aside city land use regulation
- Inflammatory comments by county staff
- Request for Attorney General Opinion
- Demand for citywide free parking for all county residents
- Refused to present Destin City Council's parking counter proposal to the entire board
- Continued refusal to place any item on the Board of County Commissioners' agenda, allowing the entire board to opine on any city requests

Governmental Conflict Resolution Framework, Chapter 164, Florida Statutes

PURPOSE

The City of Destin seeks a constructive resolution of the governmental conflict concerning the future lease, management, operation, and development of the new state park property located within the City of Destin.

The City believes the issues can be focused into **four principal areas of conflict:**

1. CONTROL

Who should lease, manage, and operate the property?

The City and County have competing interests regarding which local government should hold the State lease and assume responsibility for the long-term management and operation of the property.

2. DEVELOPMENT

What should the property ultimately become, and at what level of intensity?

The City seeks an outcome that provides appropriate public recreational opportunities consistent with the character and use of the adjacent 14-acre parcel already owned and managed by the City, while protecting the natural resources, character, and intended public purpose of the property.

3. JURISDICTION

How will the City's land-use authority be recognized and respected?

Because the property lies entirely within the municipal boundaries of Destin, its future use and development are subject to the City's Comprehensive Plan, Land Development Code, and other applicable municipal land-use regulations. This position is further supported by the language contained in the draft lease currently in the County's possession.

4. PROCESS

How will the City, County, State, and public participate in decisions concerning the property's future?

The City seeks a cooperative process that provides meaningful participation by both local governments, DEP, and the public in determining the future of this important public property.

CITY'S PROPOSED RESOLUTION

The City of Destin seeks a **clear and definitive resolution** through formal action by the Okaloosa County Board of County Commissioners.

The City respectfully requests that the County:

Take official action expressing its support for the City of Destin to serve as the leaseholder, manager, operator, and developer of the new state park property, and formally convey that position to the Florida Department of Environmental Protection (DEP).

Questions for today, and for the initial public meeting:

- Is the county interested in resolving the identified conflicts?
- If so, what, if any, terms, conditions or considerations will the county request/require/expect in order to seek resolution?

ACTION ITEMS: CHAPTER 164 PROCESS AND OPPORTUNITIES FOR EARLY RESOLUTION

1. Schedule Initial Public Meeting

Establish a mutually agreeable date for the initial public meeting between County Administrator John Hofstad and City Manager Larry Jones, as required by Chapter 164, Florida Statutes.

- The County received the City's notice initiating the conflict resolution process on **July 28, 2026**.
- The statutory 30-day period therefore expires **August 27, 2026**.
- The initial public meeting must be held **on or before August 27, 2026**, with the meeting date established sufficiently in advance to allow all required public notice and advertising requirements to be satisfied.

2. Coordinate Required Public Notice

Once the meeting date is established, coordinate promptly with the appropriate Clerk(s) to ensure compliance with all statutory public notice and advertising requirements.

3. Preserve the Opportunity for Earlier Resolution

Nothing in the Chapter 164 process prevents either governing body from taking earlier action to resolve the conflict. If the County believes the matter can be resolved at its August 4 meeting, it may place an appropriate item on the BCC agenda and take formal action and present the results to the City for consideration. Likewise, the City Council may take action at any time without waiting for completion of the Chapter 164 process or for the County to act first.

The City Manager will provide the City Council with an update at its Monday, August 3rd meeting. If the County intends to consider a potential resolution on August 4 or at another BCC meeting, the City should be advised in advance so that Council members have the opportunity to attend and participate as appropriate.

4. Tentatively Schedule Joint City Council/BCC Meeting

If the conflict is not resolved through earlier action or at the initial City Manager/County Administrator public meeting, Chapter 164 requires the process to proceed to a joint public meeting within the applicable statutory timeframe.

- Identify a **tentative date now** for a joint public meeting of the Destin City Council and Okaloosa County Board of County Commissioners.
- Establishing the date in advance will provide sufficient time to satisfy applicable public notice and advertising requirements.
- The tentative meeting may be canceled if the conflict is resolved beforehand.

Desired Outcomes

Before concluding today's discussion, we should:

1. Determine if the County desires to resolve this matter
2. Determine what considerations, terms or conditions the County requests/require/expect in return for cooperation
3. Determine whether the County intends to place a potential resolution before the BCC on **August 4** or another available meeting date.
4. Establish a date for the initial City Manager/County Administrator public meeting;
5. Establish a plan for satisfying all required public notice and advertising requirements;
6. Reserve a tentative date for a joint City Council/BCC meeting should the conflict remain unresolved.

The Chapter 164 process establishes a framework for resolving the conflict; it does not require either party to delay a mutually acceptable resolution that can be reached sooner.

Board of County Commissioners
Paul Mixon, Chairman (District 1)

State of Florida

August 19, 2025

Secretary Alexis A. Lambert
Florida Department of Environmental Protection
3900 Commonwealth
Boulevard M.S. 49
Tallahassee , FL 32399

Dear Madam Secretary:

First and foremost, we would like to extend our sincere thanks to you, your team, and the entire Cabinet for your leadership and vision in supporting the acquisition of this critical property. This future park facility represents a monumental public investment—one that will be treasured for generations to come.

We are writing to formally express Okaloosa County's strong commitment to the long-term stewardship and management of this new 5.7-acre park. The County fully recognizes the ecological, recreational, and economic significance of the site—particularly its vital role in protecting the Destin Harbor.

In alignment with the conservation and public access principles outlined in the Florida Forever Act (Chapter 259, F.S.), Okaloosa County affirms its intent to support and implement best management practices for the park. To that end, the County agrees to assume full responsibility for the day-to-day management, maintenance, and operation of the park and marina, as well as any adjacent state-owned lands. This includes oversight of capital projects, construction procurement, insurance, maintenance, staffing, rule enforcement, utilities, and all other operational components.

Furthermore, the County is committed to collaborating with both the City of Destin and the Florida Department of Environmental Protection (FDEP) to advance the shared vision for Norriego Point Park. Should it be requested, we are also prepared to fully manage that existing park facility.

To demonstrate our commitment, Okaloosa County is pledging a minimum direct investment of $3 million, with an overall contribution exceeding $5 million. This includes a combination of funding, grants, in-kind services, startup and operational costs, and other associated expenditures needed to successfully launch and sustain the new park.

At the appropriate time, we are ready to enter into a Memorandum of Understanding (MOU) with FDEP, modeled on the existing MOU for Norriego Point Park. For further coordination, please contact Craig Coffey, Deputy County Administrator, at (850) 609-6136.

Thank you again for your partnership and for your continued dedication to preserving Florida's natural resources for the benefit of all.

Sincerely yours…
…willingly His,

Paul Mixon, Chairman
Board of County Commissioners

- 302 N. Wilson St., Suite 302 • Crestview, FL 32536 • (850) 689-5030
- 1250 N. Eglin Pkwy, Suite 100 • Shalimar, FL 32579 • (850) 651-7105 • Fax: 651-7142

ROMANO KOPP LAW, P.A.

P.O. Box 5524
Destin, Florida 32541
Phone: (407) 430-7070
Email:kkopp@romanokopplaw.com

June 17, 2026

VIA EMAIL
Lynn Hoshihara
Okaloosa County Attorney
1940 Lewis Turner Blvd.
Fort Walton Beach, FL 32547

RE: Public Comment Opportunities on Matters Raised During Commissioner Reports

Dear Ms. Hoshihara,

I am writing on behalf of the Destin City Council to express concern regarding a recurring practice at meetings of the Board of County Commissioners whereby significant policy matters, proposed government decisions and other controversial issues are first raised during the "Commissioners' Minute" after the final public comment portion of the meeting has concluded.

While the "Commissioners' Minute" serves an important function, the City is concerned that matters constituting "propositions before a board or commission" within the meaning of section 286.0114, Florida Statutes, are increasingly being introduced and discussed at a point in the meeting when members of the public no longer have a reasonable opportunity to be heard on those matters.

Section 286.0114(2), Florida Statutes, provides that members of the public "shall be given a reasonable opportunity to be heard on a proposition before a board or commission." Although the statute permits the opportunity to be heard to occur at a meeting other than the one at which official action is taken, the opportunity must nevertheless occur during the decision-making process and within reasonable proximity in time to the board's consideration of the matter.

When substantive issues that are not included on the agenda are raised for the first time during the Commissioners' Minute after public comment has closed, citizens, affected local governments, and other interested stakeholders may have no meaningful notice that the issue will be discussed and no practical opportunity to provide input before the Board begins its deliberative process. This concern is particularly acute when the subject matter involves significant land use, intergovernmental, budgetary, or policy issues.

The City respectfully requests that substantive matters reasonably anticipated to generate public interest or Board discussion be placed on the published agenda in advance of the meeting, or alternatively that the Board provide an opportunity for public comment after such matters are raised. Doing so would further the transparency objectives embodied in Florida's Government in the Sunshine Law and section 286.0114, while promoting public confidence in the decision-making process.

The City raises this issue in the spirit of ensuring that both governments continue to conduct their affairs in a manner that maximizes public participation and transparency.

Sincerely,

Kimberly Romano Kopp
City Attorney, City of Destin

cc: Dr. Larry Jones, City Manager
Destin City Council and Mayor
Okaloosa County Board of County Commissioners
John Hofstad, County Administrator

From: Drew Palmer <dpalmer@myokaloosa.com>
Sent: Friday, 19 June 2026 12:32:35
To: Larry Jones <ljones@cityofdestin.com>
Subject: Re: Metting summary

Thank you Larry, this does appear to capture items that were discussed. I look forward to seeing what your council approves.

Thanks,

Drew

Get Outlook for iOS

From: Larry Jones <ljones@cityofdestin.com>
Sent: Friday, 19 June 2026 12:25:06
To: Drew Palmer <dpalmer@myokaloosa.com>
Subject: Metting summary

Good afternoon, Commissioner. Please review the below and, if you agree that it accurately reflects our meeting today, please acknowledge your agreement.

Summary of Meeting – June 19, 2026

On June 19, 2026, Destin City Council Member Dewey Destin and Okaloosa County Commissioner Drew Palmer met to discuss a collaborative path forward that could lead to the City of Destin serving as the operator and manager of the new state park parcel at Norriego Point.

The discussion resulted in a conceptual framework that would be presented to the respective governing bodies for consideration. The proposed framework includes the following:

- **The City of Destin would provide free parking for all Okaloosa County residents at every City-owned parking facility where parking fees are charged.**
- **The Destin City Council will consider this proposal at its July 6, 2026, meeting.**
- **If approved by the Destin City Council, Commissioner Palmer will place the proposal on the agenda for consideration by the Okaloosa County Board of County Commissioners at its next available (July 14, 2026) meeting.**

- If approved by both governing bodies, the City and the County will jointly approach the Florida Department of Environmental Protection to determine the most appropriate path forward and work with the necessary agencies to facilitate the City's leasing and managing the new state park.
- The potential use of Okaloosa County Tourist Development Department funding for the park, contingent upon identifying eligible tourism-related expenditures and ensuring compliance with all applicable legal requirements governing Tourist Development Tax funding, was discussed.
- The City and the County will work collaboratively to develop and implement a parking system that provides free parking for all Okaloosa County residents at City-owned parking facilities while ensuring the system is efficient, practical, and financially sustainable.

The proposal represents a collaborative effort to preserve and enhance the new state park while improving public access for all Okaloosa County residents. This framework is conceptual, and any final agreement remains subject to approval by the Destin City Council and the Okaloosa County Board of County Commissioners prior to any request for approvals from the Florida Department of Environmental Protection and other appropriate agencies.

Thanks,

Larry



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From: Drew Palmer
To: Larry Jones
Subject: Re: Metting summary
Date: Friday, June 19, 2026 12:32:47 PM
Attachments: image001.png

Thank you Larry, this does appear to capture items that were discussed. I look forward to seeing what your council approves.

Thanks,
Drew

Get Outlook for iOS

From: Larry Jones <ljones@cityofdestin.com>
Sent: Friday, 19 June 2026 12:25:06
To: Drew Palmer <dpalmer@myokaloosa.com>
Subject: Metting summary

Good afternoon, Commissioner. Please review the below and, if you agree that it accurately reflects our meeting today, please acknowledge your agreement.

Summary of Meeting – June 19, 2026
On June 19, 2026, Destin City Council Member Dewey Destin and Okaloosa County Commissioner Drew Palmer met to discuss a collaborative path forward that could lead to the City of Destin serving as the operator and manager of the new state park parcel at Norriego Point.
The discussion resulted in a conceptual framework that would be presented to the respective governing bodies for consideration. The proposed framework includes the following:

- **The City of Destin would provide free parking for all Okaloosa County residents at every City-owned parking facility where parking fees are charged.**
  Upon execution of a lease or other approved legal mechanism granting the City (Destin) full management rights to the new state park parcel at Norriego Point, the City shall provide free parking to all Okaloosa County residents at all City-owned parking facilities where parking fees are otherwise applicable.
- **The Destin City Council will consider this proposal at its July 6, 2026, meeting.**
- **If approved by the Destin City Council, Commissioner Palmer will place the proposal on the agenda for consideration by the Okaloosa County Board of County Commissioners at its next available (July 14, 2026) meeting.**
- **If approved by both governing bodies, the City and the County will jointly approach the Florida Department of Environmental Protection to determine the most appropriate path forward and work with the necessary agencies to facilitate the City's leasing and managing the new state park.**
- **The potential use of Okaloosa County Tourist Development Department**

funding for the park, contingent upon identifying eligible tourism-related

expenditures and ensuring compliance with all applicable legal requirements governing Tourist Development Tax funding, was discussed.

- **The City and the County will work collaboratively to develop and implement a parking system that provides free parking for all Okaloosa County residents at City-owned parking facilities while ensuring the system is efficient, practical, and financially sustainable.**

The proposal represents a collaborative effort to preserve and enhance the new state park while improving public access for all Okaloosa County residents. This framework is conceptual, and any final agreement remains subject to approval by the Destin City Council and the Okaloosa County Board of County Commissioners prior to any request for approvals from the Florida Department of Environmental Protection and other appropriate agencies.

Thanks,

Larry



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MINUTES
TOWN CENTER COMMUNITY REDEVELOPMENT AGENCY ADVISORY COMMITTEE MEETING
JUNE 17, 2026 - 5:30 PM
DESTIN CITY HALL ANNEX CHAMBERS

1. CALL TO ORDER:

Chairman Wernet called the meeting to order at 5:30 PM on Wednesday, June 17, 2026, at the Destin City Hall Annex Council Chambers with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Members Present	Members Absent	Staff Present
Lockwood Wernet	Iris Bethea	Kim Montgomery Deputy City Clerk
Corlene Ziegler	Preston Green	Jesse Hernandez Senior Planner
Kyle Davis		

With there not being a quorum, this was held as a workshop

3. AGENDA APPROVAL:

Motion to approve the agenda was made by Committee member Bethea with Committee member Davis proving the second. The motion passed 4-0.

4. APPROVAL OF MINUTES:

5. CURRENT BUSINESS:

- **Development & City Projects Update – Jesse Hernandez Senior Planner**

- Mr. Jesse Hernandez noted that the CRA Board had asked the Committee to bring back work plans to the July meeting.
- Upon review of prior minutes, it did not appear that the work plans had been completed.
- He explained that a new process has been developed that may affect how work plans proceed.
- He provided an overview of the evening's discussion topics, which included:
  - Updates on current development projects;
  - Updates on city projects;
  - Discussion of Committee work plans;
  - Guidance on the new work plan process; and
  - Discussion of the Mattie Kelly Connector project.
- City Engineer Robert Tomasek was present to answer questions and provide information regarding the Mattie Kelly Connector.

❖ Current development project map.

- The Preserve project was removed from the development tracking list because the original scope of work had changed and no longer required a development order.
- The Destin Linear Trail was also removed from the active tracking list at this time.
    - Mr. Hernandez clarified that the project has not been abandoned.
    - The project remains on the Capital Improvement Project list.
    - Special Projects, through Jeff Cozadd, continues working on easement-related issues.
    - Mr. Hernandez stated that the project had been open for approximately 18 months with no movement for more than a year.
    - Because the city has changed systems for processing development applications, this was removed from the active tracking list until there is more movement on the project.
- Mr. Hernandez also reported that there had not been significant changes in the Harbor CRA development projects during the previous month.

➢ **Destin Linear Trail / Easements Discussion**

- A question was posed as to whether the Destin Linear Trail delay was strictly related to easements or whether other issues were involved.
- Mr. Hernandez stated that the last information received indicated the issue was strictly related to easements.
- He stated that there were only a few remaining holdouts but that resolving those issues required time and effort.
- A Committee member asked whether there was a plan to move forward with acquiring the easements.
- Mr. Hernandez stated that they would need to check with the Projects and Grants Manager Jeff Cozadd regarding whether a specific acquisition plan exists and noted, the status had remained “awaiting final easements” since March 2025.

➢ **Review of Existing Work Plans**

- Mr. Hernandez reviewed the Committee’s existing work plan items, which included:
    - Greenspace at Publix;
    - Jewel Melvin Park improvements;
    - Intersection at Airport Road and Commons Drive;
    - Florida Power & Light undergrounding of utilities
    - Mattie Kelly Connector.

➢ **Publix Greenspace Work Plan**

- Mr. Hernandez reported that the City Manager had contacted Publix regarding the potential greenspace project.
- Publix is not currently willing to part with the property or enter into an agreement with the City.

- He stated that Publix appears to still be determining what it intends to do with the property.
- He noted that the work plan can remain available for future reconsideration if circumstances change.

➢ **Jewel Melvin Park Improvements**

- Mr. Hernandez explained that the City needs to re-evaluate the CRA Master Plan because the existing plan is very specific regarding eligible CRA projects.
- He stated that, before CRA funds may be used, the City must determine:
  - Whether the project is within the CRA area;
  - Whether the project is authorized by state statute; and
  - Whether the project is included in the CRA Master Plan.
- He noted that it may be difficult to tie Jewel Melvin Park improvements to the current Master Plan unless the improvements are part of the linear trail.

➢ **FPL Undergrounding and Airport / Commons Intersection**

- Mr. Hernandez stated that the Committee did not intend to use CRA funds for the FPL electrical utilities underground project or the Airport Road / Commons Drive intersection project.
- The Committee had intended to recommend those projects to the CRA Board using other available funds.
- He reported that the funds that had been considered for those projects had since been spent.
- As a result, those two projects are not currently available to move forward under that funding source.

➢ **Mattie Kelly Connector Project**

- Mr. Hernandez stated that the Mattie Kelly Connector appears to be the project that is furthest along and that best meets the required criteria for potential CRA funding at this time.
- City Engineer Robert Tomasek provided an overview of the project.
- Mr. Tomasek explained that:
  - The project has been reviewed during the current year;
  - It meets the Town Center CRA requirements;
  - It is included in the Comprehensive Plan;
  - It is included in the Mobility Plan;
  - The project would involve approximately 750 feet of new roadway construction;
  - The project would include sidewalks;
  - The project would include a component that could function as part of the linear trail, although it would not be the linear trail itself.
- Mr. Tomasek stated that the City would need to purchase right-of-way from private property owners.

- The property owners mentioned included:
  - Big Kahuna's; and
  - A shell company that appears to be based in California.
- Mr. Tomasek stated that the shell company owns a small parcel in the area, described as approximately 200 feet by 100 feet.
- A member asked whether the red box shown on the diagram represented the work area and whether the sidewalk and bike lane areas on the north end were included in the project package.
- Mr. Tomasek clarified that the red box represented the area that would need to be purchased and that they were included in the project.
- The project would connect from Airport Road down to the existing sidewalks on South Mattie Kelly.
- Mr. Tomasek noted that some sidewalk already exists between the old hospital and the project endpoint, although he was unsure whether the existing sidewalk was eight feet or ten feet wide.

➢ **Staff Guidance on Mattie Kelly Connector Priority**

- Mr. Hernandez emphasized the fact that the City does not currently own the property should not be viewed as the deciding obstacle at this stage.
- He stated that the key question is whether the project should be moved forward as a priority.
- He explained if the Committee has a quorum at its next meeting and makes a motion to move the Mattie Kelly Connector forward as the priority, the recommendation would inform the CRA Board before the budget process is completed.
- The CRA Board could then consider whether to prioritize funding toward:
  - Acquiring the necessary property; and
  - Completing the connection.
- He clarified that the CRA Board controls the funding and that the Committee serves in an advisory capacity.
- He also clarified that the Committee is not required to recommend the project, but it is currently the most viable project available based on the status of the other work plan items.

➢ **Prior Committee Approval / Prioritization Discussion**

- There was a discussion regarding two previously approved work plans:
  - Mattie Kelly Connector; and
- The Linear Trail project through the Gulf Power easement. Noting that that when the Committee previously went before the CRA Board and discussed other projects for unencumbered funds, the CRA Board directed the Committee to return and prioritize the list.
- Mr. Hernandez acknowledged that the linear trail was already in progress and that the Mattie Kelly Connector had been presented to the CRA Board in April.
- He explained that, with other projects falling off or becoming unavailable, the Committee can revisit prioritization when a quorum is present.

- He noted that the Publix greenspace project could be tabled indefinitely while preserving the work plan for possible future review.
- Staff stated that projects such as the Airport / Commons intersection and Jewel Melvin Park improvements may be revisited when new funding opportunities arise, possibly in January or February.
- He reiterated that CRA funds cannot be used for projects that are not part of the CRA Master Plan.

➢ **CRA Master Plan Discussion**

- Mr. Hernandez explained that the current CRA Master Plan is very specific and may limit the Committee's ability to fund broader project categories.
    - The Committee may wish to discuss whether to recommend that the CRA Board revisit or amend the Master Plan.
    - The Master Plan could potentially be made more general and tied more closely to the intent of the CRA's findings of necessity.
    - The Committee may make recommendations, but the CRA Board would make the final decision.
    - This could be discussed further at a future meeting when a quorum is present.

➢ **July Meeting / CRA Board Timing**

- The Committee discussed the need to prioritize projects to be included in the FY 2027 budget process.
- The regular Town Center CRA Advisory Committee meeting was referenced as being scheduled for July 15.
- The CRA Board meeting was tentatively referenced as being scheduled for July 20.
- Mr. Hernandez raised a timing question regarding whether the Committee could take action on July 15 and still have the matter properly noticed and placed before the CRA Board on July 20.
- The City Attorney indicated that an agenda item could likely be advertised generally enough to allow the CRA Board to consider recommendations from the Committee.
- The notice could reference recommendations to the CRA Board, including the Mattie Kelly Connector and other Town Center CRA work plan items.
- The City Attorney stated that the public notice should provide enough general information for members of the public to decide whether they wish to attend.

➢ **Mattie Kelly Connector as Remaining Viable Project**

- Mr. Hernandez and Committee members discussed that the Mattie Kelly Connector had previously been identified as a committee priority.
- He recalled that Mattie Kelly and the Publix Greenspace project were among the top priorities.
- Because several other projects are no longer viable or available for funding at this time, Mr. Hernandez stated that Mattie Kelly appears to be the remaining project that could move forward.

