



**AGENDA
LOCA PLANNING AGENCY
THURSDAY, SEPTEMBER 26, 2019
5:30 PM
DESTIN CITY HALL BOARDROOM**

- 1. CALL TO ORDER**
- 2. ROLL CALL/PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MINUTES**
- 4. NEW BUSINESS**
 - A. A public hearing regarding Ordinance No. 19-23-LC relating to changes to the Zoning Map, which changes the zoning district of sixteen (16) to match the land use designations assigned in the Future Land Use Map of the Comprehensive Plan. The proposed Ordinance title is as follows:
ORDINANCE NO. 19-23-LC**

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATIONS OF THE PARCELS DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO RESIDENTIAL, OFFICE AND INSTITUTIONAL-VILLAGE RESIDENTIAL (ROI-VR); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- B. A public hearing regarding Ordinance No. 19-29-LC relating to changes to the Zoning Map, which changes the zoning of one parcel from multiple zoning districts (Recreation, Institutional, and Residential, Office, Institutional – General Development) to Institutional (INST). The proposed Ordinance title is as follows:
ORDINANCE NO. 19-29-LC**

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATION OF THE PROPERTY DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM MULTIPLE ZONING DISTRICTS TO ONE ZONING DISTRICT; SPECIFICALLY, FROM INSTITUTIONAL (INST), RESIDENTIAL, OFFICE AND INSTITUTIONAL-GENERAL DEVELOPMENT (ROI-GD), AND RECREATIONAL (REC) TO INSTITUTIONAL (INST), ONLY; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- C. A public hearing regarding Ordinance No. 19-24-LC relating to changes to the Zoning Map, which changes the zoning of multiple parcels from Residential, Office, Institutional – General Development (ROI-GD) to Residential, Office Institutional – Village Residential (ROI-VR). The proposed Ordinance title is as follows:
ORDINANCE NO. 19-24-LC**

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATIONS OF THE PARCELS DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM RESIDENTIAL, OFFICE AND INSTITUTIONAL-GENERAL DEVELOPMENT (ROI-GD) TO RESIDENTIAL, OFFICE AND INSTITUTIONAL-VILLAGE RESIDENTIAL (ROI-VR); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- D. A public hearing regarding Ordinance No. 19-26-LC relating to changes to the Zoning Map, which changes the zoning of one parcel from Institutional (INST) and Commercial General (CG) to entirely Institutional (INST). The proposed Ordinance title is as follows: ORDINANCE NO. 19-26-LC**

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATIONS OF THE PARCEL DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM INSTITUTIONAL (INST) AND COMMERCIAL GENERAL (C-G) TO INSTITUTIONAL (INST), ONLY; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- E. A public hearing regarding Ordinance No. 19-27-LC relating to changes to the Zoning Map, which changes the zoning of multiple parcels from Commercial General (CG) to Town Center Mixed Use (TCMU), to match the future land use designation assigned in the Comprehensive Plan. The proposed Ordinance title is as follows: ORDINANCE NO. 19-27-LC**

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATIONS OF THE PARCELS DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM COMMERCIAL GENERAL (C-G) TO TOWN CENTER MIXED USE (TCMU); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- F. A public hearing regarding Ordinance No. 19-14-LC relating to the establishment of parking requirements for outdoor dining and/or seating areas. The proposed Ordinance title is as follows:
ORDINANCE NO. 19-14-LC

**AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA
AMENDING THE LAND DEVELOPMENT CODE TO ESTABLISH
MINIMUM PARKING REQUIREMENTS FOR ALL OUTDOOR
DINING AND SEATING AREAS IN THE CITY OF DESTIN;
CREATING DEFINITIONS FOR OUTDOOR DINING AND
SEATING AREAS; PROVIDING FOR AMENDMENTS
TO ARTICLES 3, 7, AND 8 OF THE LAND DEVELOPMENT
CODE; 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.**

***CONTINUED TO LPA MEETING ON OCTOBER 17, 2019 AT 5:30
PM***

- G. A public hearing regarding Ordinance No. 19-16-LC relating to the establishment of a “Change of Use” process which regulates changes of previously approved land uses. The proposed Ordinance title is as follows:
ORDINANCE NO. 19-16-LC

**AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA
ESTABLISHING A PROCESS FOR REGULATING AND
REVIEWING CHANGES OF PREVIOUSLY APPROVED LAND
USES IN THE CITY OF DESTIN; PROVIDING FOR
AMENDMENTS TO ARTICLE 2 (“ADMINISTRATION”) OF THE
LAND DEVELOPMENT CODE; DEFINING “CHANGE OF USE”;
PROVIDING FOR AMENDMENTS TO ARTICLE 3
“DEFINITIONS” OF THE LAND DEVELOPMENT
CODE; 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.**

- H. A public hearing regarding Ordinance No. 19-19-LC relating to the process of development application review. The proposed Ordinance title is as follows:**

ORDINANCE NO. 19-19-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO THE PROCESS FOR DEVELOPMENT APPLICATION REVIEW; PROVIDING FOR AMENDMENTS TO ARTICLE 2 (“ADMINISTRATION”) OF THE LAND DEVELOPMENT CODE; PROVIDING FOR AMENDMENTS TO ARTICLE 7 “LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS”) OF THE LAND DEVELOPMENT CODE; MODIFYING THE TECHNICAL REVIEW COMMITTEE PROCESS; AMENDING NOTICE REQUIREMENTS FOR DEVELOPMENT APPLICATIONS; AMENDING THE CONDITIONAL USE PROCESS; AMENDING THE THRESHOLDS FOR MAJOR DEVELOPMENT ORDER REVIEW; 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. A public hearing regarding Ordinance No. 19-28-LC relating to the consolidation of the Residential, Office, Institutional – General Development (ROI-GD) and Residential, Office, Institutional – Village Residential (ROI-VR) zoning districts. The proposed Ordinance title is as follows:**

ORDINANCE NO. 19-28-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLE 7 OF THE LAND DEVELOPMENT CODE TO ELIMINATE THE RESIDENTIAL, OFFICE AND INSTITUTIONAL-GENERAL DEVELOPMENT ZONING DISTRICT (ROI-GD) AND CONSOLIDATE IT WITH THE RESIDENTIAL, OFFICE AND INSTITUTIONAL-VILLAGE RESIDENTIAL ZONING DISTRICT (ROI-VR); PROVIDING FOR; 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.

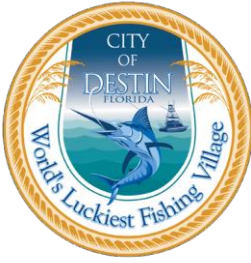
- J. A public hearing regarding Ordinance No. 19-25-LC amending Article 7 of the Land Development Code to establish conditional uses in the Commercial General (CG) zoning district. The proposed Ordinance title is as follows:**

ORDINANCE NO. 19-25-LC

**AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA
AMENDING THE COMMERCIAL GENERAL (C-G) ZONING
DISTRICT; AMENDING ARTICLE 7 OF THE LAND
DEVELOPMENT CODE “LAND USE, TYPE, DENSITY,
INTENSITY, ZONING AND REGULATORY
CONTROLS”; AMENDING TABLE 7-2 “TABLE OF ALLOWABLE
USES”; ESTABLISHING CONDITIONAL USES IN THE
COMMERCIAL GENERAL (C-G) ZONING DISTRICT;
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. DIRECTOR'S REPORT**
 - A. Meeting Material Distribution**
- 6. NEXT MEETING DATE: TBD**
 - A. October 17, 2019**
- 7. ADJOURNMENT**

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



COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ITEM

LOCAL PLANNING AGENCY MEETING DATE: September 26, 2019

TYPE OF AGENDA ITEM: Staff Report and Recommendation

TO: Local Planning Agency

THRU: Community Development Director, Louis Zunguze
Principal Planner, Lauren Witt
Kimberly Kopp, City Land Use Attorney

FROM: Planner, Sam Brisolara
Planner, Traci Goodhart

DATE: August 27, 2019

SUBJECT: Zoning Map Amendments

1. 19-23-LC: Areas 4 & 5
2. 19-24-LC: ROI-GD/VR
3. 19-29-LC: 4323 Commons Blvd W

BACKGROUND:

The City Council has directed the Community Development Staff to address the existing discrepancies between the Zoning Map and the Future Land Use Map for the City of Destin, as outlined in Comprehensive Plan Objective 1-2.1.