- He stated that it would be helpful for the Committee to formally confirm whether it still wishes to move the Mattie Kelly Connector forward.
- The Committee acknowledged that a public statement and formal action would need to occur at a properly noticed meeting with a quorum.

➢ **Quorum Concerns / Potential Special Meeting**

- A Committee member expressed concern about whether the Committee would have a quorum at the July 15 meeting.
- The member noted that the three members present usually attend, but one member would be out of the country for the July meeting.
- The City Attorney suggested checking member availability and possibly scheduling a special July meeting rather than relying on the regular meeting date.
- The City Attorney also noted that, alternatively, a code amendment could be considered in the future to change the number of members or quorum requirement.
- The Committee members discussed alternative dates.
- July 9 appeared to work for the members present and did not appear to conflict with another meeting on the calendar with the start time the usual 5:30 p.m.
- Mr. Hernandez stated that they would check the availability of the remaining board members and that he would coordinate with the Clerk's Office, including Sharon, to verify meeting availability and scheduling.
- He also stated that if a special meeting could not be arranged, they could review prior minutes to determine how earlier project priorities had been approved.

➢ **Work Plan Handouts and New Process**

- Mr. Hernandez reviewed the handouts provided to the Committee.
- The handouts included:
    - CRA work plan process and funding availability;
    - Advisory committee / board work plan process;
    - Work plan schedule and guidance.
- He stated that the documents are interconnected.
- He identified the CRA work plan process and funding availability document as especially important when the Committee begins developing project ideas.
- He stated that the Committee should focus on whether:
    - The project is located within the CRA boundary; and
    - The project is included in the CRA Master Plan.
- The CRA Master Plan would be sent to Committee members again for review and encouraged the Committee to consider whether it wants to discuss possible amendments to the Master Plan.
- A question was asked whether the issue is the specific wording of projects already identified in the Master Plan.
    - Current project language is very specific and may hinder the ability to move forward with projects.

- Mattie Kelly Connector was used as an example of a project specifically named in the Master Plan, including specific mobility plan references and improvements.
- Work plans do not broadly authorize funding for general mobility, greenspace, parks, beautification, or visual appearance improvements unless tied to specifically listed projects.
  - Work plans should not be too broad, but the current language may be too restrictive.

➢ **Project Feasibility Review Form**

- A question was asked whether the new CRA work plan process and funding availability document replaces the prior process of coming to the table with a full work plan.
- Mr. Hernandez explained that the new process is intended to serve as a preliminary review process before a full work plan is developed.
- He referenced a project feasibility review form that is expected to be finalized soon and that review form will be simpler than the original work plan document.
- The form will require limited research by the Committee and some research by staff.
- Mr. Hernandez described the preliminary information as a "5W" format:
  - Who;
  - What;
  - Where;
  - When;
  - Why;
  - Estimated cost.
- Once the form is submitted, senior leadership would review the project for feasibility.
- The leadership review would include the City Manager, Community Development Director, and City Engineer.
- He stated that this process is intended to determine earlier whether a project is feasible and whether the Committee should continue spending time on it.
- He cited the Publix greenspace issue as an example where an earlier feasibility check may have saved Committee time, because the City Manager's outreach quickly confirmed that Publix was not interested.
- He explained that the goal is to help move feasible ideas forward more efficiently and avoid unnecessary work on projects that cannot proceed.

➢ **Coordination Across City Departments and Boards**

- Mr. Hernandez explained that the new process is also intended to reduce planning in a vacuum.
- He noted that other departments and boards may already be working on related projects, including:
  - Parks and Recreation;
  - Public Safety;
  - Other City departments and advisory boards.

- He stated that some projects may fit better under another board or may benefit from interdepartmental partnership.
- He gave an example of a parks-related project within the CRA district that could potentially be coordinated with the Parks Board.
- He stated that this process will create more transparency for senior leadership and allow departments to identify opportunities to help projects move forward more quickly.
- He stated that CRA funds may be available when needed, but in some cases another department or board may already be advancing the project without the need for CRA funds.
- He emphasized that the new process should help ensure that City leadership knows what work plan ideas are being considered throughout the CRA.

❖ **Annual Report / Work Plan Items**

6. PUBLIC COMMENT: None

7. NEXT MEETING: July 9, 2026

9. ADJOURNMENT:

Having no further discussions, the meeting was adjourned at 6:12 PM.

Adopted and approved _____day of _____2026.

_____ _____

Corlene Ziegler Interim Chairman Kim Montgomery Deputy City Clerk

MINUTES OF THE
HARBOR AND WATERWAYS BOARD MEETING
DESTIN CITY HALL ANNEX
JUNE 25, 2026 - 5:30 P.M.

1. CALL TO ORDER:

Chairman Green called the meeting of the Thursday, June 25, 2026, Destin Harbor and Waterways Board meeting to at approximately 5:30 p.m., at Destin City Hall Annex, with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Members Present:	Members Absent:	Staff:
Capt. Jim Green	Bill McKissick	Kim Montgomery Deputy City Clerk
Guy Tadlock	John Stephens	Daniel Butler Principle Planner
Jerrod Hayden		Sherry Burney Planner
Ryan Holloway		Kimberly Kopp City Attorney

3. AGENDA APPROVAL:

Chairman Green asked the members if they had any changes or additions to the agenda, with none he approved the agenda published.

4. APPROVAL OF MINUTES:

- **April 23, 2026**

Motion to approve the minutes of the April 23, 2026 meeting as written was made by Board member Holloway, with Board member Hayden providing the second. The motion passed 5-0.

5. MEMBER COMMENTS:

- **Work Plan – John Stephens- Breakwater/Oyster Gardening & Destin Harbor Mooring Fields**
  - Staff advised that Board member Stephens was unable to attend but had submitted an email regarding work plans.
  - At his request, staff provided an overview of the purpose and function of the work plans for the benefit of newer board members.
  - Unlike the CRA, the Harbor and Waterways Board does not have a dedicated funding source or a Master Plan that has to be identified for funding projects.
  - The work plans serve as:
    - Internal goals for the Board.
    - Formal project concepts.

- A method for individual Board members to champion and advance specific initiatives.
- Board members may work with staff to develop their assigned or proposed work plans.
- When a work plan reaches the point where funding is necessary:
    - The Chair or another designated Board representative must present the request to the City Council.
    - City Council approval is required before funding or grant-related action can proceed.
- Staff noted that the fiscal year 2027 budgeting process has already occurred.
- Projects requiring new funding would generally need to be considered as part of the fiscal year 2028 budget.
- Board member Osbourn asked whether an approved work plan would satisfy state planning requirements for grant applications.
- Staff responded that an approved work plan would generally provide a sufficient planning foundation, although requirements may vary by grant.
- Staff explained that:
    - The work plan begins as an idea developed by the Board.
    - Details are refined with staff.
    - The proposal is then presented to City Council.
    - If approved, City staff may be directed to pursue a grant.
    - Funds received through appropriation or grant award could then be used to implement the project.
- Staff stated that a work plan carries greater weight after formal City Council approval.
- The city's grant coordinator was identified as Jeff Cozadd.
- Staff explained that Mr. Cozadd would identify and consolidate any additional materials required for a specific grant application.

❖ **Existing and Proposed Work Plans**

- Vice Chair Stephens requested the following work plans be transferred from the Harbor CRA to the Harbor and Waterways Board:
    - Breakwater/snorkeling location and oyster gardening initiative.
    - Destin Harbor mooring field.
- Staff read Mr. Stephens' email, which explained that:
    - The Harbor CRA Advisory Committee had recently reviewed work plans developed through the Harbor CRA planning process.
    - Several plans were determined to fall outside the CRA's purview.
    - Significant effort has already been invested in developing those plans.
    - Mr. Stephens did not want the projects to become inactive.
    - The projects are considered closely aligned with the Harbor and Waterways Board's mission.

❖ **Jurisdictional Basis for Transferring the Work Plans**

- Staff explained that CRA districts are governed by state law and limited to specifically delineated geographic areas.
- CRA funds generally cannot be spent on projects located outside the legally established CRA boundary.
- The proposed breakwater/snorkeling and mooring field projects are largely water-based and located waterward of the mean high-water line outside of the Harbor CRA boundary.
- Staff stated that these projects are therefore more appropriately handled by the Harbor and Waterways Board, whose responsibilities include Destin's waterways and bayous.
- Staff identified the three previously accepted work plans as:
    - Million Oyster Project.
    - Life Jacket Loaner Program.
    - Placement of surplus county buoys in swimming areas near Noriega Point.

➢ Discussion of Proposed Breakwater and Snorkeling Work Plan

- Board members initially discussed whether the proposed snorkeling area was near the existing breakwater at Noriega Point.
- A member expressed concern about strong currents in that area, noting current speeds of approximately 18 to 21 knots at full tidal flow.
- The member cautioned against encouraging additional swimmers or snorkelers near dangerous currents.
- Staff clarified that:
    - The surplus "no boating" buoys under another work plan were intended for Norriego Point swimming areas.
    - The proposed breakwater/snorkeling project from Mr. Stephens was intended for Clement Taylor Park.
- The members acknowledged that Clement Taylor Park would be a more logical and safer location.
- The site was described as being located near the fire department's dock on one side and the public dock on the other.
- Members also discussed the possibility that local families could benefit from additional recreational snorkeling areas outside the heavily visited tourist areas.
- The members agreed that Clement Taylor Park and the once reconstructed Mattie Kelly Park could provide safer and more accessible amenities for residents.

➢ Discussion of Proposed Destin Harbor Mooring Field

- Board members discussed the need to become involved in regulation of the harbor through a formal mooring field.
- Members noted that Destin Harbor currently functions largely as a free anchorage.
- Concerns included:
    - Derelict vessels.
    - Long-term anchoring.
    - Unregulated vessel placement.

  - Navigation difficulties caused by vessels remaining in place for extended periods.
  - Illegal discharge
  - Emergency and storm-related risks.
- One member referenced a vessel that had reportedly remained in the harbor for approximately three years.
- Members stated that a mooring field could:
  - Establish order within the harbor.
  - Help address derelict vessels.
  - Improve spacing between vessels.
  - Reduce the risk of one vessel breaking loose and colliding with other vessels during a storm.
  - Potentially support visiting boaters and economic activity.
- Members discussed whether fees should be charged.
- It was noted that:
  - The Board had not yet reached the stage of developing a fee structure.
  - Some members did not want local boaters visiting from nearby communities to be charged simply for short-term visits or events such as fireworks.
  - Transient or long-term users could potentially be treated differently.
- Members noted that a formal mooring field would likely require:
  - A pump-out facility.
  - An upland office.
  - Operational rules.
  - Emergency evacuation or storm procedures.
- Members discussed requiring vessels to leave once specified tropical storm or hurricane conditions were forecast.

❖ **Number and Phasing of Moorings**

- Members discussed preliminary estimates of approximately eight to eighteen mooring balls.
- The Board generally agreed that a phased approach would be preferable.
- Several members suggested beginning with approximately ten mooring balls.
- Reasons included:
  - Weekday demand appeared to be approximately seven or eight larger vessels.
  - Weekend use was estimated at approximately ten vessels.
  - Installing too many moorings initially could create unnecessary cost.
  - Mooring hardware was estimated at approximately $8,000 to $10,000 per mooring.
  - Starting with ten would allow the city to evaluate actual use before expanding.
- Members cautioned that once heavy anchoring systems were installed, removing or relocating them would be difficult.

- Staff emphasized that exact numbers and phasing would be evaluated later through a feasibility process.

❖ **Relationship with the Existing docks**

- A member expressed concern about proceeding with a mooring field while a large existing docking facility remained unused.
- The member suggested that use of the docks should be resolved before determining the final size of a mooring field.
- Discussion followed regarding the City's level of control over the docks.
- Members stated that:
    - The city may have land-use authority.
    - The city did not yet have full management control.
    - Ownership, lease, and operational issues remained unresolved.
    - Litigation or other legal proceedings could delay resolution for six months to two and one-half years or longer.
- Members also raised concerns that the docks were built for residential use and not commercial standards.
- A member cautioned that conversion to commercial use could require substantial upgrades, including:
    - Heavier structural components.
    - Concrete pilings.
    - Pump-out facilities.
    - Insurance and liability review.
- Members ultimately indicated that the mooring field should proceed independently rather than wait for resolution of the docks
- The possibility remained that future use of the docks could reduce the eventual number of moorings needed.

On a motion by Board member Osbourne, seconded by with Chairman Green to add the Breakwater/snorkeling project and the Destin Harbor Mooring Field projects to the Harbor and Waterways Board work plan list. In discussion, the members spoke of the following concerns:

- **Safety concerns**
- **Location of where they feel they should be placed**
- **Project phasing**
- **Cost**
- **Relationship with the unused docks**
- **Potential expansion into Joe's Bayou**

Mr. Butler stated that, if adopted, the next step would be preparation of feasibility reports. He also noted that Mr. Stephens had already prepared extensive background material, including a work plan package of approximately 26 pages. **With no further discussion, Chairman Green called for the vote, the motion passed 5-0.**

- The breakwater/snorkeling project and Destin Harbor mooring field were added to the Board's work plan list, bringing the total to five work plans.

❖ Update on the Million Oyster Project

- Mr. Butler described the Million Oyster Project as an initiative involving vertical oyster gardens throughout the harbor.
- With potential locations to include:
    - Private commercial docks.
    - Private single-family docks.
    - The City's grant coordinator has filed a preliminary informational grant request has been submitted.
    - The grant is believed to be a Natural Resource Damage Assessment (NRDA) grant.
    - The request was for approximately $400,000.
    - The city hopes to receive a response by the end of the year.
- Staff explained that the preliminary submission would be reviewed to determine whether the project aligned with the grant program's goals and policies.
    - If selected, the city would be invited to submit a full application.
    - The city also hoped to partner with the Choctawhatchee Basin Alliance.
    - The Alliance had previously participated in discussions and presentations with Mr. Stephens before the City Council.

❖ Update on Life Jacket Loaner Program

- Mr. Butler reported that the Life Jacket Loaner Program was accepted as a work plan in April.
- The project was undergoing a staff feasibility review.
- Staff explained that the feasibility process includes senior leadership review to determine whether the proposal is ready to advance to City Council.
- Staff anticipated completing feasibility reviews for several of the work plans together.

❖ Update on Surplus County Buoys

- Board member Hayden stated that he has not gotten in contact with Mike Norberg regarding the status of the project but acknowledged that he has seen some buoys at Leonard Destin Park and appeared to be marked "No Boating."
- Board member Hayden questioned:
    - If staff made the decision to move the buoys to Leonard Destin Park.
    - Whether placement at that location represented the final decision.
- Board member Hayden stated that, if the buoys have been placed, he would be comfortable closing the work plan.
- Staff agreed to:
    - Contact relevant City personnel.
    - Contact Mike Norberg.
    - Report back at the next meeting.

➢ Proposed Used Motor Oil Collection Facility Work Plan

- Chairman Green proposed development of a new work plan for a city-operated or city-managed used motor oil collection facility.
- The proposed facility would serve:
  - City residents.
  - Local businesses.
  - Marine-related operations.
- He stated that the project would align with the Board's responsibility for water quality.
- Concerns included:
  - Illegal upland disposal of motor oil.
  - Improper discharge into the harbor.
  - Lack of reliable public disposal locations.
  - Dependence on private businesses to voluntarily accept used oil.
- He referenced prior Board discussions about protecting water quality through measures such as oil-absorbent materials in lift stations and drainage systems near Highway 98.

❖ History of Local Used Oil Collection

- Historically, there used to be a large used oil collection facility that had previously operated at the co-op.
- That site had allowed public use but experienced problems with:
  - Improper dumping.
  - Trash being left around the site.
  - Lack of responsible oversight.
- Members stated that the facility was ultimately removed.
- Reasons discussed included:
  - Floodplain concerns.
  - Approximately $75,000 at the time for cleanup cost.
- Members noted that former public disposal locations listed by the State had been private oil-change businesses.
- Other locations mentioned are in Crestview, Fort Walton Beach.
- The members stated that most of those businesses were no longer operating.
- Current private options mentioned included:
  - O'Reilly Auto Parts.
  - Tony's Marine, for customers purchasing oil there.
  - Other private businesses with limited collection capacity.
- The members agreed that public access should not depend solely on the continued willingness of private businesses.

❖ Proposed Facility Size and Operations

- Board member Osbourne suggested that a facility with approximately 2,500 gallons of capacity may be appropriate.

- Members discussed the benefit of accumulating enough oil for a full truckload.
- A full truckload could:
    - Reduce hauling costs.
    - Possibly allow the oil to be resold which in turn could potentially offset operating expenses.
- Members emphasized that the site should be controlled and monitored.
- Proposed operating conditions included:
    - Operation by the Public Works Department.
    - Access only during normal business hours.
    - Use limited to city residents or businesses holding a city Business Tax Receipt (BTR).
    - Onsite camera surveillance is a must.
    - Placement on City property.
    - Staff monitoring and maintenance.
- These controls are intended to prevent midnight dumping, trash accumulation, and misuse.
- The site was considered potentially appropriate because it is already zoned Industrial.
- Anticipated physical improvements included:
    - Concrete pad.
    - Containment or retaining wall.
    - Covered structure or pole barn.
    - Storage tank.

❖ **State Grants**

- Board member Osbourne recalled that the State had previously offered grants of approximately $25,000 to $35,000 for installation of tanks and related infrastructure and believes similar grant funds might still be available.
- He offered to assist with preparing a grant application and spoke of using existing programs rather than creating new procedures from scratch.
- Possible sources of operating and regulatory models included:
    - Airport hazardous material procedures.
    - Military base hazardous-material programs.
    - Federal environmental regulations.
    - Programs used by other local governments.

- Mr. Butler advised that:
    - They should first draft the work plan.
    - Staff would provide the standard work plan template.
    - Staff and the members could work together on the draft.
    - Once completed, the proposal will be placed on a CRA Board agenda.
    - The CRA Board will then vote to determine if they want to accept the work plan and move forward with the necessary steps.
- Staff requested that the draft be submitted approximately one week before the next meeting.
- The next meeting was identified as July 23.

- The members and staff agreed to work on the proposal shortly after the July 4 holiday.

❖ Board Review of Dock Applications

- The members discussed the Board's current role in reviewing dock applications.
- Mr. Butler explained that, following the land development code rewrite, the Board no longer reviews residential docks.
- The Board now generally reviews:
    - Commercial docks.
    - Multifamily docks.
    - Condominium docks.
    - Single-family docks requesting a variance.
- Members noted that reduced dock-review responsibilities may allow more meeting time to be devoted to work plans.

❖ Discussion of NPEB Fees and Dock-Related Charges

- Members asked about a previously proposed fee or taxation structure for boat slips.
- Staff explained that:
    - The City Council approved Article 7 of the code rewrite substantially as drafted.
    - The existing NPEB provision was left unchanged.
    - The existing charge remained at 25% of construction cost within the harbor.
    - A proposed per-slip fee was not adopted.
- Members discussed concerns about different types of slips:
    - Slips extending into submerged lands or leases.
    - Slips excavated into privately owned upland property.
- A member contended that charging an additional fee on a slip located entirely within privately owned property constituted double taxation because the property was already assessed for property tax purposes.

- Staff noted that homestead exemption was discussed and was to be included for all Destin residents in relation to the proposal.
- Members asked whether the 25% NPEB fee applies to repairs of existing docks.
- Staff stated that, under the current ordinance, the fee applies even to repairs.
- Members expressed concern about applying the charge after storm damage.
- The members compared dock repair to replacement of a damaged roof and argued that an owner should not be charged again for restoring a structure already built and previously paid for.
- Members also discussed whether board-for-board replacement should be exempt.
- Staff stated that:
    - The ordinance had been in place since approximately 1986 or 1989.
    - Staff had considered repair-related concerns in its recommendation.
    - City Council retained the existing ordinance language.
- A distinction was discussed between:

  - Structures on privately deeded land.
  - Structures built over state-owned submerged lands.
- Members generally accepted that new construction may reasonably be subject to a known fee but remained concerned about applying the same charge to repairs.

❖ **Sunshine Law and Workshops**

- Board member Hayden asked for clarification regarding Florida's Sunshine Law.
- He asked whether Board members could work together outside a public meeting to develop or refine a work plan.
- The City Attorney advised that members may not privately discuss matters they know will come before the Board for action.
- Board members may work together only in a properly noticed public meeting.
- Staff explained that:
  - The Board may schedule a workshop.
  - The workshop must be publicly noticed.
  - Minutes must be taken.
  - A clerk must be present.
- Workshops may be used for:
  - Existing work plans.
  - New project ideas.
  - More detailed discussion that cannot be completed during regular meetings.
- Staff noted that workshops would preferably not be scheduled during the May through October period.
- It was noted that regular meetings may now provide sufficient time for work-plan discussions since residential dock reviews have been reduced.

Chairman Green opened the floor for public comment, with no one from the public being present to speak, he closed the public and turned the discussion over to the Board members for discussions.

➢ **Board Member Comments and Additional Discussion**

❖ **Navigation Lights at the Jetties**

- A question was posed about the current update on two navigational lights that had reportedly been promised for repair and whether the city could perform a temporary repair if the responsible federal agencies continued to delay.
- Mr. Butler explained that:
  - The U.S. Army Corps of Engineers would be involved in permitting.
  - The U.S. Coast Guard would also be involved.
  - The project has been moved higher on the priority list after outside assistance.
  - However, the lights were still behind higher-priority navigation projects.
  - It was suggested to request City Council approval to purchase two solar lights cost approximately $500 each.
  - Seeking permission for a temporary safety installation.

- The member emphasized that charter boats and other vessels return after dark and the lack of lights creates a safety concern.
- Staff stated that the last update had been received around March.

❖ Artificial Reef Program

- A member asked whether the city supports an artificial reef program.
- Staff stated that the City of Destin does not operate its own artificial reef program.

❖ Channel Shifts and Hydrodynamic Changes Near the Pass

- Members discussed changes in the navigational channel following recent dredging.
- Observations included:
    - The channel had shifted closer to the finger jetty.
    - A hole approximately 45 feet deep has formed.
    - The channel appeared to have moved farther east than had previously observed.
- Members attributed some changes to:
    - Armoring of Noriega Point.
    - Installation of T-groins.
    - Altered sand movement.
    - Increased water velocity through the pass.
- Chairman Green stated that the southeast corner of the ebb shoal appeared to be approximately one and one-half feet deeper than before the point was armored.
- Members discussed a “nozzling” effect in which water is concentrated and accelerated through the pass.
- Concerns included:
    - Strong suction near the back side of the finger jetty.
    - Potential swimmer danger.
    - Changing shoal conditions.
    - Impacts near the bridge and Crab Island.

❖ Navigation Charts and Buoy Placement

- Members stated that older NOAA raster charts and historical buoy placement had not always reflected the deepest part of the channel.
- Members noted that:
    - NOAA was transitioning away from raster charts.
    - Navigation data was becoming increasingly digital.
    - Navionics was perceived by some members as more accurate.
    - Coast Guard buoys had recently been moved closer to the actual deeper portion of the channel.
- Members discussed vessel draft and the risks of leaving the marked channel.

❖ Sand Trap Concept

- Members referenced county discussions concerning construction of sand traps near the west jetty.
- The concept would involve:
  - Dredging depressions outside the main channel.
  - Encouraging migrating sand to settle in designated areas.
  - Reducing shoaling in the navigation channel.
  - Making future maintenance dredging easier.
- Members referenced similar approaches used in other coastal locations.

❖ Swimmer Safety at Norriego Point

- Members expressed concern about the increasing number of swimmers outside the protected areas at Norriego Point.
- Members observed that people were swimming beyond the groins or enclaves and approaching areas of strong current.
- One member stated that swimmers moving another 20 feet could potentially be unable to return safely.
- The discussion reinforced earlier concerns about:
  - Current speed.
  - Altered hydrodynamics.
  - Need for better safety controls and buoy placement.

❖ Harbor Flushing Pump

- A member requested an update on the harbor flushing pump.
- The pump had reportedly gone down several months earlier but had since been restarted.
- Residents of Harbor Landing believed the pump might not be operating as strongly as before.
- Questions included:
  - Whether the pump was running at full capacity.
  - Whether it had been intentionally slowed.
  - Whether a mechanical problem remained.
- Staff stated that the pump was operating but could not confirm whether it was at full capacity.
- A member recalled that the pump had previously operated at approximately 75% or 80%.
- Members also recalled an earlier request for quarterly updates covering:
  - Pump run times.
  - Maintenance issues.
  - Operational status.
- A member described the previous failure as involving a separate water supply used to cool or lubricate bearings.
- Failure of that cooling supply reportedly damaged the bearing or shaft-related system.

- Members questioned why the design relied on a separate cooling pump rather than recirculating water from the primary system.
- Staff agreed to contact Michael Burgess and provide an update at the next meeting.
- The clerk also reached out during the meeting and agreed to forward any response to staff.

❖ **July 4 Fireworks and Drone Show**

- The City Attorney provided an update on the July 4 celebration.
- The event was described as primarily a fireworks show with drones incorporated into the presentation.
- Planned sequence:
  - Initial fireworks burst.
  - Approximately 12 minutes of drones.
  - Approximately 22 minutes of fireworks.
- The city is working with a local radio station, identified as 96.5, to coordinate music for the presentation.
- Harbor-area businesses were being encouraged to play the music loudly enough for viewers to hear.
- The event was scheduled for 9:00 p.m. on July 4.

❖ **Reason for Incorporating Drones**

- The City Attorney clerk explained that the initial interest in drones was related to shorebird protection.
- After a parcel near Norriego Point was fenced, shorebirds began nesting there in greater numbers.
- The city considered reducing fireworks in order to protect the birds.
- Public response favored retaining fireworks.
- The city developed a combined drone and fireworks presentation.

- The drone portion would also recognize the nation's 250th anniversary, covering the period from 1776 through 2026.
- A question was asked who had promoted the drone concept.
- The City Attorney stated that the mayor had supported the concept but clarified that:
  - The mayor did not have a financial interest in the drone-show company.
  - The mayor reportedly owned only a single drone used for imagery of real estate.
  - A large, coordinated drone show requires many drones and is a fundamentally different operation.
- The clarification was made in response to rumors circulating on social media.

Incidental Take Permit

- The City Attorney explained that staff discovered a requirement for an incidental take permit related to potential harm to protected shorebirds.

- The permit fee was stated to be approximately $10,000 per show.
- A question was asked whether all fireworks providers in Destin had been paying that fee.
- The City Attorney stated that the City was researching the issue.
- The city had contacted a major fireworks provider at Legendary.
- That provider's attorneys had not yet supplied a definitive answer.
- Members questioned:
    - Who enforces the permit requirement.
    - Whether the permit applies only when an established bird colony is present.
    - Whether fireworks launched from different locations are treated differently.
- The City Attorney indicated that applicability may depend on location and the presence of a nesting colony.

❖ **City, County, and State Discussions Concerning Park Property**

- Members asked whether the City had met with the Florida Department of Environmental Protection regarding the disputed park or waterfront property.
- The City Attorney confirmed that:
    - She and the City manager met with FDEP.
    - FDEP's attorney and a deputy secretary participated.
- FDEP reportedly preferred that the City and County resolve the matter without litigation.

- She stated that FDEP appeared to understand the City's position and the potential paths are:
    - Reach an agreement with the County.
    - Seek placement on the State Board of Trustees agenda.
    - Await a County request for City land-use permitting.
- To obtain State management rights without County support, the city might need to seek action by the Board of Trustees.
- Placement on that agenda would generally require action by the Governor.
- Members discussed uncertainty regarding how long that process could take.

❖ **County Request for Free Parking**

- Members discussed a county proposal related to free parking.
- The City Attorney stated that Commissioner Palmer had asked the city to provide free parking to county residents wherever the city charges for parking. In exchange, Commissioner Palmer reportedly indicated he would approach the State regarding the property issue.
- The City Attorney stated that, in her view:
    - The State was not directing the county's actions.
    - The county itself was seeking a specific concession.
    - Members discussed whether the county legally committed to managing the property and contributing approximately $5 million.
- Concerns included:

  - The issue was allegedly raised at the end of an August 19, 2025 meeting.
  - It was not clearly listed on the agenda.
  - Public comment had already concluded.
  - No formal recorded vote appeared to have occurred.
  - Commissioners were not given an opportunity to disclose or abstain because of potential conflicts.
- The clerk described two possible interpretations:
  - The county committed to the project without proper notice, public participation, or vote.
  - The county did not formally commit to but later sent the State a letter claiming it had committed funding and management responsibilities.
- Members stated that both possibilities raised legal concerns.
- Discussion also referenced comments by a commissioner who reportedly stated that she did not know what she was voting on or that no formal vote had occurred.

❖ **Public Records and Permitting**

- Members discussed difficulties obtaining county public records.
- The City Attorney stated that she had recently received records after multiple requests and had made them available through a public link and the records showed:
  - A county request that the State circumvent city permitting.
  - A response from the State, approximately six hours later, declined the request.
- Members questioned why the county continued to proceed after receiving the State's response.

❖ **Upcoming Meetings**

- The City Attorney encouraged members to attend a City Council informational briefing on July 6.
- The County's July 7 south-end meeting was described as a budget workshop rather than a regular meeting.
- The next regular County meeting was identified as July 14 in Crestview.
- Members speculated that the scheduling could delay public discussion until after a political primary.

➢ **Next meeting: July 23, 2026**

6. ADJOURNMENT:

With there being no further discussion, the meeting adjourned at 6:40 p.m.

Adopted and approved this _____ day of _____ 2026.

_____ _____

Capt. Jim Green, Chairman Kim Montgomery, Deputy City Clerk

MINUTES OF THE
PARKS & RECREATION COMMITTEE
DESTIN CITY HALL BOARDROOM
MAY 26, 2026 - 4:00 PM

1. **CALL TO ORDER:**

   Chairwoman Weidenhamer called the Parks & Recreation Meeting to order at 4:03 p.m. on Tuesday, May 26, 2026, in the Destin City Hall Boardroom immediately followed by the Pledge of Allegiance.

2. **ROLL CALL AND PLEDGE OF ALLEGIANCE:**

Members Present	**Members Absent**	**Staff Present**
Autumn Weidenhamer	Jessica Jullian	Lisa Firth P&R Director
Aubrey Santucci		Ryan Reed P&R Deputy Director
Andrea Ansley		Bryan Kellar Recreation Supervisor
Alison Stephens		Sharon Gardner Records Mgmt. Specialist
Jan McGraw		

3. **AGENDA APPROVAL: Motion made by Chairwoman Weidenhamer for approval of the agenda. Committee member McGraw provided the second. Motion passed 5-0. Vice Chairwoman Jullian was absent from the meeting.**

4. **APPROVAL OF MINUTES: APRIL 28, 2026-** Chairwoman Weidenhamer asked for approval of the minutes of the April 28, 2026, meeting. Committee member Santucci asked for the word "Firefighters" to be changed to "Fireworks" on the last paragraph of page one.

   Motion made by Committee member Stephens to approve the minutes of April 28, 2026, with the correction from "Firefighters" to Fireworks". Committee member Ansley provided the second. Motion passed 5-0. Vice Chairwoman Jullian was absent from the meeting.

5. **OLD BUSINESS: NONE**

   Vice Chairwoman Jullian joined the meeting at 4:15.

6. **NEW BUSINESS:**

   A. Independence Day Bike Parade- Parks & Recreation Deputy Director Ryan Reed

   Deputy Director Reed announced the Independence Day Bike Parade activities will take place July 1, 2026, beginning at 4pm at Destin Elementary School. The actual parade will start at 6pm, and there will be food trucks on site. He encouraged the committee members to attend, and if they wanted to volunteer to help out or participate as a parade judge to let him know.

B. Upcoming Parks and Recreation Meeting Schedule: Deputy Director Ryan Reed

Deputy Director Reed discussed the possibility of not having a meeting in July due to it being such a busy month for events for the Parks and Recreation team, and possibly not having meetings in November and December due to the holidays. He advised the committee members that Pierce from the DEP will possibly be coming to the June meeting to present to this committee the plans for Joe's Bayou, which he's hoping to do before he presents them to city council.

Several committee members stated they were unsure about being available for the July Parks and Recreation meeting due to possible upcoming travel plans.

C. Parks and Recreation Budget: Deputy Director Ryan Reed

Committee members and staff discussed the upcoming operating and capital budget planning process. Staff reported that the operating budget was substantially complete and would next proceed to review by the Finance Director and the City Manager's office before moving into capital budget discussions. It was noted that additional time remained for capital planning efforts.

Staff referenced the committee's previous motion concerning the building project, stating that the motion would serve as a primary point of support moving forward during budget consideration discussions. Staff emphasized that current budget priorities continue to center on renovations and improvements at Morgans facilities, particularly those associated with ball field expenses and related infrastructure improvements. Chairwoman Weidenhamer asked whether additional requests had been added to this year's budget proposal. Deputy Director Reed responded that most requests remained consistent with prior years, particularly those associated with Morgans facilities.

Current requests include:

- Playground lighting improvements
- Fencing upgrades
- Sod replacement
- Additional shade structures at the dog park
- Safety netting
- Dugout renovations
- Batting cage lighting improvements.

Deputy Director Reed explained that these items have been packaged together and presented to the Finance Director, the City Manager, and City Council.

Additional discussion addressed long-term renewal and replacement planning for other park facilities. Staff further reported that installation of lighting at the Morgans batting cages was already underway, and that fencing improvements remain an important budget priority despite anticipated funding challenges.

Additional facility needs discussed included:

- Restroom improvements at Buck Destin
- Funding efforts for restroom upgrades

- Construction of a cemetery shed
- Continued pursuit of safety netting improvements.

Committee member Ansley asked for clarification regarding fencing improvements at the dog park, specifically whether improvements would apply to one or both dog park areas.

Deputy Director Reed confirmed that both the large and the small dog park fencing areas would be included, along with replacement gates matching the current configuration. Estimated project costs were $59,000 and would include double maintenance gates, switch screws and related hardware. It was emphasized that these elements were necessary components of the project and wouldn't be removed from the proposal.

D. 4th of JULY CELEBRATION: Deputy Director Ryan Reed

Staff and committee members conducted an extensive discussion regarding the City's 2026 Fourth of July celebration plans, specifically the ongoing debate concerning the use of traditional fireworks, drone shows, or a combination of both Staff opened the discussion by acknowledging significant public reaction and online commentary following the recent City Council meeting regarding the proposed Fourth of July event format. Committee members referenced Council's recent vote related to a drone show proposal and discussed confusion among residents concerning whether fireworks had officially been canceled.

Staff clarified that no final contract had yet been approved or signed for either fireworks or drone services. It was explained that the City's existing fireworks agreement with Pyro Shows remains structured as a continuing annual contract requiring yearly council approval. Staff stated that Parks and Recreation had originally planned to:

- Continue the traditional fireworks display;
- Request an additional $10,000 allocation for an expanded "grand finale" in honor of the 250th anniversary, and
- Potentially supplement the celebration with additional features.

Discussion centered heavily on public response to the proposal. Committee members noted that many residents strongly support maintaining the traditional fireworks display, while others expressed interest in incorporating newer technologies such as drones. Several committee members emphasized that the primary concern was not necessarily the idea of a drone show itself, but rather the process by which the proposal was introduced without prior discussion with the Parks and Recreation committee. Further discussion addressed environmental permitting and operational requirements associated with the fireworks display. Following extensive discussion, it was determined to make the following motion:

Motion made by Chairwoman Weidenhamer that the Parks and Recreation Committee propose keeping the fireworks for the 250th anniversary on the 4th of July and adding a supplemental drone show from an alternate location. Committee member Ansley provided the second. Motion passed 6-0

It was further discussed among the committee members and staff that they would present this motion to City Council at the June 1st meeting.

7. COMMITTEE MEMBER COMMENTS/QUESTIONS

A. Chairwoman Weidenhamer- Pooch Palooza Recap

Chairwoman Weidenhamer reported that the Pooch Palooza event was another successful community event and fundraiser. It was announced that the event generated approximately $1041 in proceeds, which was noted to be comparable to the previous year's fundraising total. Numerous vendors expressed satisfaction with the event's turnout and reported strong participation and sales during the event. Several vendors also indicated interest in returning for next year's event. Discussion followed regarding possible future uses for the accumulated funds and it was noted that previous recommendations had included the potential installation of agility course equipment in both the small and large dog park areas.

Staff also mentioned ongoing concerns related to turf conditions and associated replacement costs, noting that current available funds wouldn't be sufficient to address larger turf improvement projects at this time. Committee members discussed whether to utilize the currently available funds for a smaller improvement project or continue saving proceeds from further Pooch Palooza events in order to fund a larger capital improvement item for the dog parks.

Deputy Director Reed provided an update regarding recent improvements at the dog park facilities, specifically addressing bench replacement efforts. Staff explained that attempts had been made to refurbish several existing benches; however, the rehabilitation process was ultimately unsuccessful.
As a result, staff reported that new benches have been ordered for the dog park. Committee members expressed appreciation for staff's quick response to public concerns regarding the condition of the benches. Additional positive feedback was shared regarding recent reseeding and turf improvements at the dog park, specifically recognizing Lawrence "Scotty" Atkins, Parks Supervisor for the successful grass restoration efforts and the improved appearance of the facility.

Committee members and staff also discussed future shade structure possibilities for the dog park, along with ideas for improving the drinking fountains for the dogs.

Chairwoman Weidenhamer discussed the anticipated completion of the new pickleball courts and the potential ribbon-cutting ceremony to commemorate the project. Discussion turned to event planning and promotional items for the ceremony, along with the completion date of the project. Staff provided a project update, explaining that several components on the project remain incomplete. While irrigation work has been installed, the contractor has completed sod placement and tree installation, and some remaining items still require attention. Staff noted that court surfacing work had been scheduled but was delayed due to wet weather conditions. Additional utility-related issues also remain under review before the project can be fully completed. Committee members agreed that it would be acceptable if the courts became operational prior to the formal ribbon-cutting ceremony

and they discussed waiting until the next meeting to review project status and determine whether a ceremony date could be established at that time.

B. Committee member Stephens-

Committee member Stephens recognized the City and the American Legion for their efforts in organizing the recent Memorial Day service. The member complimented the event, describing it as a beautiful presentation and specifically praised the decision to relocate the ceremony to the Community Center due to the weather conditions. Appreciation was expressed for the successful coordination of the event and the respectful manner in which the observance was conducted.

Committee member Stephens inquired about the progress of obtaining and installing the fishing line disposal unit for the Norriego Point Park area. Director Firth indicated that they didn't have a current update available but would contact the individual coordinating the effort to determine the status of the project and whether an additional fishing line recycling station had been secured. It was agreed to follow up and provide an update at a future meeting.

C. Vice Chair Jullian-

The Vice Chairwoman inquired whether the City planned to recognize National Parks Month in July, and asked whether any special activities, events, or recognitions were traditionally conducted in conjunction with National Parks Month. Director Firth explained that the city typically recognizes National Parks month through a proclamation presented by City Council. It was noted that members of the Parks and Recreation Committee are generally invited to attend the Council meeting and participate in the proclamation presentation and acceptance.

D. Committee member McGraw- Nothing today.

E. Committee member Santucci-

Committee member Santucci inquired about possibly having a special boat parade for the upcoming 250th anniversary celebration. Committee members discussed the concept and recognized its appeal as a community event; however, concerns were raised regarding safety and navigation challenges associated with hosting a boat parade during the Fourth of July holiday period. It was noted that nighttime navigation on local waterways can already be difficult due to increased vessel traffic, including rented pontoon boats and recreational boaters who may be unfamiliar with the area's waterways. Members agreed that adding another large-scale marine event on the same day could present operational and safety challenges. Discussion concluded by acknowledging the boat parade concept as a positive idea for future consideration and community engagement opportunities.

Committee member Santucci raised concerns regarding conditions at a city waterway access site near ongoing private construction activity in the area of 731 Bayou Drive. It was noted that construction-related storage materials and a dumpster were situated on City property or within the public right-of-way. Committee member Santucci discussed vegetation management needs at the same waterway access location and advised that a

local contractor had volunteered to assist with clearing the area by bush hogging the overgrowth and removing debris at no cost to the City. Staff expressed appreciation for the volunteer offer and agreed that an on-site meeting would be beneficial to evaluate the location and determine the appropriate course of action.

F. Committee member Ansley-

Committee member Ansley noted that their primary comments regarding the Fourth of July had already been addressed earlier in the meeting but wished to recognize recent improvements completed at Buck Destin Park. Residents had expressed appreciation to her for the newly installed fencing at the park. Committee member Ansley stated she had personally observed the fencing and felt it was a significant improvement in the facility. Additional compliments were offered regarding the appearance of recent decorative enhancements and landscaping improvements within the park system. Staff expressed appreciation for the recognition.

8. PUBLIC COMMENTS: NONE

9. NEXT MEETING JUNE 23, 2026

10. ADJOURNMENT: Having no further discussion, the meeting was adjourned at 5:11 PM.

Adopted this 28th day of July, 2026.

Autumn Weidenhamer, Chairwoman

Sharon L. Gardner Records Mgmt. Specialist

LOCAL PLANNING AGENCY
MEETING MINUTES
JUNE 18, 2026 - 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 18, 2026, 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
James T. Wood, Jr.	Bree Uptigrove	Sharon Gardner, Records Specialist
Todd Buhr		Daniel Butler Principal Planner
Ken Wampler		Chris Rush Planner
Marcie Bell		Kimberly Kopp City Attorney
Jay Purut		
Tammy Weidenhamer		

3. AGENDA APPROVAL:

Motion to approve the agenda was made by Agency member Wampler with Agency member Bell providing the second. The motion passed 6-0.

4. APPROVAL OF MINUTES:

- **May 21, 2026**

Motion to approve the above minutes of the May 21, 2026 meeting minutes was made by Agency member Wampler, with Agency member Purut providing the second. The motion passed 4-0, Agency member Bell was not present for the vote.

5. NEW BUSINESS:

A. Proposed Ordinance 26-07-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, RENUMBERING AND RENAMING ARTICLE 16 "SIGNS," OF THE LAND DEVELOPMENT CODE TO A NEW ARTICLE 8 "SIGN REGULATIONS"; MODIFYING, AMENDING AND UPDATING CITY SIGN REGULATIONS AS PROVIDED HEREIN; 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.

Mr. Butler reviewed the proposed revisions made to the Sign Regulations with the LPA members before forwarding them to the City Council, explaining that staff wanted to ensure they fully understood the practical implications of the proposed ordinance.

He summarized the current proposal:

- Digital signage would generally be prohibited throughout the city.
- Existing digital signs would become legal nonconforming uses and be allowed to remain for 10 years before removal under the proposed sunset provision.
- Maximum sign height had previously been reduced from 26 feet to 12 feet.
- Institutional zoning districts would continue to allow digital signage for institutional uses under the draft ordinance.

He then discussed several potential consequences of prohibiting digital signs:

- Gas stations that currently rely on electronic price displays that can be updated remotely.
- Eliminating electronic pricing would require employees to manually have to change the current fuel prices.
- Property owners could pursue rezoning requests to qualify for the institutional zoning exception.
- Rezoning requests could potentially create concerns involving:
    - Spot zoning
    - Nonconforming uses
    - Increased development pressure on zoning classifications.

He outlined several policy alternatives for members consideration, including:

- Continue allowing digital signs citywide with stricter regulations.
- Maintain the ordinance as drafted.
- Completely prohibit digital signage citywide.
- Consider allowing a limited category of electronic changeable copy (ECC) signs as a compromise.

He then introduced examples from other Florida municipalities.

- Gainesville currently prohibits digital signs.
- Miami and Lakeland regulates Electronic Changeable Copy (ECC) signs rather than full digital displays.
- ECC signs:
    - Display static messages.
    - May display text, dates, temperatures, or announcements.
    - Do not contain animation or video.
    - Can be regulated by:
        - Display duration
        - Brightness

- Glare
- Maximum electronic display area
- Frequency of message changes.

Other examples discussed included:

- Church message boards.
- Temperature displays.
- Gas station fuel price signs.

Board members discussed sign regulations in:

- Panama City Beach
- Gulf Breeze
- South Walton
- Perdido Key
- Gainesville

Members noted that nearby communities have successfully operated with stricter limitations on digital signage while still allowing businesses to function effectively.

Mixed Use District Sign Area

A board member questioned an apparent inconsistency in the draft ordinance regarding:

- Maximum individual sign area.
- Mixed-use districts.
- South Harbor Mixed Use.
- North Harbor Mixed Use.

Staff acknowledged what appeared to be a drafting error.

Consensus was reached to revise the table so that:

- Maximum individual sign size would read **10 square feet** for consistency throughout the table.

Harbor Mixed Use Districts

Discussion clarified why North Harbor and South Harbor Mixed Use districts remain separate from other mixed-use districts.

Staff explained differences include:

- Waterfront signage allowances.
- Different setback requirements.

- Protrusion allowances into front setbacks.

The Board agreed the separate categories remain appropriate.

Agency member Wampler questioned language regarding, *"Common property owned by the homeowner's property or condominium."* His concern centered on whether the language could mistakenly imply individual property ownership.

Mr. Butler clarified:

- The intent is property owned by a homeowners' association, condominium association, or similar organization.
- The ordinance does not authorize individual homeowners to install association signs.

The Board discussed time limitations for temporary event signage.

Current draft:

- No earlier than 10 days before the event.
- Removed within 30 days afterward.

Members believed the timeline should better reflect actual event promotion. The consensus supported revising the language to allow:

- Up to **30 days before** an event.
- Removal within **10 days after** the event.

Staff agreed to revise the language accordingly.

Further discussion focused on language previously added regarding removal of existing digital signs.

The proposal would require removal after:

- 10-year sunset period, or
- Transfer of ownership/change in ownership interest.

The City Attorney indicated she had previously reviewed the language and expressed no concerns with the legal approach.

Chairman Wood provided an extensive discussion regarding his evolving position on digital signs. His key comments were:

- He expressed uncertainty about the ordinance despite previously supporting the sign code.
- He referenced the American Legion property as an example.

- He mentioned how institutional zoning may be the more appropriate zoning classification for that property.
- He anticipated additional public interest once the ordinance reached City Council.
- He emphasized that his responsibility was to recommend what he believed served the City's long-term interests rather than personal interests.
- He stated he generally favored eliminating digital signs over time but wanted the institutional zoning issue fully discussed by the City Council before final adoption.

The members discussed the following:

- Whether ECC signs provide an appropriate compromise.
- Electronic gas station pricing displays.
- Church message boards.
- American Legion signage.
- Hank's Fine Furniture's recently installed digital sign.
- Whether applicants should be warned of pending code changes before permits are issued.

Staff responded that:

- Permits are reviewed under the code that is in effect when submitted.
- Future code amendments cannot practically be predicted during permit review.
- Property owners assume the risk that regulations may change in the future.

Motion by Agency member Wampler, seconded by Agency member Purut to recommend approval of Proposed Ordinance 26-07-LC, including the revisions discussed during the meeting. Chairman Wood opened the public hearing for the public to speak, with no one coming forward, he closed the public portion of the hearing and called for the vote. **The motion passed 5-1, with Chairman Wood casting the dissenting vote.**

7. ADJOURNMENT:

Having no further discussion at this time, the meeting adjourned at 6:15 p.m.

Adopted and approved this _____ day of _____ 2026.

_____ _____

James T. Wood, Jr. Chairman Kimberly Montgomery Deputy City Clerk

ITEM # 2026-706

CITY OF DESTIN

AGENDA ITEM

COUNCIL MEETING DATE: August 3, 2026
TYPE OF AGENDA ITEM: City Manager Report
AGENDA OUTLINE NUMBER: 4.H.

TO: City Council

THRU:

FROM:

DATE:

SUBJECT: Announcements

I. BACKGROUND:

II. DISCUSSION:

A. Link to Strategic Goals / Objectives:
B. Effect on Budget (EOB):
C. Level of Service (LOS):
D. Legislative Sponsor:
E. Business Impact Statement:

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

None

ITEM # 2026-785

CITY OF DESTIN

AGENDA ITEM

COUNCIL MEETING DATE: August 3, 2026
TYPE OF AGENDA ITEM: Public Hearing
AGENDA OUTLINE NUMBER: 5.A.

TO: City Council

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

FROM: Tina Deater, Community Development Director

DATE: July 23, 2026

SUBJECT: Second reading of Ordinance 26-16-LC - AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLE 3 "DEFINITIONS" AND ARTICLE 11 "COASTAL MANAGEMENT AND CONSERVATION" OF THE LAND DEVELOPMENT CODE TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; 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.

I. BACKGROUND: Staff recommends approval of Ordinance 26-16-LC for consistency with the City's jurisdictional boundaries as established in the City Charter.

II. DISCUSSION: Ordinance 26-16-LC is an ordinance that will clarify the definition of "beach" within the Land Development Code for consistency with the City Charter boundaries. References to the "mean low water line" in the definition of beach will be replaced with "mean high water line" for purposes of City Code definitions of beach.

A. Link to Strategic Goals / Objectives:
B. Effect on Budget (EOB):
C. Level of Service (LOS):
D. Legislative Sponsor:
E. Business Impact Statement:

III. CONCLUSION: Staff recommends approval of Ordinance 26-16-LC to clarify the definition of beach to the jurisdictional boundaries of the City.

IV. RECOMMENDED MOTION: I move to approve Ordinance 26-16-LC on second reading.

Attachments:

1. Ord. 26-16-LC - LDC Beach definition

ORDINANCE NO. 26-16-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLE 3 "DEFINITIONS" AND ARTICLE 11 "COASTAL MANAGEMENT AND CONSERVATION" OF THE LAND DEVELOPMENT CODE TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; 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, section 2.01 of the City Charter establishes the City's jurisdictional boundaries which run to and meander along the mean **high** water line of the Gulf of Mexico; and

WHEREAS, currently the City Land Development Code, Code of Ordinances, and Comprehensive Plan each define beach as running to the mean **low** water line, which is outside the jurisdictional limits of the City, causing confusion during City Code enforcement efforts at beaches located within the City; and

WHEREAS, the City Council has determined that it is in the best interest of the public to amend its Land Development Code, Code of Ordinances, and Comprehensive Plan to clarify the definition of beaches for purposes of City Codes; and

WHEREAS, this Ordinance 26-16-LC will amend the Land Development Code to modify the definition of "beach" for consistency with the City's jurisdictional boundaries as set forth in the City Charter; and

WHEREAS, the Local Planning Agency held a public hearing, with all required public notice on May 21, 2026 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.

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

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

NOTE: Language in Sections 3 and 4 of this ordinance that is ~~strike-thru~~ is language proposed to be deleted, underline language is language to be added, language that follows ellipses (. . . .) and/or that is not in strike-thru or underlined is not to be changed. The symbol * and the symbol (. . . .) both represent sections of the Land Development Code that have been skipped and remain unchanged.**

SECTION 3. LDC Section 3.00.01. - Definitions.

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.

***

Beach: The zone of unconsolidated material that extends landward from the mean high ~~low~~ water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves. . . .

***

SECTION 4. LDC 11.08.02. *Regulation of the use and conduct on the beach.*

***

Definition of beach. The zone of unconsolidated material that extends landward from the high ~~low~~ water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves. . . .

***

SECTION 5. 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 6. CONFLICTING PROVISIONS. 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 7. 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 8. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

ADOPTED THIS ____DAY OF _____, 2026.

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.

_____
Kimberly Romano Kopp, City Attorney

_____
Lisa Wallace, City Clerk

First Reading: _____
Second Reading: _____

ITEM # 2026-786

CITY OF DESTIN

AGENDA ITEM

COUNCIL MEETING DATE: August 3, 2026
TYPE OF AGENDA ITEM: Public Hearing
AGENDA OUTLINE NUMBER: 5.B.

TO: City Council

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

FROM: Tina Deater, Community Development Director

DATE: July 23, 2026

SUBJECT: Second reading of Ordinance 26-17-CC - AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

I. BACKGROUND: Staff recommends approval of Ordinance 26-17-CC for consistency with the City's jurisdictional boundaries as established in the City Charter.

II. DISCUSSION: Ordinance 26-17-CC is an ordinance that will clarify the definition of "beach" within the Code of Ordinances for consistency with the City Charter boundaries. References to the "mean low water line" in the definition of beach will be replaced with "mean high water line" for purposes of City Code definitions of beach.

A. Link to Strategic Goals / Objectives:
B. Effect on Budget (EOB):
C. Level of Service (LOS):
D. Legislative Sponsor:
E. Business Impact Statement:

III. CONCLUSION: Staff recommends approval of Ordinance 26-17-CC to clarify the definition of beach to the jurisdictional boundaries of the City.

IV. RECOMMENDED MOTION: I move to approve Ordinance 26-17-CC on second reading.

Attachments:

1. Ord. 26-17-CC - Code Beach definition

ORDINANCE NO. 26-17-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING SECTION 14-203 OF THE CODE OF ORDINANCES TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; 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, section 2.01 of the City Charter establishes the City's jurisdictional boundaries which run to and meander along the mean **high** water line of the Gulf of Mexico; and

WHEREAS, currently the City Land Development Code, Code of Ordinances, and Comprehensive Plan each define beach as running to the mean **low** water line, which is outside the jurisdictional limits of the City, causing confusion during City Code enforcement efforts at beaches located within the City; and

WHEREAS, the City Council has determined that it is in the best interest of the public to amend its Land Development Code, Code of Ordinances, and Comprehensive Plan to clarify the definition of beaches for purposes of City Codes; and

WHEREAS, this Ordinance 26-17-CC will amend the Code of Ordinances to modify the definition of "beach" for consistency with the City's jurisdictional boundaries as set forth in the City Charter; and

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

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

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

NOTE: Language in Sections 3 and 4 of this ordinance that is ~~strike-thru~~ is language proposed to be deleted, <u>underline language</u> is language to be added, language that follows ellipses (. . . .) and/or that is not in strike-thru or underlined is not to be changed. The symbol * and the symbol (. . . .) both represent sections of the Land Development Code that have been skipped and remain unchanged.**

***

SECTION 3. Sec. 14-209. – Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Beach: The zone of unconsolidated material that extends landward from the mean <u>high</u> ~~low~~ water line to the place where there is a marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves. . . .

***

SECTION 4. INCORPORATION INTO CODE OF ORDINANCES. This ordinance shall be incorporated into the City of Destin's Code of Ordinances 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. 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.

(Signature Page Follows)

ADOPTED THIS ____DAY OF _____, 2026.

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.

_____
Kimberly Romano Kopp, City Attorney

_____
Lisa Wallace, City Clerk

First Reading: _____
Second Reading: _____

ITEM # 2026-787

CITY OF DESTIN

AGENDA ITEM

COUNCIL MEETING DATE: August 3, 2026
TYPE OF AGENDA ITEM: Public Hearing
AGENDA OUTLINE NUMBER: 5.C.

TO: City Council

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

FROM: Tina Deater, Community Development Director

DATE: July 23, 2026

SUBJECT: Second reading of Ordinance 26-18-PC - AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING CHAPTER 13 "GLOSSARY" OF THE CITY'S COMPREHENSIVE PLAN TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

I. BACKGROUND: Staff recommends approval of Ordinance 26-18-PC for consistency with the City's jurisdictional boundaries as established in the City Charter.

II. DISCUSSION: Ordinance 26-18-PC is an ordinance that will clarify the definition of "beach" within the Comprehensive Plan for consistency with the City Charter boundaries. References to the "mean low water line" in the definition of beach will be replaced with "mean high water line" for purposes of City Code and Comprehensive Plan definitions of beach.

As a result of the recommendation to approve by City Council on first reading on May 18, 2026, Staff sent the proposed revisions to the State Department of Commerce for review on May 26, 2026. On June 25, 2026, Staff received a letter from the State indicating that the reviewing entities had no comment on the proposed amendment. Therefore, if adopted, Staff will send the adopted amendment to the State to become effective.

A. Link to Strategic Goals / Objectives:
B. Effect on Budget (EOB):
C. Level of Service (LOS):
D. Legislative Sponsor:

E. Business Impact Statement:

III. CONCLUSION: Staff recommends approval of Ordinance 26-18-PC for consistency with the City's jurisdictional boundaries as established in the City Charter.

IV. RECOMMENDED MOTION: I move to approve Ordinance 26-18-PC on second reading.

Attachments:

1. Ord. 26-18-PC - Comp Plan Beach definition
2. State Response - No Comments - Proceed
3. 26-18-PC - Beach Definition Changes State Letter

ORDINANCE NO. 26-18-PC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING CHAPTER 13 "GLOSSARY" OF THE CITY'S COMPREHENSIVE PLAN TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; 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, section 2.01 of the City Charter establishes the City's jurisdictional boundaries which run to and meander along the mean **high** water line of the Gulf of Mexico; and

WHEREAS, currently the City Land Development Code, Code of Ordinances, and Comprehensive Plan each define beach as running to the mean **low** water line, which is outside the jurisdictional limits of the City, causing confusion during City Code enforcement efforts at beaches located within the City; and

WHEREAS, the City Council has determined that it is in the best interest of the public to amend its Land Development Code, Code of Ordinances, and Comprehensive Plan to clarify the definition of beaches for purposes of City Codes; and

WHEREAS, this Ordinance 26-18-PC will amend the City's Comprehensive Plan to modify the definition of "beach" for consistency with the City's jurisdictional boundaries as set forth in the City Charter; and

WHEREAS, the Local Planning Agency held a public hearing, with all required public notice on May 21, 2026 for the purpose of providing recommendations to the City Council with regard to this Ordinance amending the City's Comprehensive Plan and recommended that the City Council adopt the Ordinance; 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 Section 3 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. Comprehensive Plan Chapter 13. Glossary

***

Policy 13-1.1.1: Definitions within the Comprehensive Plan. The following technical terms as used in the Comprehensive Plan shall have the meanings presented below.

***

Beach: The zone of unconsolidated material that extends landward from the mean <u>high</u> ~~low~~ water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves. . . .

***

SECTION 4. INCORPORATION INTO COMPREHENSIVE PLAN. This ordinance shall be incorporated into the City of Destin's Comprehensive Plan 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. 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 occurrence of all three of the following: (1) its adoption by the City Council, (2) signature by the Mayor, and (3) The Comprehensive Plan amendment set forth herein shall not become effective, in accordance with Section 163.3184(3), *Florida Statutes*, until 31 days after the State land planning agency (Florida Department of Economic Opportunity) notifies the City that the Comprehensive Plan amendment package is complete. If timely challenged, the Comprehensive Plan amendment shall not become effective until the said State land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

(Signature Page Follows)

ADOPTED THIS ____DAY OF _____, 2026.

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.

_____
Kimberly Romano Kopp, City Attorney

_____
Lisa Wallace, City Clerk

First Reading: _____
Second Reading: _____

June 25, 2026

The Honorable Bobby Wagner
Mayor, City of Destin
4200 Indian Bayou Trail
Destin, Florida 32541

Dear Mayor Wagner,

FloridaCommerce has reviewed the proposed comprehensive plan amendment for the City of Destin (Amendment No. 26-01ESR) received on May 26, 2026. The review was completed under the expedited state review process. FloridaCommerce has no comment on the proposed amendment.

The local government should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, FloridaCommerce has enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the local government is reminded that:

- Section 163.3184(3)(b), Florida Statutes (F.S.), authorizes other reviewing agencies to provide comments directly to the local government. **If the local government receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption**.

- The local government shall hold a second public hearing, which shall be a hearing on whether to adopt the comprehensive plan amendment. **If the local government fails, within 180 days after receipt of agency comments, to hold the second public hearing, the amendment is deemed withdrawn** unless extended by agreement with notice to the state land planning agency and any affected person that provided comments on the amendment pursuant to section 163.3184(3)(c)1., F.S**. If the amendment is not adopted at the second public hearing, the amendment shall be formally adopted by the local government within 180 days** after the second public hearing is held **or the amendment is deemed withdrawn.**

- **The adopted amendment must be transmitted to FloridaCommerce within 30 working days after the final adoption hearing or the amendment shall be deemed withdrawn pursuant to 163.3184(3)(c)2., F.S.** Under section 163.3184(3)(c)2. and 4., F.S., **the amendment effective date** is 31 days after FloridaCommerce notifies the local government that the amendment package is complete or, if challenged, until it is found to be in compliance by FloridaCommerce or the Administration Commission.

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

If you have any questions concerning this review, please contact Matthew Preston, Planning Analyst, by telephone at (850)-717-8490 or by email via Matt.Preston@Commerce.fl.gov.

Sincerely,

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/mp

Enclosure(s): Procedures for Adoption

cc: Tina Deater, Community Development Director, City of Destin
Kandase Lee, Chief Executive Officer, Emerald Coast Regional Council

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using FloridaCommerce's electronic amendment submittal portal "**Comprehensive Plan and Amendment Upload**" (***https://fldeo.my.salesforce-sites.com/cp/***) **or** submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council, Water Management District, Department of Transportation, Department of Environmental Protection, Department of State, the appropriate county (municipal amendments only), the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only), and the Department of Education (amendments relating to public schools), and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package.

_____ Summary description of the adoption package, including any amendments proposed but not adopted.

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date.

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government.

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact.

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format,** clearly depicting the parcel, its future land use designation and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required.

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s).

Suggested effective date language for the adoption ordinance for expedited review:

> "The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review.

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment.

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

Community Development Department

Office of the Director

4100 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-654-1119| Email: planning@cityofdestin.com

May 26, 2026

Florida Department of Commerce
Attention: Donna Harris, Plan Processing

Subject: **Proposed – Expedited State Review**
Comprehensive Plan Amendment - Ordinance 26-18-PC

Dear Ms. Harris:

Enclosed please find a submittal package for a proposed amendment to the **City of Destin Comprehensive Plan: 2020 (Ordinance 26-18-PC)**. The amendment is being submitted under the Expedited State Review Process. The Destin Local Planning Agency held a public hearing on May 21, 2026, to consider the amendment and made a recommendation to City Council for adoption, with a vote of 5-0. The amendment was reviewed and approved on first reading by the Destin City Council in a duly advertised public hearing on May 18, 2026, with a unanimous vote of 7-0.

The intent of this amendment is to clarify the definition of 'beach' within the Comprehensive Plan for consistency with the City Charter boundaries. Reference to the 'mean low water line' in the definition of beach will be replaced with 'mean high water line' for purposes of City Code and Comprehensive Plan definitions of beach.

A copy of the proposed ordinance containing the proposed Comprehensive Plan amendment has been provided for review.

The contact person for any comments or inquiries pertaining to the enclosed amendment package is Principal Planner, Daniel Butler. Mr. Butler can be reached at (850) 654-1119, option 2 or dbutler@cityofdestin.com or via the following address:

City of Destin
Community Development Department
Planning Division
4100 Indian Bayou Trail
Destin, FL 32541

Proposed Expedited State Review: Comprehensive Plan Amendment (Ord. 26-18-PC)

The City of Destin looks forward to the State Land Planning Agency' s Expedited Review of the enclosed amendment.

Sincerely,

Tina Deater

Tina Deater
Community Development Director

Attachments:
Ordinance 26-18-PC
City Council Agenda – May 18, 2026
City Council Agenda Item – May 18, 2026
LPA Agenda – May 21, 2026
LPA Agenda Item – May 21, 2026

ORDINANCE NO. 26-18-PC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING CHAPTER 13 "GLOSSARY" OF THE CITY'S COMPREHENSIVE PLAN TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; 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, section 2.01 of the City Charter establishes the City's jurisdictional boundaries which run to and meander along the mean **high** water line of the Gulf of Mexico; and

WHEREAS, currently the City Land Development Code, Code of Ordinances, and Comprehensive Plan each define beach as running to the mean **low** water line, which is outside the jurisdictional limits of the City, causing confusion during City Code enforcement efforts at beaches located within the City; and

WHEREAS, the City Council has determined that it is in the best interest of the public to amend its Land Development Code, Code of Ordinances, and Comprehensive Plan to clarify the definition of beaches for purposes of City Codes; and

WHEREAS, this Ordinance 26-18-PC will amend the City's Comprehensive Plan to modify the definition of "beach" for consistency with the City's jurisdictional boundaries as set forth in the City Charter; and

WHEREAS, the Local Planning Agency held a public hearing, with all required public notice on May 21, 2026 for the purpose of providing recommendations to the City Council with regard to this Ordinance amending the City's Comprehensive Plan and recommended that the City Council adopt the Ordinance; 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 Section 3 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. Comprehensive Plan Chapter 13. Glossary

***

Policy 13-1.1.1: Definitions within the Comprehensive Plan. The following technical terms as used in the Comprehensive Plan shall have the meanings presented below.

***

Beach: The zone of unconsolidated material that extends landward from the mean <u>high</u> ~~low~~ water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves. . . .

***

SECTION 4. INCORPORATION INTO COMPREHENSIVE PLAN. This ordinance shall be incorporated into the City of Destin's Comprehensive Plan 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. 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 occurrence of all three of the following: (1) its adoption by the City Council, (2) signature by the Mayor, and (3) The Comprehensive Plan amendment set forth herein shall not become effective, in accordance with Section 163.3184(3), *Florida Statutes*, until 31 days after the State land planning agency (Florida Department of Economic Opportunity) notifies the City that the Comprehensive Plan amendment package is complete. If timely challenged, the Comprehensive Plan amendment shall not become effective until the said State land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

(Signature Page Follows)

ADOPTED THIS ____DAY OF _____, 2026.

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.

_____
Kimberly Romano Kopp, City Attorney

_____
Lisa Wallace, City Clerk

First Reading: _____
Second Reading: _____

AGENDA
LOCAL PLANNING AGENCY
THURSDAY, MAY 21, 2026
5:30 PM
ANNEX COUNCIL CHAMBERS

1. **CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE**
2. **AGENDA APPROVAL**
3. **APPROVAL OF MINUTES**
   - **A. February 19, 2026 Minutes**
   - **B. March 19, 2026 Minutes**
   - **C. April 2, 2026 Minutes**
   - **D. April 16, 2026 Minutes**
4. **CURRENT BUSINESS**
   - **A. Proposed Ordinance 26-16-LC - AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLE 3 "DEFINITIONS" AND ARTICLE 11 "COASTAL MANAGEMENT AND CONSERVATION" OF THE LAND DEVELOPMENT CODE TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; 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.**
   - **B. Proposed Ordinance 26-18-PC - AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING CHAPTER 13 "GLOSSARY" OF THE CITY'S COMPREHENSIVE PLAN TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTING**

PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

C. **Proposed Ordinance 26-07-LC - AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, RENUMBERING AND RENAMING ARTICLE 16 "SIGNS," OF THE LAND DEVELOPMENT CODE TO A NEW ARTICLE 8 "SIGN REGULATIONS"; MODIFYING, AMENDING AND UPDATING CITY SIGN REGULATIONS AS PROVIDED HEREIN; 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.**

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)

ITEM # 2026-822

CITY OF DESTIN – COMMUNITY DEVELOPMENT

AGENDA ITEM

MEETING DATE: May 21, 2026
BOARD/COMMITTEE: Local Planning Agency
TYPE OF AGENDA ITEM: Public Hearing
OUTLINE NUMBER: 4.B.

TO: Local Planning Agency

THRU: Kimberly Kopp, City Attorney
Tina Deater, Community Development Director

FROM: Daniel Butler, Principal Planner

DATE: May 13, 2026

SUBJECT: Proposed Ordinance 26-18-PC - AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING CHAPTER 13 "GLOSSARY" OF THE CITY'S COMPREHENSIVE PLAN TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

I. BACKGROUND: Staff recommends approval of Ordinance 26-18-PC for consistency with the City's jurisdictional boundaries as established in the City Charter.

II. DISCUSSION: Ordinance 26-18-PC is an ordinance that will clarify the definition of "beach" within the Comprehensive Plan for consistency with the City Charter boundaries. References to the "mean low water line" in the definition of beach will be replaced with "mean high water line" for purposes of City Code and Comprehensive Plan definitions of beach.

III. RECOMMENDATIONS: Staff recommends approval of Ordinance 26-18-PC for consistency with the City's jurisdictional boundaries as established in the City Charter.

IV. RECOMMENDED MOTION: I move that the LPA recommend City Council approval of proposed Ordinance 26-18-PC.

Attachments:

ITEM # 2026-822

1. Ord. 26-18-PC - Comp Plan Beach definition

ORDINANCE NO. 26-18-PC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING CHAPTER 13 "GLOSSARY" OF THE CITY'S COMPREHENSIVE PLAN TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; 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, section 2.01 of the City Charter establishes the City's jurisdictional boundaries which run to and meander along the mean **high** water line of the Gulf of Mexico; and

WHEREAS, currently the City Land Development Code, Code of Ordinances, and Comprehensive Plan each define beach as running to the mean **low** water line, which is outside the jurisdictional limits of the City, causing confusion during City Code enforcement efforts at beaches located within the City; and

WHEREAS, the City Council has determined that it is in the best interest of the public to amend its Land Development Code, Code of Ordinances, and Comprehensive Plan to clarify the definition of beaches for purposes of City Codes; and

WHEREAS, this Ordinance 26-18-PC will amend the City's Comprehensive Plan to modify the definition of "beach" for consistency with the City's jurisdictional boundaries as set forth in the City Charter; and

WHEREAS, the Local Planning Agency held a public hearing, with all required public notice on May 21, 2026 for the purpose of providing recommendations to the City Council with regard to this Ordinance amending the City's Comprehensive Plan and recommended that the City Council adopt the Ordinance; 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 Section 3 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. Comprehensive Plan Chapter 13. Glossary

***

Policy 13-1.1.1: Definitions within the Comprehensive Plan. The following technical terms as used in the Comprehensive Plan shall have the meanings presented below.

***

Beach: The zone of unconsolidated material that extends landward from the mean <u>high</u> ~~low~~ water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves. . . .

***

SECTION 4. INCORPORATION INTO COMPREHENSIVE PLAN. This ordinance shall be incorporated into the City of Destin's Comprehensive Plan 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. 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 occurrence of all three of the following: (1) its adoption by the City Council, (2) signature by the Mayor, and (3) The Comprehensive Plan amendment set forth herein shall not become effective, in accordance with Section 163.3184(3), *Florida Statutes*, until 31 days after the State land planning agency (Florida Department of Economic Opportunity) notifies the City that the Comprehensive Plan amendment package is complete. If timely challenged, the Comprehensive Plan amendment shall not become effective until the said State land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

(Signature Page Follows)

ADOPTED THIS ____DAY OF _____, 2026.

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.

_____
Kimberly Romano Kopp, City Attorney

_____
Lisa Wallace, City Clerk

First Reading: _____
Second Reading: _____

DESTIN CITY COUNCIL MEETING
MAY 18, 2026
ANNEX COUNCIL CHAMBERS
6:00 PM

*****Core Value of the Month - Teamwork*****

CALL TO ORDER

*** INVOCATION (Pastor Darius Arnold - Faith Coast Church and Academy)**

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

1. **PROCLAMATIONS / RECOGNITIONS / SPECIAL / **PUBLIC PRESENTATIONS / ANNOUNCEMENTS**
   A. Resolution 26-09 - Recognizing Rey Bailey for 26 Years of Service and Dedication to the City of Destin
   B. Florida League of Cities John Land Years of Service Award to Dewey Destin – 25 years
   C. Proclamation - Miss Destin 2026 - Kaylynn Hayles
   D. Proclamation - National Safe Boating Week
   E. Arbor Day Reading- Arantza Ramos
2. **PUBLIC COMMENTS (Section 5 - Public Hearings has separate public comments time for these items)** (Note: Individual speakers will be limited to 3 minutes. At the discretion of the mayor, this 3 minute allowance may be adjusted depending on the level of business coming before the City Council)
3. ***** CONSENT AGENDA**
   A. Corpus Christi Catholic Church Eucharistic Procession Request
   B. Approval of Minutes of May 4, 2026 Regular City Council Meeting
4. **CITY MANAGER REPORTS**
   A. Update on State-Acquired Land in Holiday Isle Adjacent to City's Norriego Point Park and Resolution 2026-13 for Protection of Shorebirds
   B. 2026 Fourth of July Fireworks
   C. Additional Fireworks or Drone show to enhance our Firework show on July 4.
   D. Comprehensive Plan EAR - Inspire Placemaking Collective Work Authorization
   E. Crab Island Dolphin Tours Request
   F. Resolution 26-10 - Amendment to the Schedule of Fees, Section 4 (34450X), Parking Facilities User Fees
   G. Resolution 26-11 - Naming Procedures for City Parks
   H. Renewal & Replacement - Resurfacing and Striping 18 streets
   I. Crosstown Connector Fencing/Barrier options
   J. Resolution 26-12 Tow Truck Fees
   K. Capital Project Status - **Informational Only**

L. Operations Financial Report - **Informational Only**

M. TDC Monthly Report - **Informational Only**

N. Minutes of Standing Boards and Committees **(Informational Only)**

O. Announcements

5. PUBLIC HEARINGS

A. First Reading of Ordinance 26-06-LC - AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, RENUMBERING THE EXISTING ARTICLE 11 OF THE LAND DEVELOPMENT CODE AS ARTICLE 7; CHANGING THE NAME OF EXISTING "ARTICLE 11 COASTAL MANAGEMENT AND CONSERVATION" TO "ARTICLE 7 - RESOURCE CONSERVATION, PROTECTION, RESILIENCY, AND SUSTAINABILITY"; ADDING THE FOLLOWING EXISTING SECTIONS OF THE LAND DEVELOPMENT CODE TO "ARTICLE 7 - RESOURCE CONSERVATION, PROTECTION, RESILIENCY, AND SUSTAINABILITY": SECTION 7.05.00 - PROTECTION AND PRESERVATION OF ARCHEOLOGICAL AND HISTORIC RESOURCES, SECTION 7.17.04 - OUTDOOR LIGHTING STANDARDS FOR THE MARINE TURTLE CONSERVATION ZONE, AND SECTION 7.20.00 - SMALL-SCALE ALTERNATIVE ENERGY GENERATION REGULATIONS; 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.

B. First reading of Ordinance 26-16-LC - AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLE 3 "DEFINITIONS" AND ARTICLE 11 "COASTAL MANAGEMENT AND CONSERVATION" OF THE LAND DEVELOPMENT CODE TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; 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.

C. First reading of Ordinance 26-17-CC - AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

D. First reading of Ordinance 26-18-PC - AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING CHAPTER 13 "GLOSSARY" OF THE CITY'S COMPREHENSIVE PLAN TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

E. Second reading of Ordinance 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

6. COMMENTS / PRESENTATIONS FROM MAYOR, COUNCIL, AND CITY ATTORNEY

A. Councilmember Braden
B. Councilmember Trammell
C. Councilmember Destin
D. Councilmember Bagby
E. Councilmember Hebert
F. Councilmember Morgan
G. Councilmember Schmidt
H. Mayor Wagner
   1) Sunset Parking Fee Hours
I. City Attorney

7. PUBLIC COMMENTS

8. ADJOURN

****** Any invocation that is offered before the official start of the City Council meeting shall be the voluntary offering of a private person, to and for the benefit of the City Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council, or the City staff, and the City is not allowed by law to endorse the religious beliefs or views of this, or any other speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered. A person may exit the City Council Chambers and return upon completion of the opening invocation if a person does not wish to participate in or witness the opening invocation.***

Persons with disabilities who require assistance to participate in City meetings are requested to notify the City Clerk's Office at (850) 837-4242 in advance. Hearing Impaired: TTY: 711. Assistance also available through Human Resources, Title VI Coordinator, at (850) 837-4242.
Personas con discapacidades que necesitan asistencia o personas que necesiten ayuda con un idioma para participar en las reuniones de la ciudad, deberán notificar la oficina de la Secretaria Municipal al (850) 837-4242 antes de la reunión. Discapacidad auditiva: TTY: 711 (Solicitar Espanol CA). La ayuda tambien está disponible por Recursos Humanos, Coordinador del Título VI, al (850) 837-4242.

ITEM # 2026-787

CITY OF DESTIN

AGENDA ITEM

COUNCIL MEETING DATE: May 18, 2026
TYPE OF AGENDA ITEM: Public Hearing
AGENDA OUTLINE NUMBER: 5.D.

TO: City Council

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

FROM: Tina Deater, Community Development Director

DATE: May 12, 2026

SUBJECT: First reading of Ordinance 26-18-PC - AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING CHAPTER 13 "GLOSSARY" OF THE CITY'S COMPREHENSIVE PLAN TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

I. BACKGROUND: Staff recommends approval of Ordinance 26-18-PC for consistency with the City's jurisdictional boundaries as established in the City Charter.

II. DISCUSSION: Ordinance 26-18-PC is an ordinance that will clarify the definition of "beach" within the Comprehensive Plan for consistency with the City Charter boundaries. References to the "mean low water line" in the definition of beach will be replaced with "mean high water line" for purposes of City Code and Comprehensive Plan definitions of beach.

A. Link to Strategic Goals / Objectives:
B. Effect on Budget (EOB):
C. Level of Service (LOS):
D. Legislative Sponsor:
E. Business Impact Statement:

III. CONCLUSION: Staff recommends approval of Ordinance 26-18-PC for consistency with the City's jurisdictional boundaries as established in the City Charter.

IV. RECOMMENDED MOTION: I move to approve Ordinance 26-18-PC on first reading.

Attachments:

1. Ord. 26-18-PC - Comp Plan Beach definition

ORDINANCE NO. 26-18-PC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING CHAPTER 13 "GLOSSARY" OF THE CITY'S COMPREHENSIVE PLAN TO AMEND THE DEFINITION OF "BEACH" FOR CONSISTENCY WITH THE JURISDICTIONAL LIMITS SET FORTH WITHIN THE CITY CHARTER; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; 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, section 2.01 of the City Charter establishes the City's jurisdictional boundaries which run to and meander along the mean **high** water line of the Gulf of Mexico; and

WHEREAS, currently the City Land Development Code, Code of Ordinances, and Comprehensive Plan each define beach as running to the mean **low** water line, which is outside the jurisdictional limits of the City, causing confusion during City Code enforcement efforts at beaches located within the City; and

WHEREAS, the City Council has determined that it is in the best interest of the public to amend its Land Development Code, Code of Ordinances, and Comprehensive Plan to clarify the definition of beaches for purposes of City Codes; and

WHEREAS, this Ordinance 26-18-PC will amend the City's Comprehensive Plan to modify the definition of "beach" for consistency with the City's jurisdictional boundaries as set forth in the City Charter; and

WHEREAS, the Local Planning Agency held a public hearing, with all required public notice on May 21, 2026 for the purpose of providing recommendations to the City Council with regard to this Ordinance amending the City's Comprehensive Plan and recommended that the City Council adopt the Ordinance; 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 Section 3 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. Comprehensive Plan Chapter 13. Glossary

***

Policy 13-1.1.1: Definitions within the Comprehensive Plan. The following technical terms as used in the Comprehensive Plan shall have the meanings presented below.

***

Beach: The zone of unconsolidated material that extends landward from the mean <u>high</u> ~~low~~ water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves. . . .

***

SECTION 4. INCORPORATION INTO COMPREHENSIVE PLAN. This ordinance shall be incorporated into the City of Destin's Comprehensive Plan 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. 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 occurrence of all three of the following: (1) its adoption by the City Council, (2) signature by the Mayor, and (3) The Comprehensive Plan amendment set forth herein shall not become effective, in accordance with Section 163.3184(3), *Florida Statutes*, until 31 days after the State land planning agency (Florida Department of Economic Opportunity) notifies the City that the Comprehensive Plan amendment package is complete. If timely challenged, the Comprehensive Plan amendment shall not become effective until the said State land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

(Signature Page Follows)

ADOPTED THIS ____DAY OF _____, 2026.

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.

_____
Kimberly Romano Kopp, City Attorney

_____
Lisa Wallace, City Clerk

First Reading: _____
Second Reading: _____

ITEM # 2026-980

CITY OF DESTIN

AGENDA ITEM

COUNCIL MEETING DATE: August 3, 2026
TYPE OF AGENDA ITEM: Public Hearing
AGENDA OUTLINE NUMBER: 5.D.

TO: City Council

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

FROM: Daniel Butler, Principal Planner
Tina Deater, Community Development Director

DATE: July 23, 2026

SUBJECT: First reading of Ordinance 26-07-LC - AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, RENUMBERING AND RENAMING ARTICLE 16 "SIGNS," OF THE LAND DEVELOPMENT CODE TO A NEW ARTICLE 8 "SIGN REGULATIONS"; MODIFYING, AMENDING AND UPDATING CITY SIGN REGULATIONS AS PROVIDED HEREIN; 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.

I. BACKGROUND: On April 5, 2021, the City Council unanimously approved the scope of work and budget to rewrite the Land Development Code (LDC). Since then, Staff has advanced the project through comprehensive review, public comment, and drafting. Major activities have included:

- Review of Comprehensive Plan policies
- Developing Planning Areas and their associated Intent Statements
- Review of the LDC text, article by article
- Public workshops with City Council, the Local Planning Agency (LPA), and other advisory boards/committees

A draft of Article 7 was presented to the City Council at a workshop on October 28, 2024 and a draft ordinance was presented at a public hearing on July 6, 2026. The Council's comments from the workshop and public hearing have been incorporated into the proposed Ordinance, along with public comments and recommendations from the LPA.

II. DISCUSSION: Drafts of ***Article 8 - Sign Regulations*** have been available for public review since April 2024. Article drafts have gone through several review iterations with Community

Development Staff, other Departments, and the City's Attorney, as well as public review and discussion at several LPA meetings. Criteria for evaluating the existing and proposed LDC regulations include the LDC's purpose and intent, public comments, feedback from the City Council, LPA, and other boards, and compliance with the City's adopted Comprehensive Plan and State Statutes.

Article 8 - Sign Regulations is intended to protect the public health, safety, and welfare by regulating the size, location, design, and maintenance of signs throughout the city. The ordinance serves to improve traffic and pedestrian safety, prevent visual clutter, preserve property values, promote orderly development, and maintain the attractive community appearance that supports Destin's tourism-based economy. By establishing standards for permanent and temporary signs while protecting free speech rights, the ordinance seeks to ensure that signage remains effective for communication without creating hazards, detracting from the city's resort character, or diminishing the quality of life for residents and visitors.

On Thursday, June 18, 2026, the LPA recommended that City Council approve the draft Article 8 - Sign Regulations, with a vote of 5-1.

On July 6, 2026, the draft ordinance recommended by the LPA was presented to the City Council at a public hearing. The City Council discussed revisions, including making nonconforming signs come into compliance if a change of use is required instead of a change in ownership, limiting the square footage of digital signs instead of prohibiting them entirely and clarifying the standards for how bright digital signs can be. The revisions requested by the Council are further described below and are included in the ordinance attached as Exhibit A. As requested by the Council, business owners within the City have also been notified of the proposed ordinance and public hearings using the email and mailing addresses from the City's Business Tax Receipt (BTR) database.

The following items guided the rewrite of Article 8:

American Planning Association Guidance
The Supreme Court Case *Reed v. Town of Gilbert, AZ (2015)* changed the way municipalities need to think about and develop their sign regulations. Since this ruling, the American Planning Association (APA) has provided guidance on how to be compliant with the ruling. The guidance is as follows:

1. Focus on type, not message (Permanent/Temporary and/or Attached/Detached)
2. Craft a compelling purpose statement
3. Review and update definitions of signs to remove any reference to content/message-based
4. Exemptions need to avoid content-based exemptions.

Commercial & Non-Commercial Speech
The ruling does allow municipalities to identify signs as commercial or non-commercial speech to be able to distinguish and allow differing regulations for both types of speech. However, the regulations for non-commercial speech should be narrowed and focused. The regulations for commercial speech can be more stringent but still consistent.

Permanent & Temporary Signs
Establishing clear regulations for the differentiation of permanent and temporary regulations is critical. The current code does a good job of differentiating; however, the regulations are based on content and are not consistent throughout.

Sign Classification & Type Charts:
Based on the guidance provided by the APA and clear guidance provided in Justice Alito's concurring opinion of *Reed v. Town of Gilbert, AZ,* Staff developed the Sign Classification and Type Charts found in the two Permanent and Temporary Permitted signs. The charts are a one-stop

shop to determine how much square footage, number of signs, and where the sign can be located, based on zoning district. This method was reviewed by several outside parties, which included sign companies, and Staff received positive feedback on the charts' ease of use.

Permanent Commercial Signage in Residential Zones:
Right now, the current sign regulations allow for permanent signage, whether attached or detached, in residential districts. Based on feedback, the draft currently prohibits permanent commercial signage within any residential district.

Sign Height:
With the utility undergrounding efforts that continue throughout the City, there has been discussion about signage cluttering the roadways, as the current maximum height for all signs is 26'. At the LPA meeting on May 21, 2026, Staff provided a brief presentation comparing sign height limitations across other jurisdictions within the State of Florida to better illustrate how height standards influence corridor appearance and overall streetscape character. Cities such as Panama City, Fort Meyers Beach, Pensacola, Gulf Breeze, Santa Rosa County, Port Saint Joe, Clearwater, and St. Petersburg were evaluated. Staff's analysis reviewed how lowering maximum sign height could improve consistency and reduce vertical competition. Staff noted that while property owners would continue to maximize the allowed height, competition would shift horizontally within setback areas rather than vertically, resulting in a cleaner and more "legible" corridor over time. Case studies from Panama City, Fort Myers Beach, Gulf Breeze, Port St. Joe, Clearwater, and St. Petersburg demonstrated that communities with lower height limits generally experience improved sight lines and reduced visual noise. These examples also showed that transitions occur gradually unless redevelopment or major events accelerate replacement of nonconforming signs. Staff determined that taller signs offer increased visibility at higher speeds and over obstructions but contribute to visual clutter and inconsistent corridor character. Shorter signs support a more cohesive streetscape, improve pedestrian orientation and scaling, and shift competition toward design quality rather than height, though visibility challenges may arise in areas with deep setbacks or large parking lots. After the presentation and discussion with the LPA, the LPA recommended that the maximum height of all signs within the City be reduced to 12', with no sign permitted to protrude above the roofline, cornice line, parapet, or highest point of the facade of any structure, whichever is lower.

Digital Signs:
Digital signs are currently allowed in the City per today's LDC. The LPA initially recommended prohibiting new digital signs, except for institutional uses within the Institutional zoning district still able to permit digital signs. However, based on the discussion at the City Council meeting on Monday, July 6, 2026, Staff has revised the proposed regulations to allow digital signage City-wide to be utilized towards the allowable total sign square footage, provided that the digital/electronic portion of the sign does not exceed thirty (30) square feet.

Nonconforming Signs:
The LPA initially recommended a "removal and attrition" requirement for all nonconforming signs within the City, not just digital signs, citing Panama City's ordinance, which requires any nonconforming signs to be removed immediately if located on a piece of property in which there is a change in ownership or other transfer of an interest in the real property for. However, on July 6, 2026, at the City Council meeting, it was requested that Staff revise this regulation to apply to properties that require a Change of Use application, rather than a change in ownership. Therefore, as drafted, all nonconforming digital/electronic signs would be subject to removal within ten (10) years, while any nonconforming sign would be required to be replaced by the owner of a property that submits a Change of Use or Development Order application. It is worth noting that Article 3 does allow signs (except for off-site signs) to have ordinary repair and maintenance done, not to include structural repairs.

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

II. Enhanced quality of life and safety for families.
IV. Effective, efficient, and aesthetically pleasing infrastructure.

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

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

D. Legislative Sponsor: N/A

E. Business Impact Statement: Attached herein.

III. CONCLUSION: Article 8 establishes regulations that are intended to protect public health, safety, and welfare by regulating the size, location, design, and maintenance of signs throughout the city. The ordinance serves to improve traffic and pedestrian safety, prevent visual clutter, preserve property values, promote orderly development, and maintain the attractive community appearance that supports Destin's tourism-based economy. Ordinance 26-07-LC, creating Article 8 – Sign Regulations, will repeal existing Article 16 and establish a new Article 8 in the Land Development Code (LDC), which will become effective on October 1, 2026, provided that it is adopted by the City Council and signed by the Mayor prior to October 1, 2026.

IV. RECOMMENDED MOTION: I move that the City Council approve proposed Ordinance 26-07-LC on first reading.

ALTERNATIVE MOTIONS:
I move that the City Council approve proposed Ordinance 26-07-LC on first reading, with the following modification(s): _____.

Attachments:

1. Ord. 26-07-LC - LDC Rewrite Article 8
2. Exhibit A to Ordinance 26-07-LC
3. Exhibit B - Sign Comparative Analysis
4. Gas Station Sign Exhibit
5. ECC 1
6. ECC2
7. Business Impact Statement - Ord. 26-07-LC
8. Business Owner Letter re DRAFT Article 8 Hearing SIGNED

ORDINANCE NO. 26-07-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, RENUMBERING AND RENAMING ARTICLE 16 "SIGNS," OF THE LAND DEVELOPMENT CODE TO A NEW ARTICLE 8 "SIGN REGULATIONS"; MODIFYING, AMENDING AND UPDATING CITY SIGN REGULATIONS AS PROVIDED HEREIN; 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, 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, a comprehensive review of the entire Land Development Code has not taken place in some time; and

WHEREAS, the City Council has a goal of updating the Land Development Code to promote consistency with the latest state and federal laws, as well as best practices for land development in Florida; and

WHEREAS, the City Council has undertaken an effort to rewrite portions of its Land Development Code ("LDC") to improve usability, implement missing elements of the Comprehensive Plan, and modernize development standards; and

WHEREAS, the City Council desires to clean up items in the LDC related to inconsistencies in the existing code, problems identified in the course of everyday implementation, or items that were missing or outdated due to changes in the City's practices or development typologies; and

WHEREAS, the City Council endeavors to modernize the LDC by addressing items that

will result in structural improvements to the LDC or areas where best practices have changed significantly since the relevant regulations were last updated; and

WHEREAS, the City Council desires to improve areas of development and land use that are insufficiently addressed by the current code; and

WHEREAS, the City Council desires to maintain the quality of life for City residents by protecting environmental resources, protecting existing neighborhoods, and protecting wildlife areas and natural amenities; and

WHEREAS, the City Council seeks to discourage sprawl development and provide guidance for infill development; and

WHEREAS, the City Council retained 3TP Ventures as a consultant to assist City staff with a comprehensive rewrite of the Land Development Code ("LDC"); and

WHEREAS, City Staff has presented various versions of Article 8 of the LDC to the City's Local Planning Agency (LPA) and incorporated recommendations from the LPA into the proposed Article 8; and

WHEREAS, City Staff has held multiple workshops before the City Council and incorporated policies discussed at the City Council workshops into the proposed LDC; 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 April 2, 2026, 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:

SECTION 3. Article 16 - Signs of the Land Development Code is deleted in its entirety and replaced with the new Article 8 – Sign Regulations as shown in Exhibit "A" to this Ordinance, attached hereto and fully incorporated herein by this reference. Exhibit "A" to this Ordinance

constitutes Article 8 of the City of Destin's Land Development Code as of the effective date of this Ordinance.

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 on October 1, 2026, provided it is adopted by the City Council and signed by the Mayor prior to October 1, 2026.

ADOPTED THIS ____DAY OF _____, 2026.

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: _____

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ARTICLE 8 – SIGN REGULATIONS

SECTION 8.01 PURPOSE AND INTENT

SECTION 8.01.01 PURPOSE AND INTENT

The purpose of this Article is to provide the minimum control of signs necessary to promote the health, safety, general and economic welfare of the public. This Article intends to lessen hazards and conflicts to pedestrians and vehicular traffic, preserve property values and community character, and prevent unsightly and detrimental development that would detract from the tourist resort appeal of the community. Further, it is the intention of these regulations to prevent and mitigate economic decline and blight by preventing signs from reaching such excessive size or numbers that they obscure one another to the detriment of all concerned by using certain fundamentals of design that strengthen the community's economic base and preserve the right of free speech. This Article regulates signs in a content-neutral manner and is intended to regulate the time, place, and manner of signage, not the content of speech.

SECTION 8.02 GENERAL PROVISIONS

SECTION 8.02.01 GENERAL REQUIREMENTS

A. No sign, whether permanent or temporary, shall be allowed within any right-of-way (ROW), including but not limited to the foundation, sign supports, or any portion of the sign face or leading edge.
   1. Exceptions: Signs required for public safety, traffic control, construction activity, or other similar hazards, approved by the City, state, or other federal agency, meant to alert, direct, or warn drivers, cyclists, pedestrians, or other users of the ROW.
   2. Other explicit allowances per this Article.

B. It shall be unlawful to erect or construct, or cause to be erected or constructed, maintain or cause to be maintained, any sign not expressly authorized and permitted by, or exempted from, these regulations.

C. These sign regulations are intended to complement the requirements of the Florida building and electrical codes, and the requirements of the City. Wherever there is inconsistency between these regulations and the Florida Building Code (FBC), the FBC shall apply.

D. Compliance with the requirements of these regulations shall not constitute a defense to an action brought to abate a nuisance under the common law.

E. All signs, including their supports, braces, guys and anchors, electrical parts and lighting fixtures, and all painted and display areas, shall be maintained in accordance with this Article and the building and electrical codes of the City, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near the sign.

F. All permanent signs, and the illumination thereof, shall be designed, constructed, and maintained in conformity with applicable provisions of the building code and electrical codes of the City.

SECTION 8.02.02 PERMITS REQUIRED

A. No person shall erect, construct, alter, repair, or relocate any sign that requires a permit without first obtaining a building permit for such work from the City, unless exempt per Section 8.06 Exempt Signs or otherwise expressly exempted per this Article.

B. No permit shall be issued until the City determines that such work is in accordance with the requirements contained in this ordinance, and such work will not violate any building, electrical or other adopted codes of the City.
C. All required building or sign permit applications shall be submitted to the Community Development Department for review.
D. The application shall contain all the information required for a proper review of the proposed sign, and includes but is not limited to the documents required below and shall be accompanied by the required permit fee.
    1. Agent Affidavit
    2. Site Plan
    3. Sign renderings
    4. Square footage calculations of signs and façade, if applicable
    5. Total number of signs
    6. Electrical plans if applicable
    7. Any previously approved and valid agreements for signage
    8. Other documents deemed necessary by the Community Development Director or designee.

SECTION 8.02.03 ILLUMINATION STANDARDS

A. Sign lighting may not be designed or located to cause confusion with traffic lights.
B. Illumination shall comply with any applicable lighting and/or glare regulations located within Article 6 of this Code.
C. Illuminated signs shall not have lighting mechanisms that project more than 18 inches perpendicularly from any surface of the sign over public space.
D. All sign lighting shall be continuous lighting and shall not have any lighting element that flashes, flickers, fades, or other similar non continuous lighting scheme.

SECTION 8.02.04 PLACEMENT AND CLEARANCE STANDARDS

A. Near Street and Driveway Intersections
    1. Signs located near street and driveway intersections shall meet all standards of the latest edition of the American Association of State Highway and Transportation Officials (AASHTO) Greenbook.
B. In or Over Public or Private Right-of-Way
    1. Signs shall not be placed in, upon, or project over a public or private ROW or easement, except as allowed by this Article in specific situations.
C. Blocking Emergency Access
    1. No sign or sign structure shall be erected that impedes use of any fire escape, emergency exit or standpipe, or any other emergency ingress or egress.
D. Relationship to Building Features
    1. A building sign shall not extend more than six inches (6") beyond any edge of the surface to which it is attached, nor disrupt a major architectural feature of the building.
E. Maximum Projection
    1. A projecting building sign that is oriented perpendicularly to the building façade may extend no more than four feet perpendicularly from the surface to which it is attached.

SECTION 8.03 PERMITTED PERMANENT SIGNS

SECTION 8.03.01 GENERAL PROVISIONS

A. All permanent signs require a permit unless expressly exempted by this Article.

B. The sign face area of any non-conforming sign located on the premises shall be included for purposes of determining the maximum allowable building or free-standing sign face area.

C. All signage shall be constructed of material that is rigid or in a manner that it is permanently affixed to a rigid material, in the case of a vinyl wrap, and shall not require tie downs.

1. The intent of this section is to prevent permanent signs that are made in a banner material or style or tied down or wrapped around a permanent sign structure.

D. Free Standing or Ground Signs

1. Multiple street frontages: Any premises with multiple street frontages may allocate its total allowable ground sign face area among its permitted ground signs on any street frontage, provided each street frontage is allowed only one ground sign which shall not exceed a maximum square foot allowed per the appropriate district as identified in Table 8.03-1.

SECTION 8.03.02 PERMANENT SIGN CLASSIFICATIONS AND TYPES

A. The following permanent sign classifications are adopted by the City of Destin to regulate signage within the jurisdiction of the city limits.

1. Permanent Commercial - a sign that is constructed or used for ninety-one (91) days or more, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes, advertises, or attracts attention to any type of commerce or non-ideological message.
2. Permanent Non-Commercial - a sign that is constructed or used for ninety-one (91) days or more, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes an ideal, belief, or other thought.

B. The following types of signs are allowed as designated in this Article.

1. Attached, i.e., a "building sign" or a sign that is attached to a structure that is occupiable or useable.
2. Free Standing, i.e., a "ground sign" that is independent of another structure.

C. Digital Signs

1. Digital signage may be permitted as part of the property's allowable sign square footage, providing that the digital portion of the sign does not exceed thirty (30) square feet.
2. All digital signage shall comply with all applicable regulations within this Code, including but not limited to glare, lighting, and display regulations.

SECTION 8.03.03. PERMANENT SIGN ALLOWANCES

Table 8.03-1 Sign Dimension Allowance

	Permanent Commercial		**Permanent Non-Commercial**	
	Free Standing	Attached	Free Standing	Attached
Residential Districts				
Total sq. ft.	See Section 8.03.04.F.	Permanent Commercial Signage is not allowed in any Residential District.	32 sq. ft.	
Max individual Sign sq. ft.			16 sq. ft.	
Max Height			12'/Footnote 1	Footnote 1
Front Setbacks			10'	N/A
Mixed Use Districts				
Total sq. ft.	See Table 8.03-2	Footnote 2 & 3	60 sq. ft.	60 sq. ft. / Footnote 2 & 3
Max individual Sign sq. ft.		100 sq. ft.	10 sq. ft.	
Max Height	12'/Footnote 1	Footnote 1	12'/Footnote 1	Footnote 1
Front Setbacks	10'	N/A	10'	N/A
SHMU & NHMU District				
Total sq. ft.	See Table 8.03-2	Footnote 2 & 3	60 sq. ft.	Footnote 2 & 3
Max individual Sign sq. ft.		100 sq. ft.	10 sq. ft.	15 sq. ft.
Max Height	12'/ Footnote 1	Footnote 1	12'/Footnote 1	Footnote 1
Front Setbacks	10' / Footnote 4	N/A	10'	N/A
Waterfront Sign	See Table 8.03-2	N/A	See Table 8.03-2	N/A
CG, CTS, IN, INST, A Districts				
Total sq. ft.	See Table 8.03-2	Footnote 2 & 3	150 sq. ft.	Footnote 2 & 3
Max individual Sign sq. ft.		100 sq. ft.	10 sq. ft.	15 sq. ft.
Max Height	12'/Footnote 1	Footnote 1	12'/Footnote 1	Footnote 1
Front Setbacks	10'	N/A	10'	N/A
REC & CON Districts				
Total sq. ft.	60 sq. ft.		Permanent Non-commercial signage is not allowed in the Recreation or Conservation Districts.	
Max individual Sign sq. ft.	60 sq. ft.			
Max Height	12'/Footnote 1	Footnote 1		
Front Setbacks	10'	N/A		

Note: Multiple individual signs (not exceeding the max. individual sign area) may be used to achieve the maximum sign area (square footage) outlined above.

1. In no case shall a sign protrude above the roofline, cornice line, parapet, or the highest point of a façade of any structure, whichever is lower.
2. Single-occupancy Building: Fifteen percent (15%) of the façade not to exceed 150 sq. ft.
3. Multi-occupancy Building: Fifteen percent (15%) of the lease space/unit façade, not to exceed 150 sq. ft. in the aggregate, whichever is less. All occupants or units shall have a right to a minimum of 25 sq. ft. of signage.
4. Signs shall be set back ten feet from all property lines. However, if the property is located along U.S. Highway 98 in the South Harbor Mixed Use or North Harbor Mixed Use districts, the sign support structure shall be set back ten feet from the front property line, and the sign face area may extend into the setback area by four feet. In no instance may a sign impede the sight vision triangle, clear vision triangle, or pedestrian and/or vehicular movement/access.

Table 8.03-2 Supplemental Free Standing or Ground Sign Allowance			
All Districts	Face square footage	1 sq. ft. per linear foot of street frontage not to exceed 150'	
	Number of signs per street frontage	Less than 500' of street frontage	1 sign
		500' or more	2 signs
	Sign spacing	Minimum of 150' within the same property	
SHMU Waterfront signs	Number of signs	1 sign fronting the Destin Harbor per property	
	Sign face square footage	0.5 sq. ft./linear foot of water frontage, not to exceed 80 sq. ft.	

SECTION 8.03.04 SPECIAL SIGNS

A. Lifeguard Station Signs
   1. Each lifeguard station may display one sign of not more than nine (9) square feet.
      a. These signs do not require a sign permit.

B. Utility Signs:
   1. Signs placed by public utilities on or near the location of underground utility lines and facilities, high voltage lines and facilities, and other utility facilities and appurtenances shall be permitted not to exceed three (3) feet in height, and four (4) square feet in area.
      a. These signs do not require a sign permit.
      b. This section does not apply to buried utility line markers.

C. Public Traffic Controls Signs
   1. These signs do not require a sign permit when placed by or required by the governing authority with jurisdictional authority.

D. Signs placed on public/private right-of-ways or accessways shall meet the standards and minimums outlined in the MUTCD.
   1. These signs do not require a sign permit.

E. Off-street Directional Signage
   1. For public safety purposes, a maximum of one (1), four (4) square foot sign may be placed per access point of a property with multiple accesses to enhance traffic flow and shall:
      a. Not contain any branding, logos, or other commercially identifiable features.
      b. Not count towards any square footage limitation of ground signs.
      c. Be no closer than five feet (5') to the property boundary.
   2. The signs shall require a sign permit to review for compliance with setbacks and the criteria listed above.

F. Residential Commercial Signs
   1. In residential districts a free-standing sign may be permitted if the following criteria are met.
      a. Time: A permanent sign
      b. Place:
         i. Located on common property owned by the homeowners, property, or condominium, or other owners association or group at the entrance to a residential development.
         ii. Setback a minimum ten feet (10') from the ROW/property line.
      c. Manner: not to exceed sixty (60) square feet and no taller than twelve feet (12') high as measured from grade.

SECTION 8.04 PERMITTED TEMPORARY SIGNS

SECTION 8.04.01 GENERAL PROVISIONS

A. Temporary signs may not require a permit from the City, if they satisfy the restrictions imposed by this section and other relevant parts of this Article.
   1. The City Manager or designee may require a temporary sign permit review and regulations that pertain to permanent signage based on potential or real community impact of the signage.

B. A temporary sign may:
   1. Be a light source, such as a search light or laser, if approved in conjunction with a special event permit and shall have a letter of approval from the Eglin Air Force Base commander or designee.
   2. A temporary sign other than a light source must be:
      a. Constructed of rigid material; and
      b. Secured at all corners or edges to prevent wave action or from moving due to wind forces.
   3. Not be an electric/digital sign.

C. Any temporary sign not complying with the requirements of this section is illegal and subject to immediate removal.

SECTION 8.04.02 TEMPORARY SIGN CLASSIFICATION AND TYPES

A. The following temporary sign classifications are adopted by the City of Destin to regulate signage within the jurisdiction of the city limits.
   1. Temporary Commercial - a sign that is not constructed in a manner as to be permanent and shall not be used for more than ninety (90) days, whether consecutively or not within a calendar year, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes, advertises, or attracts attention to any type of commerce.
   2. Temporary Non-Commercial - a sign that is not constructed in a manner as to be permanent and shall not be used for more than ninety (90) days, whether consecutively or not within a calendar year, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes an ideal, belief, or other thought.

B. The following types of signs are allowed as designated in this Article.
   1. Attached, i.e., a "building sign" or a sign that is attached to a structure that is occupiable by or useable.
   2. Free Standing, i.e., a "ground sign" that is independent of another structure.

SECTION 8.04.03 TEMPORARY SIGN ALLOWANCES

Table 8.04-1 Temporary Sign Dimension Allowance

	Temporary Commercial		Temporary Non-Commercial	
	Free Standing	Attached	Free Standing	Attached
Residential Districts				
Total sq. ft.	12 sq. ft.	12 sq. ft.	32 sq. ft.	32 sq. ft.
Max. Individual Sign sq. ft.	6 sq. ft.	6 sq. ft.	16 sq. ft.	16 sq. ft.
Max. Height	6′	Footnote 1	6′	Footnote 1
Front Setbacks	10′	N/A	10′	N/A
Mixed Use Districts				
Total sq. ft.	12 sq. ft.	12 sq. ft.	32 sq. ft.	32 sq. ft.

Max. Individual Sign sq. ft.	12 sq. ft.	12 sq. ft.	16 sq. ft.	16 sq. ft.
Max. Height	8′	Footnote 1	6′	Footnote 1
Front Setbacks	10′	N/A	10′	N/A
SHMU & NHMU District				
Total sq. ft.	32 sq. ft.	32 sq. ft.	32 sq. ft.	32 sq. ft.
Max. Individual Sign sq. ft.	32 sq. ft.	32 sq. ft.	16 sq. ft.	16 sq. ft.
Max. Height	8′	Footnote 1	6′	Footnote 1
Front Setbacks	10′	N/A	10′	N/A
Waterfront Sign	Prohibited	Prohibited	Prohibited	Prohibited
CG, CTS, IN, INST, A Districts				
Total sq. ft.	32 sq. ft.	32 sq. ft.	32 sq. ft.	32 sq. ft.
Max. Individual Sign sq. ft.	32 sq. ft.	32 sq. ft.	16 sq. ft.	16 sq. ft.
Max. Height	8′	Footnote 1	6′	Footnote 1
Front Setbacks	10′	N/A	10′	N/A
REC & CON Districts				
Total sq. ft.	32 sq. ft.	32 sq. ft.	Temporary non-commercial signage is not allowed in the Recreation or Conservation Districts.	
Max. individual Sign sq. ft.	32 sq. ft.	32 sq. ft.		
Max. Height	8′	Footnote 1		
Front Setbacks	10′	N/A		

Note: Multiple individual signs (not exceeding the max. individual sign area) may be used to achieve the maximum sign area (square footage) outlined above.

1. In no case shall a sign protrude above the roofline, cornice line, parapet, or the highest point of a façade of any structure, whichever is lower.

SECTION 8.04.04 TEMPORARY EVENT SIGNAGE

A. During a special event, temporary signage, whether free-standing or attached, may be allowed according to the following regulations and Table 8.04-2

B. Commercial Special Event Signage
   1. All commercial special events proposing to utilize temporary signage shall apply for a special event sign permit.
   2. All commercial special event sign permits are valid for no more than 40 calendar days a year per event.
   3. No property may have more than two (2) special event sign permits issued within any calendar year.
   4. Signage shall not go up earlier than thirty (30) days prior to the event start date.
   5. Signage shall be removed no later than ten (10) days after the first day of the event.

C. Non-Commercial Special Event Signage
   1. No non-commercial special event requires a special event sign permit.
   2. Signage shall not go up earlier than thirty (30) days prior to the event start date.
   3. Signage shall be removed no later than ten (10) days after the conclusion of the event.

Table 8.04-2 Temporary Event Sign Allowance

	Temporary Commercial Event	Temporary Non-Commercial Event
Total sq. ft.	100 sq. ft.	100 sq. ft.
Max individual Sign sq. ft.	10sq. ft.	10 sq. ft.
Max Height	See Table 8.04-1	See Table 8.04-1
Front Setbacks		

Note: Multiple individual signs (not exceeding the max. individual sign area) may be used to achieve the maximum sign area (square footage) outlined above.

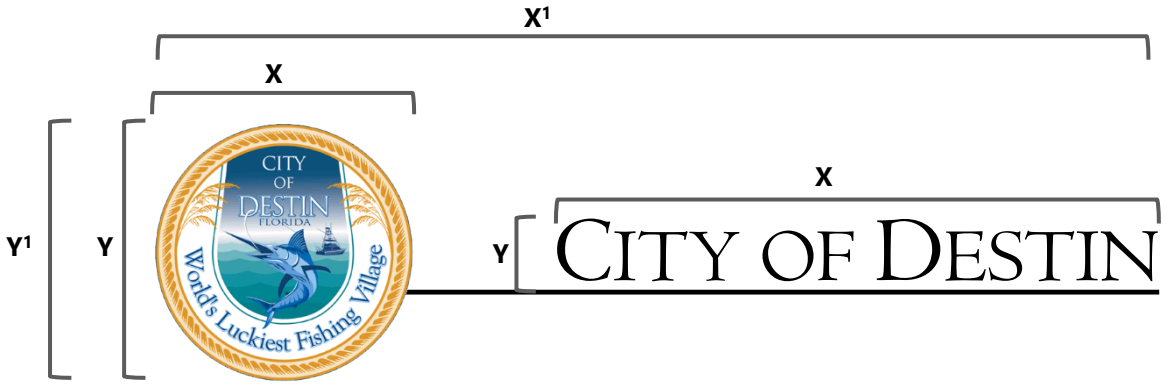
SECTION 8.05 MEASUREMENT DETERMINATIONS

SECTION 8.05.01 SIGN FACE AREA

A. The sign face area of a sign shall be measured as the area enclosed by straight lines drawn to the extremities of the letters, numbers, recognizable symbols, trademarks, or brands. (See Figure 8.04-3 Sign Measurements)

B. Special Situations:

1. Where a sign is composed of letters, pictures, symbols, or logos attached directly to a facade, window, door or marquee, and the letters, pictures, symbols, or logos are not enclosed by a border or trimming, the sign face area shall be the area within the smallest square or rectangle, the sides of which touch the extreme points of any letters, pictures, symbols, or logos.
2. Where two sign face areas are placed back-to-back on a single sign structure, and the faces are at no point more than four feet apart, the area of the sign shall be counted as the area of one of the faces.
3. Where four sign face areas are arranged in a square, rectangle or diamond, the area of the sign shall be the area of the two largest faces. Where a sign is in the form of a three-dimensional object, the area shall be determined by drawing a square or rectangle, the sides of which touch the extreme point or edges of the projected image of the sign and multiplying that area by two. The "projected image" is that image created by tracing the largest possible two-dimensional outline of the sign. *See Figure 8.04.-3 below.*



'X' x 'Y' = square footage of sign face
(X^1 x Y^1) used if using both elements as one (1) sign per 8.05.01.A

Figure 8.04-3 - Sign Measurements

SECTION 8.06 EXEMPT SIGNS

SECTION 8.06.01 EXEMPT SIGN TYPES

A. The following signs are exempt from the permitting requirements of this Code provided they still meet all other applicable Code requirements and provided further they are not placed or constructed to create an immediate threat to the public health, safety, or welfare:
   1. Address numbering for properties or buildings provided they meet Fire and building codes.
   2. Signs of two square feet or less provided that such sign, or combination of signs, do not constitute a sign prohibited by this Article.
   3. Signs less than three square feet when required by any local state or federal law or regulation.
   4. Holiday lights and decorations.
   5. Signs authorized by statute or ordinance when erected on public property by governmental agencies that have jurisdiction.
   6. Legal notices or official instruments when required by law.
   7. One sign or tablet per building, of four-square feet or less when cut into any masonry surface or when constructed of bronze or other incombustible materials and attached to the surface of a building.
   8. Signs incorporated into machinery, material, or equipment by a manufacturer.
   9. Signs carried by a person not exceeding six (6) square feet.
   10. Temporary signs as permitted by this Article.
   11. Standards of political, religious, governmental, or other jurisdictional authority provided these do not contain any commercial speech. These are commonly referred to as "flags."

SECTION 8.07 PROHIBITED SIGNS

SECTION 8.07.01 PROHIBITED SIGN TYPES

The following signs are expressly prohibited:

A. Signs that are in violation of the Florida building or electrical code.
B. Any sign declared by the City Manager or designee to be an immediate threat to the public health, safety, and welfare by reason of an unsafe condition.
C. Signs that obstruct the vision of pedestrians, cyclists or motorists traveling on or entering public streets or signs within the clear visibility triangle per LDC Section 6.02.03.
D. Signs tacked, nailed, posted, pasted, glued, or otherwise attached to trees, utility poles or fences.
E. Signs in any public ROW not
   1. Authorized by governing municipality
   2. Required by any municipality or government agency
   3. Required for public safety or traffic control
F. Signs that emit audible sound, odor, or visible matter such as smoke or steam.
G. Flashing lights or signs with lights or illumination that flash, move, rotate, scintillate, blink, flicker, or vary in intensity or color; provided that this paragraph shall not prohibit a sign with a fixed or changing display composed of a series of lights that may be changed through electronic means, provided further that said display may not change more than once every fifteen (15) seconds.

H. Strings of light bulbs regardless of how mounted when used on premises with a commercial land use classification other than traditional holiday decorations and strings of lights used to enhance landscaping.

I. Wind signs.

1. Standards, colors, or ensigns as exempted in Section 8.06.01 are not included in this prohibition.

J. Signs that inflate or are inflatable.

K. Signs that incorporate projected images,

L. Signs that emit sound that is intended to attract attention,

M. Signs that involve the use of live animals.

N. Signs with visible moving, revolving, or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, or mechanical means, except for traditional barber poles.

O. Signs with optical illusion of movement by means of a design that presents a pattern capable of giving the illusion of motion.

P. Portable signs.

Q. Abandoned or discontinued signs. In determining whether a sign is abandoned or discontinued, the following criteria shall be considered:

1. Whether the sign identifies correct directions to, location of, or description of the goods or services available on the premises where the sign is located.
2. The existence or absence of a current local business tax receipt for the premises where the sign is located.
3. Whether utility service is being provided to the premises where the sign is located; the use of the premises where the sign is located.
4. The condition of the sign.
5. Whether ad valorem property taxes have been paid on the premises where the sign is located or on the sign itself.
6. Any other facts or circumstances which would indicate whether the owner of the sign has intentionally or voluntarily relinquished further use of the sign.

R. Signs or sign structures that interfere in any way with free use of any fire escape, emergency exit, or standpipe, or that obstruct any window to such an extent that the light or ventilation is reduced to a point below that required by any provision of this Code or other ordinances of the City.

S. Signs that resemble any official sign or marker erected by any governmental agency, or that by reason of position, shape, or color, would conflict with the proper functioning of any traffic sign or signal, or be of a size, location, movement, content, color, or illumination that may be confused with or construed as, or conceal, a traffic control device.

T. Signs that are of such intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist, or pedestrian using or entering a public way, or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics.

U. Signs that are painted, pasted, or printed on any curbstone, flagstone, pavement, or any portion of any sidewalk or street, except house numbers and traffic control signs.

V. Signs placed upon benches, bus shelters or waste receptacles, except as may be authorized in writing pursuant to F.S. § 337.407.

W. Signs erected over or across any public street except as may otherwise be expressly authorized by this Code.
X. Vehicle signs.
Y. Obscene signs.
Z. Roof signs.
AA. Off-premises signs.

SECTION 8.07.02 REMOVAL AND ATTRITION

1. All nonconforming digital/electronic signage will be granted ten (10) years to remain, as of the adoption date of this code. After this period, if the nonconforming digital/electronic sign has not been removed, it shall be removed at the owner's expense.
    a. If the sign is not removed after an appropriate amount of time as determined by Code Compliance, further compliance action shall be taken to include daily fines until the removal of the sign is completed.
2. When a Change of Use or Development Order application is submitted for a property in which a legal nonconforming on-premises sign is located, said sign shall be considered an illegal sign and shall be removed immediately, at the expense of the new owner, prior to the approval of the application.

16.00.00. Purpose.

The purpose of this Code is to provide the minimum control of signs necessary to promote the health, safety, and general welfare by lessening hazards to pedestrians and vehicular traffic, by preserving property values, by preventing unsightly and detrimental development that would detract from the tourist resort appeal of the community and lead to economic decline and blight, by preventing signs from reaching such excessive size or numbers that they obscure one another to the detriment of all concerned, by securing certain fundamentals of design that would strengthen the community's economic base, and by preserving the right of free speech.

(Ord. No. 03-10-LC, § 5, 10-20-03)

16.01.00. General provisions.

16.01.01. Relationship to building and electrical codes. These sign regulations are intended to complement the requirements of the building and electrical codes of the City. Wherever there is inconsistency between these regulations and the Florida Building Code, the Florida Building Code shall apply.

16.01.02. No defense to nuisance action. Compliance with the requirements of these regulations shall not constitute a defense to an action brought to abate a nuisance under the common law.

16.01.03. Maintenance. All signs, including their supports, braces, guys and anchors, electrical parts and lighting fixtures, and all painted and display areas, shall be maintained in accordance with this Code and the building and electrical codes of the City, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near the sign.

(Ord. No. 03-10-LC, § 5, 10-20-03; Ord. No. 07-34-LC, § 4, 10-1-07)

16.02.00. Exempt signs.

The following signs are exempt from the permitting requirements of this Code provided they must still meet all other applicable Code requirements and provided further they are not placed or constructed so as to create an immediate threat to the public health, safety or welfare:

A. Signs of two square feet or less provided that such sign, or combination of signs, does not constitute a sign prohibited by section 16.03.00 of this Code.

B. Signs authorized by statute or ordinance when erected on public property by governmental agencies having jurisdiction.

C. Legal notices and official instruments when required by law.

D. Holiday lights and decorations.

E. One sign or tablet per building, of four square feet or less when cut into any masonry surface or when constructed of bronze or other incombustible materials and attached to the surface of a building.

F. Signs incorporated into machinery, material or equipment by a manufacturer.

G. Signs carried by a person.

H. Temporary signs as permitted by section 16.05.00.

I. Flags.

(Ord. No. 03-10-LC, § 5, 10-20-03; Ord. No. 07-34-LC, § 5, 10-1-07)

16.03.00. Prohibited signs.

16.03.01. Generally. It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained, any sign not expressly authorized by, or exempted from, this Code.

16.03.02. Specifically. The following signs are expressly prohibited:

A. Signs that are in violation of the building code or electrical code of the City.

B. Any sign declared by the Director of Community Development to be an immediate threat to the public health, safety and welfare by reason of an unsafe condition.

C. Signs that obstruct the vision of pedestrians, cyclists or motorists traveling on or entering public streets or signs within the clear visibility triangle (see LDC 8.03.06). No sign shall be erected or placed in such a manner as to impede the vision between a height of two feet and ten feet above grade. The signs support structure shall not be wider than ten inches.

D. Signs tacked, nailed, posted, pasted, glued, or otherwise attached to trees, utility poles or fences. As a limited exception to this provision, signs made of composite, wood, or plastic may be placed on the decorative white picket fences located in the Crystal Beach Neighborhood Zoning Districts, as defined in section 7.12.00 of the Land Development Code.

E. Signs that emit audible sound, odor, or visible matter such as smoke or steam.

F. Flashing lights or signs with lights or illumination that flash, move, rotate, scintillate, blink, flicker, or vary in intensity or color; provided that this paragraph shall not prohibit a sign with a fixed or changing display composed of a series of lights that may be changed through electronic means, provided further that said display may not change more than once every ten seconds.

G. Strings of light bulbs regardless of how mounted when used on premises with a commercial land use classification other than traditional holiday decorations and strings of lights used to enhance landscaping.

H. Signs, commonly referred to as wind signs, consisting of one or more banners, pennants, ribbons, spinners, streamers or captive balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind, except for flags.

I. Signs that incorporate projected images, emit sound that is intended to attract attention, or involve the use of live animals.

J. Signs with visible moving, revolving, or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, or mechanical means, except for traditional barber poles.

K. Signs with optical illusion of movement by means of a design that presents a pattern capable of giving the illusion of motion.

L. Portable signs.

M. Abandoned or discontinued signs. In determining whether a sign is abandoned or discontinued criteria which include the following shall be considered: whether the sign identifies correct directions to, location of, or description of the goods or services available on the premises where the sign is located; the existence or absence of a current local business tax receipt for the premises where the sign is located; whether utility service is being provided to the premises where the sign is located; the use of the premises where the sign is located; the condition of the sign; whether ad valorem property taxes have been paid on the premises where the sign is located or on the sign itself; any other facts or

circumstances which would indicate whether the owner of the sign has intentionally or voluntarily relinquished further use of the sign.

N. Signs or sign structures that interfere in any way with free use of any fire escape, emergency exit, or standpipe, or that obstruct any window to such an extent that the light or ventilation is reduced to a point below that required by any provision of this Code or other ordinances of the City.

O. Signs that resemble any official sign or marker erected by any governmental agency, or that by reason of position, shape, or color, would conflict with the proper functioning of any traffic sign or signal, or be of a size, location, movement, content, color, or illumination that may be reasonably confused with or construed as, or conceal, a traffic control device.

P. Signs that are of such intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist, or pedestrian using or entering a public way, or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics.

Q. Signs that are painted, pasted, or printed on any curbstone, flagstone, pavement, or any portion of any sidewalk or street, except house numbers and traffic control signs.

R. Signs placed upon benches, bus shelters or waste receptacles, except as may be authorized in writing pursuant to F.S. § 337.407.

S. Signs erected over or across any public street except as may otherwise be expressly authorized by this Code, and except as provided in Section 16.03.00.A hereof.

T. Vehicle signs with a total sign area on any vehicle in excess of ten square feet, when the vehicle is not regularly used in the conduct of the business advertised on the vehicle. A vehicle used primarily for advertising, or for the purpose of providing transportation for owners or employees of the occupancy advertised on the vehicle, shall not be considered a vehicle used in the conduct of the business.

U. Obscene signs.

V. Roof signs.

W. Off-premises signs. No off-premises sign (other than those signs which have already received City and FDOT permits for construction) shall be constructed or erected after the date of enactment of this ordinance, nor shall any existing off-premises sign be permitted to increase in sign face area or height, or change configuration or structure, or improvements that would increase the overall height of the structure. Any such change or alteration is unlawful, constitutes a nuisance and shall be removed immediately at the expense of the owner thereof. In the event the owner fails to remove the off-premises sign within 30 days after being notified to do so by the Director of Community Development, the City may remove such sign at the owner's expense or may apply to any court having jurisdiction for such relief as may be appropriate to facilitate the removal of the sign and for such other and further relief as City may be entitled to.

(Ord. No. 03-10-LC, § 5, 10-20-03; Ord. No. 06-23-CN, § 8, 12-18-06; Ord. No. 07-34-LC, § 6, 10-1-07; Ord. No. 11-06-LC, § 8, 9-19-11; Ord. No. 19-20-LC, § 3, 9-4-19)

16.04.00. Permitted signs.

The following types of on-premises signs are permitted, provided that they meet all of the requirements of this Code:

A. *Ground signs.* The permissible number, area, spacing and height of ground signs for each premises shall be determined according to the following:

1. Permissible number and size of ground signs per street frontage.

(a) One ground sign not exceeding 50 square feet of sign face area per street frontage for premises with street frontage of 50 feet or less.

(b) For every premises with more than 50 feet but less than 350 feet of street frontage, one ground sign per such street frontage not exceeding one square foot of sign face area for each foot of street frontage to a maximum of 160 square feet.

(c) For each 350 feet of street frontage per premises, one ground sign is permitted and any residual shall be governed by subsections (a) and (b) above. Each ground sign shall not exceed 160 square feet and all signs must be at least 150 feet apart from each other.

(d) For every premises with street frontage of 500 feet or more, two ground signs are permitted, not exceeding the lesser of one square foot for each foot of frontage or 160 square feet per sign. No one sign can be larger than 160 square feet and the two signs must be at least 150 feet apart from each other.

2. *Waterfront signs.* In the South Harbor Mixed Use District (SHMU) along Destin Harbor beginning at the Destin Bridge and ending at the eastern boundary of said South Harbor Mixed Use District, one ground sign per premises fronting on the waterfront. Such sign shall not exceed the greater of, 0.5 square feet per linear foot of frontage along the waterfront or 80 square feet.

3. *Sign setback.* Signs shall be set back ten feet from all property lines. However, if the property is located along U.S. Highway 98 between East Pass Bridge to Gulf Shores Drive, in which case the sign support structure shall be set back ten feet from the front property line and the sign face area may extend into the setback area by four feet.

4. *Sign height.* The maximum height for all ground signs is 26 feet.

5. The sign face area of any non-conforming ground sign located on the premises shall be included for purposes of determining the maximum allowable ground sign face area.

6. *Multiple street frontages.* Any premises with multiple street frontages may allocate its total allowable ground sign face area among its permitted ground signs on any street frontage, provided each street frontage is allowed only one ground sign which shall not exceed a maximum of 160 square feet.

B. *Building signs.*

1. Each single occupancy premises shall be entitled to building sign(s) the sign face area of which, in the aggregate, shall not exceed the lesser of 15 percent of the building exterior area upon which said building signs are to be located or 150 square feet. For the purposes of this subsection a multi-family residential complex shall be considered a single occupancy premises.

2. (a) Each occupant of a multiple-occupancy complex may display building signs on any unit exterior of the complex that is part of the occupant's unit (not including a common or jointly owned area), the sign face area of which, in the aggregate, shall not exceed the lesser of 15 percent of the unit exterior area upon which said building signs are to be located or 150 square feet.

(b) Format for multiple-occupancy complexes. Building signs for multiple-occupancy complexes constructed or remodeled after the effective date of this Code shall conform to an approved sign format. The sign format shall be included as part of the application to erect such a sign and shall be maintained on file in the planning and zoning department. The format shall be presented in a plan or sketch, together with written specifications in sufficient detail to enable the Director of Community Development or his designee to authorize signs based on the specifications. As a minimum, the sign format shall specify the types of signs and dimensions (not to exceed the size limits contained in this Code) which will be permitted each occupant within the complex. The sign format shall also contain

common design elements, such as placement, color, shape or style of lettering, which lend a unified appearance to the signs of the occupants within the complex.

3. The maximum building sign height for structures of two stories or less shall be 35 feet. In addition, no signs shall be permitted above the roofline, cornice line, parapet, or the highest point of a facade of any structure, whichever is higher.

C. *Directional signs.* Directional signs limited in area to four square feet shall be permitted and shall not be counted as part of maximum allowable signage.

D. *Signs at entrances to residential subdivisions.*

1. *Generally.* A sign may be displayed at the entrance to residential subdivisions.

2. *Restrictions.* One sign is permitted at each entrance into the subdivision from each abutting street. The sign may be a single sign with two faces of equal size or may be two single-faced structures of equal size located on each side of the entrance. No face of the sign shall exceed 40 square feet in size, and may be illuminated in a steady light only. No such sign shall exceed eight feet in height.

E. *Utility signs.* Signs placed by public utilities on or in close proximity to the location of underground utility lines and facilities, high voltage lines and facilities, and other utility facilities and appurtenances shall be permitted not to exceed three feet in height, and four square feet in area.

F. *Single-family residential signs.* Each single family residential dwelling unit may display one sign per premises not exceeding six square feet in sign face area nor three feet in height, provided, however, home occupation signs are not permitted. Nothing contained in this section shall be construed to permit the display of signs when otherwise prohibited or restricted by private restrictions related to the residential dwelling unit.

G. *Multi-Family Residential signs.* Each multi-family residential dwelling unit may display one sign of not more than six square feet, nor exceeding three feet in height. Nothing contained in this section shall be construed to permit the display of signs when otherwise prohibited or restricted by private restrictions related to the residential dwelling unit.

H. *Lifeguard station signs.* Each lifeguard station may display one sign of not more than nine square feet.

(Ord. No. 03-10-LC, § 5, 10-20-03; Ord. No. 07-34-LC, § 7, 10-1-07; Ord. No. 12-14-LC, § 3, 2-19-13)

16.05.00. Permitted temporary signs.

16.05.01. Generally. The City recognizes that, by their nature, some signs are intended from their construction to serve a temporary purpose only. Such signs shall be identified as temporary signs and shall not require a permit from the City, provided that they satisfy the restrictions imposed by this section and other relevant parts of this Code.

16.05.02. Sign types allowed. A temporary sign may be a ground sign or building sign or a light source as provided in Sections 16.05.04. E. and F., but may not be an electric sign. A temporary sign other than a light source must be constructed of rigid material.

16.05.03. Removal of illegal temporary signs. Any temporary sign not complying with the requirements of this section is illegal and subject to immediate removal.

16.05.04. Permissible temporary signs. Temporary signs shall be allowed, subject to the following provisions:

A. A real estate sign not exceeding 32 square feet of sign face area or eight feet in height.

B. A grand opening sign not exceeding 32 square feet of sign face area or eight feet in height, provided that said sign shall not be displayed for more than 14 days during any 12 consecutive calendar months.

C. A construction sign not exceeding 32 square feet of sign face area or eight feet in height. Such sign shall not be displayed more than 60 days prior to the beginning of actual construction of the project, and shall be removed no later than the date of the issuance of a certificate of occupancy for all or any portion of the project. If a sign is displayed pursuant to this section, but construction is not initiated within 60 days after the sign is displayed, or if construction is discontinued for a period of more than 60 days, the sign shall be removed, pending the initiation or continuation of construction activities.

D. A sign for a premises that has no permanent sign provided that such temporary sign shall not exceed 32 square feet in sign face area nor eight feet in height. Such sign may be displayed for a period of 60 days or until installation of a permanent sign, whichever shall occur first.

E. Laser source light. The use of laser source light or any similar high intensity light for outdoor advertising by temporary outdoor lighting permit as provided by Section 7.17.09.

F. Searchlight/beacon. The operation of searchlights or beacons by temporary outdoor lighting permit for outdoor advertising as provided by Section 7.17.09.

G. Temporary non-commercial signs displayed before, during or after an event or occurrence scheduled to take place at a specific time and place. Such signs are permitted in all zoning districts and shall not exceed 32 square feet in sign face area or eight feet in height. All such signs shall be removed within 21 days after the end of the scheduled event or occurrence to which they relate.

(Ord. No. 03-10-LC, § 5, 10-20-03; Ord. No. 07-34-LC, § 8, 10-1-07; Ord. No. 11-06-LC, §§ 9, 10, 9-19-11)

16.06.00. Measurement determinations.

16.06.01. Sign face area.

A. *Generally.* The sign face area of a sign shall be measured as the area enclosed by straight lines drawn to the extremities of the letters, numbers, recognizable symbols and trademarks.

B. *Special situations.*

1. Where a sign is composed of letters, pictures, symbols, or logos attached directly to a facade, window, door or marquee, and the letters, pictures, symbols, or logos are not enclosed by a border or trimming, the sign face area shall be the area within the smallest square or rectangle, the sides of which touch the extreme points of any letters, pictures, symbols, or logos.

2. Where two sign faces areas are placed back to back on a single sign structure, and the faces are at no point more than four feet apart, the area of the sign shall be counted as the area of one of the faces.

3. Where four sign faces areas are arranged in a square, rectangle or diamond, the area of the sign shall be the area of the two largest faces. Where a sign is in the form of a three-dimensional object, the area shall be determined by drawing a square or rectangle, the sides of which touch the extreme point or edges of the projected image of the sign, and multiplying that area by two. The "projected image" is that image created by tracing the largest possible two-dimensional outline of the sign.

16.06.02. Number of signs.

A. *Generally.* In general, the number of signs shall be the number of noncontiguous sign face areas. Multiple noncontiguous sign face areas may be counted as a single sign if all the sign faces are included in the geometric figure used for determining the sign face area.

B. *Special situations.*

1. Where two sign faces area are placed back to back and are at no point more than three feet apart, it shall be counted as one sign.

2. If a sign has four sign face areas arranged in a square, rectangle or diamond, it shall be counted as two signs.

(Ord. No. 03-10-LC, § 5, 10-20-03; Ord. No. 07-34-LC, § 9, 10-1-07)

16.07.00. Design, construction and location standards.

16.07.01. Generally. All permanent signs must comply with the following design, construction and location standards.

16.07.02. Compliance with building and electrical codes required. All permanent signs, and the illumination thereof, shall be designed, constructed and maintained in conformity with applicable provisions of the building code and electrical codes of the City.

16.07.03. Illumination standards.

A. Sign lighting may not be designed or located to cause confusion with traffic lights.

B. Illumination by floodlights or spotlights is permissible so long as none of the light emitted shines directly onto an adjoining property or into the eyes of motorists or pedestrians using or entering public streets.

C. Illuminated signs shall not have lighting mechanisms that project more than 18 inches perpendicularly from any surface of the sign over public space.

16.07.04. Placement standards.

A. *Near street and driveway intersections.* Signs located within the clear visibility triangle near street and driveway intersections shall not be erected or placed in such a manner as to impede the vision between a height of two feet and ten feet above grade. The signs support structure shall not be wider than ten inches.

B. *In right-of-way.* Supports for sign or sign structures shall not be placed in or upon a public right-of-way or public easement, except under the terms of a lease between the owner of the easement or right-of-way and the owner of the sign.

C. *Over right-of-way.* Except as provided herein no ground sign shall project over a public right-of-way.

D. *Blocking exits, fire escapes, etc.* No sign or sign structure shall be erected that impedes use of any fire escape, emergency exit or standpipe.

16.07.05. Clearance standards.

A. *Relationship to building features.* A building sign shall not extend beyond any edge of the surface to which it is attached, nor disrupt a major architectural feature of the building.

B. *Maximum projection.* A building sign may project no more than four feet perpendicularly from the surface to which it is attached.

(Ord. No. 03-10-LC, § 5, 10-20-03; Ord. No. 07-34-LC, § 10, 10-1-07)

~~16.08.00. Nonconforming signs.~~

~~Nonconforming signs shall be subject to the following provisions:~~

~~*16.08.01. Definition.* Any sign within the City on the effective date of this Code which is prohibited by, or does not conform to the requirements of, this Code. Signs that are within ten percent of the height and size limitations of this Code, and that in all other respects conform to the requirements of this Code, are not non-conforming signs.~~

~~*16.08.02. Nonconforming signs.* All nonconforming signs shall be subject to the following restrictions:~~

~~A. A nonconforming sign shall not change substantially from its condition on the date it became non-conforming. For more information on "substantial changes to a nonconforming sign" please refer to B.3 below. Accordingly, no nonconforming sign may be enlarged or altered in a way which increases its nonconformity, but any sign or portion thereof may be altered to decrease its nonconformity, or for ordinary repair and maintenance as provided for herein.~~

~~B. Ordinary repair and maintenance of nonconforming signs is permitted as follows:~~

~~1. Ordinary repair and maintenance shall mean the work necessary to keep the sign in good state of repair provided, however, ordinary repair and maintenance shall not include replacement of structural materials.~~

~~2. Structural materials, as used in this section shall mean those materials comprising the load-bearing components of the sign including vertical supports, horizontal stringers, braces, bracing wires, brackets and catwalks. Structural materials do not include the sign face, any skirt, any electrical service or electric lighting, except in cases where such items have been incorporated into the load-bearing parts of the sign.~~

~~3. Examples of changes, modifications or work which do not constitute ordinary repair and maintenance, but which would constitute substantial changes to a nonconforming sign, include, but are not limited to:~~

~~a. Modification that changes the structure of, or the type of structure of, the sign, such as conversion of back to back sign to a V-type or conversion of a wooden sign structure to a metal structure.~~

~~b. Modification that changes the sign face area or the height of the sign.~~

~~c. Modification that enhances the visibility of the sign's message or the period of time the sign's message is visible.~~

~~d. Modification that adds automatic or electronic changeable faces, or copy.~~

~~e. Modification that adds artificial lighting, or changes the existing lighting, such that elimination of the sign face is substantially increased.~~

~~4. Should a nonconforming sign be destroyed by any means to an extent of more than 50 percent of its value at the time of destruction as reflected on the personal property tax return filed by the owner, it shall not be reconstructed except in compliance with these regulations.~~

~~5. Modifications to a nonconforming sign that have the effect of enhancing the sign's message, the visibility of the message, or the period of time the message is visible in the case of electronic message boards are prohibited.~~

~~6. A nonconforming sign may not be disassembled and re-erected at the same location.~~

~~7. A nonconforming sign may not be relocated.~~

8. A nonconforming sign which has become structurally unstable or constitutes an imminent threat to public safety must be removed. Any replacement sign must conform to the provisions of section 16.04.00. *Permitted signs.*

9. Nothing in this section shall be construed so as to constitute a violation of § 70.20, Florida Statutes (2002).

(Ord. No. 03-10-LC, § 5, 10-20-03; Ord. No. 07-34-LC, § 11, 10-1-07)

16.09.00. Permits and appeals.

16.09.01. Permits required. No permit is required for the display of a flag. No person shall erect, alter, repair or relocate any sign that requires a permit without first obtaining a building permit for such work from the Director of Community Development. No permit shall be issued until the Director of Community Development determines that such work is in accordance with the requirements contained in this ordinance, and the Director of Community Development determines such work will not violate any building, electrical or other adopted codes of the City.

16.09.02. Applications. All required building permit applications shall be filed on forms supplied by the Director of Community Development. The application shall contain the information and documents required herein and shall be accompanied by the required permit fee.

16.09.03. Permit application contents. The completed application for a permit for a sign shall include the following applicable information:

A. The name, address and telephone number of the property owner together with proof of ownership.

B. The name, address, telephone number and registration number of the engineer.

C. The name, address, telephone number and license number of the sign contractor/manufacturer.

D. The address and name of the business where the sign is to be erected. The zoning district, the building frontage of the tenant space and the road frontage of the premises is also required.

E. The type of sign, square footage, height and location of all signage currently displayed on the premises.

F. The type of sign, square footage, height and location of the sign or signs proposed to be erected on the premises.

G. A fully dimensioned and scaled site plan showing the lot frontage, building frontage, parking areas and location of all existing and proposed signs. For ground signs, the site plan must show the distance from the right-of-way and edge of pavement.

H. Sign plan. The application shall:

1. Provide a summary table listing location type and area of any existing and proposed signs.

2. Provide fully dimensioned and scaled elevation drawing of any proposed sign, showing sign type, height, structure and sign face area.

3. For building signs, provide an elevation of the building, showing placement of any sign.

4. If the sign is to be electrically lighted, additional information is to be provided regarding the testing laboratory or the ETL Number, and the name and address of the electrical contractor.

5. For multiple occupancy complexes, the format required by section X(A)(2)(b)(ii).

I. The type of construction, sign supports, electrical details.

J. Wind load calculations and footer details as required by the City's adopted building code.

K. For the following signs, plans prepared by a Florida registered professional engineer and sealed by such engineer:

1. Building signs that project perpendicularly from the surface to which it is attached and that are more than 24 square feet in area.

2. Ground signs of more than ten feet in height and 100 square feet in area.

16.09.04. Investigation/Time limits. Upon the receipt of a completed permit application and upon payment of the appropriate permit fee by the applicant, the Director of Community Development shall promptly conduct an investigation of the application, the proposed sign and the premises. The Director of Community Development shall grant or deny the permit application within 20 days from the date the completed application with application fee was filed with the Director of Community Development.

16.09.05. Issuance or denial of permit.

A. If, after review and investigation as required herein, the Director of Community Development determines that the application meets the requirements contained in this ordinance and determines the proposed sign will not violate any building, electrical or other adopted codes of the City, the Director of Community Development shall issue the permit.

B. If, after review and investigation as required herein, the Director of Community Development determines that one or more reasons for denial exist, the permit shall be denied and the Director of Community Development shall make a written report of the denial and the reasons therefore. A copy of the report shall be sent by certified mail to the designated return address of the applicant on the application. The application for a permit shall be denied if one or more of the following conditions are found to exist:

1. The application does not comply with the requirements of this ordinance; or

2. The application would violate any building, electrical or other adopted codes of the City.

16.09.06. Permit fees. The permit fee for signs shall be determined pursuant to the permit fee schedule established by separate ordinance.

16.09.07. Appeals. Any person denied a permit for signs may file a written appeal to the Board of Adjustment within 30 calendar days after rendition of the denial pursuant to the provisions of section.

(Ord. No. 03-10-LC, § 5, 10-20-03; Ord. No. 07-34-LC, § 12, 10-1-07)

16.10.00. Penalty.

Any alleged violation of this article may be processed in accordance with procedures set forth in the City's Code of Ordinances, Chapter 14, Article III, Code Enforcement Board.

(Ord. No. 03-10-LC, § 5, 10-20-03)

City of Destin, FL

EXHIBIT A

Article 8 – Sign Regulations - Height Discussion

Community Development

Planning Division



Ground Sign Height Considerations

Characteristics of signs within Destin's primary travel corridors (Hwy 98 and Main Street):

- **Businesses rely heavily on ground signs for visibility.**
  - **Placed as close to the right-of-way as possible**
  - **Vary their sign heights relative to neighboring properties to ensure their sign stands out.**
  - **This has created a visually cluttered vertical "band" of signage along U.S. 98, with sign heights ranging from approximately 10 to 26 feet above grade.**

Ground Sign Height Considerations

Potential results of lowering sign height:

- **Establish consistency.**
  - **Property owners would still maximize the allowed height, but instead of competing vertically, signs would offset horizontally within the setback area.**
  - **Could enhances corridor aesthetics and reduces visual noise.**
  - **Gradual transition, but with significant results.**

Ground Sign Height Considerations

Case Studies:

- **Panama City**
  - **Adopted an 8-foot maximum ground sign height in 2019.**
  - **Newer developments reflect this standard, though many taller nonconforming signs remain due to the slow pace of redevelopment.**
- **Fort Myers Beach**
  - **Implemented a 5-foot maximum ground sign height limit.**
  - **Following widespread redevelopment after Hurricane Ian, most nonconforming signs have been replaced, resulting in a cohesive low-profile signage environment.**

Ground Sign Height Considerations

Summary

- **The taller the maximum sign height allowed, the more fragmented and visually cluttered the vertical plane becomes.**
- **Greater height allowances create more “space” for businesses to stagger signs at different elevations, therefore intensifying competition and reducing overall corridor legibility.**

City of Destin



Height Limit: 26’ – Signs compete in the vertical space along the Highway 98 Corridor.

City of Destin



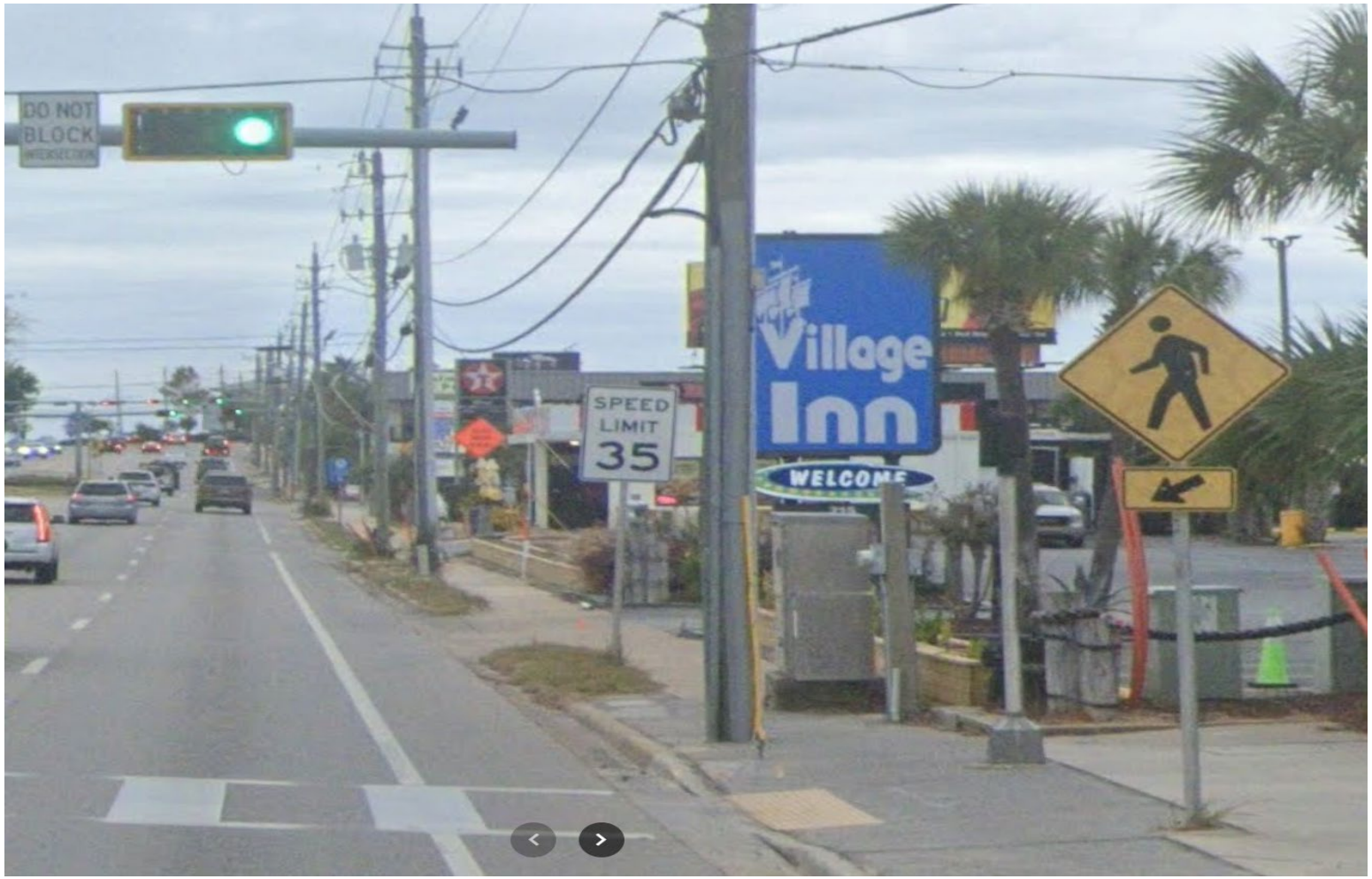
Height Limit: 26’ – Signs compete in the vertical space along the Highway 98 Corridor.

City of Destin



Height Limit: 26’ – Signs compete in the vertical space along the Highway 98 Corridor.

City of Destin



Height Limit: 26’ – Signs compete in the vertical space along the Highway 98 Corridor.

City of Destin



Height Limit: 26’ – Signs compete in the vertical space along the Main Street Corridor.

City of Destin



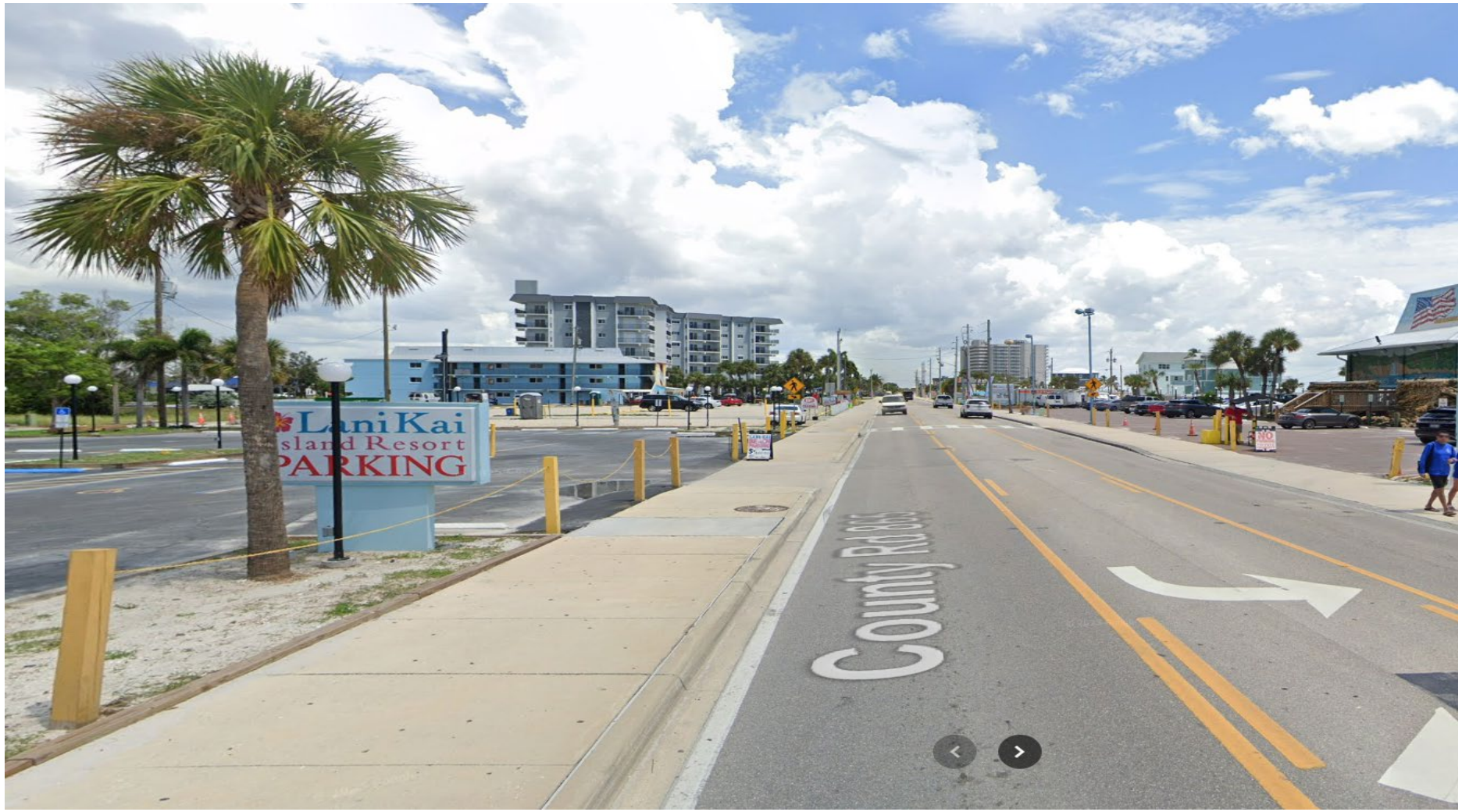
Height Limit: 26’ – Big Kahuna’s newly permitted 26’ sign along the Highway 98 Corridor.

Panama City



Height Limit: 8’ – The Murphy USA gas station is a new development and the sign meets the 8’ height standard. However, looking at the horizon there are plenty of nonconforming signs that will take decades to phase out.

Fort Meyers Beach



Height Limit: 5’ with an 18” pedestal – Most of Fort Myers Beach is undergoing redevelopment after Hurricane Ian in 2022. However, there still remain a few nonconforming signs.

Pensacola



Height Limit: 25’ – Similar to Destin, signs compete in the vertical space. This space is already busy with utility lines, however, Destin will not have that problem along Highway 98 in the near future.

Gulf Breeze



Height Limit: 8’ – Newer and redeveloped areas of Gulf Breeze are starting to have cleaner site lines.

Santa Rosa County (Navarre)



Height Limit: 30’ – Along the Highway 98 Corridor in Navarre, there is a lot of clutter in the vertical space.

Port Saint Joe



Height Limit: 14’ but in no case shall a sign have a height exceeding the height of the principal structure. Even at 14’ there is less clutter on the vertical plane.

Clearwater



Height Limit: 1.5 times the width of the sign, not to exceed 14’.

St. Petersburg



Height Limit: 15’.

Pros and Cons of Taller vs. Shorter Ground Signs

Pros of Taller Signs

- **Increased visibility at higher speeds - Taller signs can be seen from farther distances, which may benefit businesses on high-speed corridors.**

- **Improved visibility over parked cars or landscaping - In areas with large parking lots or tall vegetation, height can help prevent obstruction.**

- **Reduced reliance on multiple signs - A taller sign may reduce pressure for additional building or window signage, which can also give the appearance of clutter.**

Pros and Cons of Taller vs. Shorter Ground Signs

Cons of Taller Signs

- **Visual clutter and "sign wars" - Competing vertical heights create a chaotic skyline of signage, reducing overall readability.**

- **Reduced community character - Tall signs can undermine efforts to create a pedestrian-friendly or aesthetically cohesive corridor.**

- **Height variation makes it harder to maintain a unified streetscape identity.**

- **Excessive visual competition can distract drivers and reduce wayfinding clarity.**

Pros and Cons of Taller vs. Shorter Ground Signs

Pros of Shorter Signs

- **A uniform height limit creates a consistent horizontal line of signage.**

- **Lower signs contribute to a cleaner, more intentional corridor design.**

- **Better pedestrian orientation - Shorter signs are more readable at human scale, supporting walkability.**

- **Businesses compete on sign design quality rather than height.**

Pros and Cons of Taller vs. Shorter Ground Signs

<u>Cons of Shorter Signs</u>

- **Potential visibility challenges - In corridors with deep setbacks or large parking lots, shorter signs may be harder to see.**

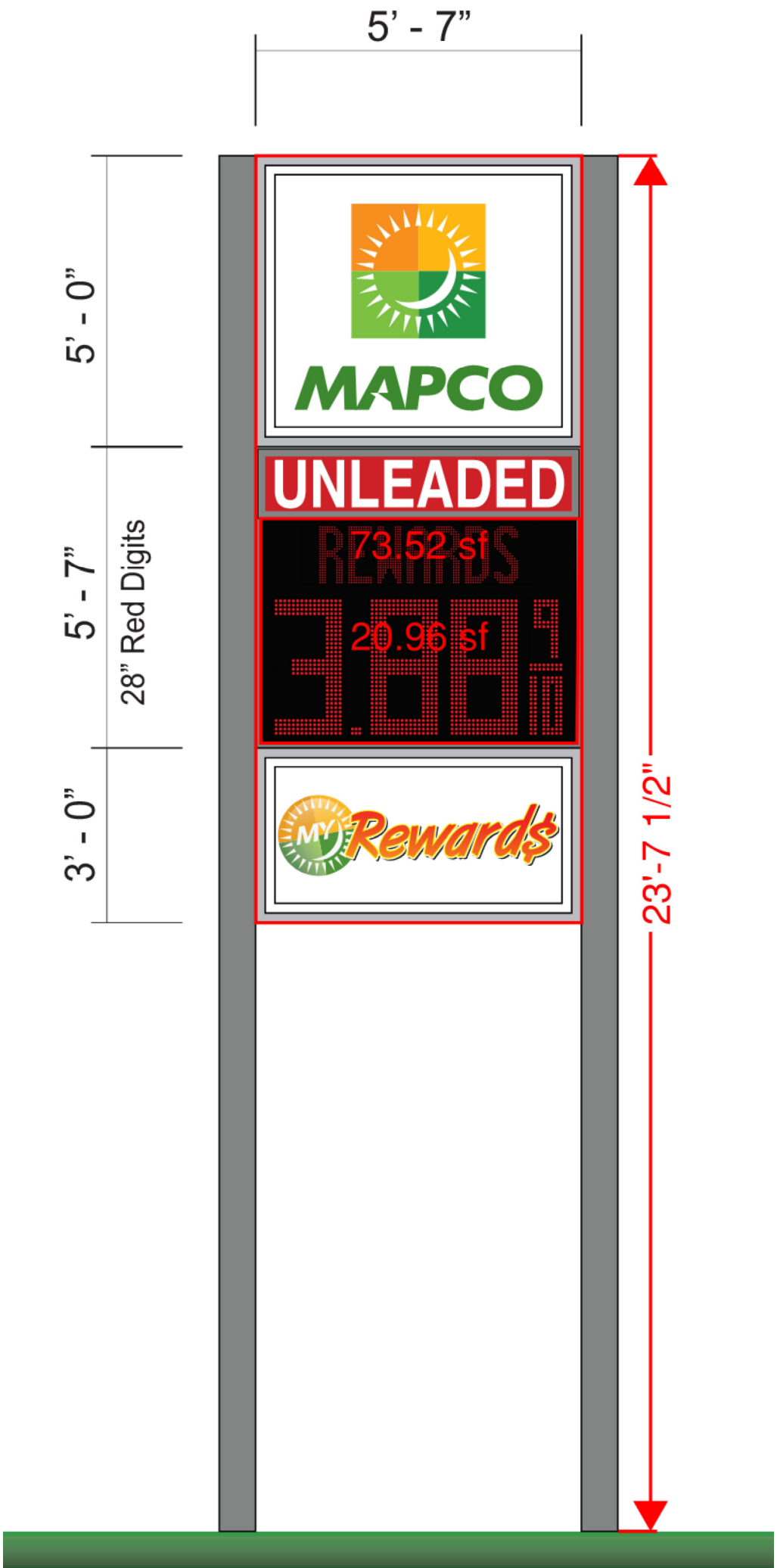
- **Slower transition - Existing tall signs may remain for years unless redevelopment or sunset policies accelerate change.**

Additional Considerations

- **Setback and height work together: If signs must be lowered there may be a need to revisit setback requirements to ensure visibility is still achievable.**

- **Consider corridor characteristics: High-speed arterials may justify slightly taller signs than pedestrian-oriented districts.**

- **Nonconformity management: Without incentives, or redevelopment triggers, the transition to a new standard may take decades.**


5’ - 7”
5’ - 0”
5’ - 7”
28” Red Digits
3’ - 0”
MAPCO
UNLEADED
REWARDS
73.52 sf
20.96 sf
3.88
9
10
MY Rewards
23’-7 1/2”

POMPTON LAKES
VOLUNTEER FIRE DEPT.

12:46 PM
Sunday Jan 8 2006

POMPTON LAKES
VOLUNTEER FIRE DEPT.
Founded June 22, 1925


MAHWAH PUBLIC LIBRARY
100 Ridge Road
13 47
12/09/11
50°F
Hyperion
STOP

City of Destin Business Impact Statement – Ord 26-07-LC

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:

> Ord. 26-07-LC repeals and replaces Article 16 - Signs of the current Land Development Code (LDC) for the City of Destin. It provides updates, clarification, organization, and revisions to the regulation of signage within the City of Destin.

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

> There is no immediate expected direct economic impact of the proposed ordinance on private, for-profit businesses within the City of Destin as the City currently has an adopted LDC with signage provisions. If digital signs were to be prohibited within the City, then business owners would be responsible for replacing any non-conforming signs, as applicable.

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

> For-profit businesses whose property contains a non-conforming sign would be responsible for the removal of such sign when the applicable time arises, and for the construction of a new, conforming sign. However, the compliance cost would depend on the new sign value.

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

> There are no new fees imposed by the adoption of this proposed ordinance.

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

> There is no additional regulatory cost associated with the adoption of this proposed ordinance.

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

> Any business, existing or future, is and will be regulated by the proposed ordinance, as well as any amendments to the Land Development Code in the future. However, if digital signs were to be prohibited within the City, then those applicable business owners would be additionally impacted.

Community Development
Planning and Zoning Division

4100 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-654-1119 | Email: planning@cityofdestin.com

July 23, 2026

Subject: Notice of Destin City Council Review of Draft Article 8 (Sign Regulations)
Ordinance 26-07-LC

Dear Business Owner:

As a valued business owner within the City of Destin, you are receiving this notice because the proposed amendments contained in **Ordinance No. 26-07-LC**, which would adopt **Draft Article 8 (Sign Regulations)** of the City's Land Development Code (LDC), may affect signage for commercial properties throughout the City.

The Destin City Council will be reviewing and discussing **Ordinance No. 26-07-LC** during its meeting on **Monday, August 3, 2026,** with the meeting beginning at **6 PM CST** in the **Destin City Hall Annex Chambers** at **4100 Indian Bayou Trail**. The purpose of this meeting is to review the current draft regulations, receive public input, and provide direction regarding potential revisions before the ordinance proceeds through the required public hearing and adoption process.

The proposed revisions address numerous aspects of the City's sign regulations, including, but not limited to:

- Maximum sign heights;
- Permitted sign square footage/sign area allowances;
- Standards for various sign types;
- Regulations governing the placement and design of signs; and
- A proposal to prohibit digital signage within the City of Destin.

The most current version of the draft regulations will be available for review at the link provided below: https://www.cityofdestin.com/568/Agendas-Minutes-Packets once the agenda for the meeting has been published on Thursday, July 30, 2026.

The City encourages all interested business owners and property owners to review the proposed ordinance and participate in the public process. Your comments and input are valuable as the City Council considers potential changes to the Land Development Code.

Thank you for your continued involvement in helping shape the future of the City of Destin. We appreciate your participation in this important planning effort and encourage you to attend the meeting and share your comments with the City Council.

If you have any questions regarding the proposed ordinance or the review process, please contact the Community Development Department by phone at (850) 837-4242, or email at planning@cityofdestin.com.

Sincerely,

Tina Deater

Tina Deater, AICP
Community Development Director