The following timeline outlines the City's effort in aligning of the Zoning Map and Future Land Use Map:

- **February 26, 2019:** City Council Workshop was held to discuss the alignment of the Zoning Map and Future Land Use Map
- **March 4, 2019:** City Council directed Staff to rezone all areas to be consistent with the Comprehensive Plan, except areas 7 & 15.
- **April 18, 2019:** Staff proposed the FLUM and Zoning Map Alignment to the Local Planning Agency (LPA)
- **May 16, 2019:** LPA made the recommendation to City Council to approve the proposed alignment (without areas 7 & 15)
- **June 3, 2019:** City Council removed areas 4 & 5 from the proposed alignment for further consideration
- **June 17, 2019:** First Reading and Approval of 19-09-LC (Zoning Map Amendment), with areas 4, 5, 7, & 15 removed
- **July 1, 2019:** Second Reading and Approval of 19-09-LC.

- **July 10, 2019:** City Council Workshop to discuss the appropriate future land use and Zoning Map designations of areas 4, 5, 7 & 15
- **August 19, 2019:** City Council directed staff to prepare a Zoning Map Amendment to rezone areas 4 & 5 to ROI-VR, amend the Land Development code to consolidate ROI-VR and ROI-GD, and amend the Zoning Map to change all parcels zoned ROI-GD to ROI-VR.

DISCUSSION:

AREAS 4 & 5 – Proposed Ordinance 19-23-LC

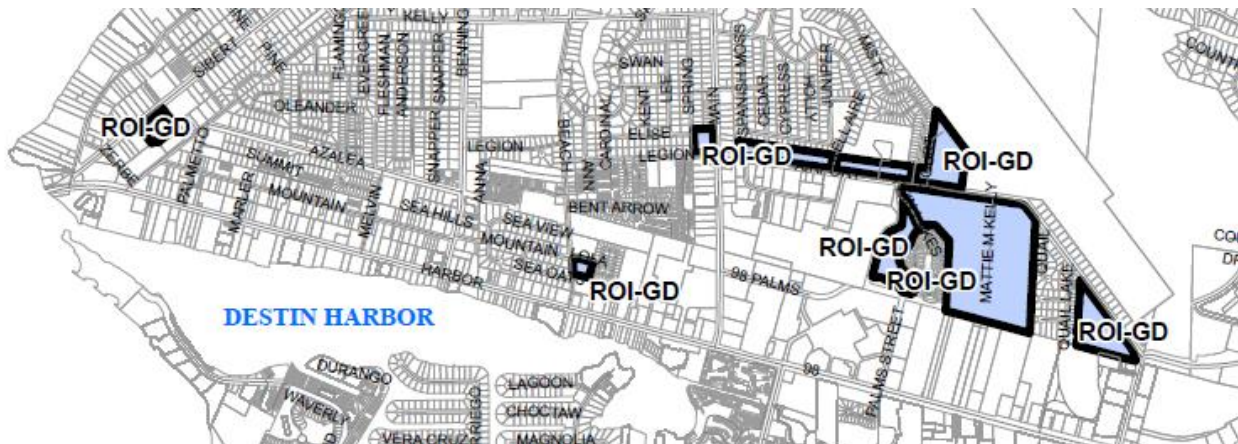
The Zoning designation of Areas 4 & 5 is currently Medium Density Residential – Village (MDR-V), which is not consistent with the Future Land Use Designation of Residential, Office & Institutional (ROI). In order to correct this misalignment, the parcels that make up Areas 4 & 5 should be rezoned to an ROI district. Currently, there are four zoning districts which are derived from the ROI Future Land Use classification: General Development (GD), Tourist Development (TD), Village Residential (VR), and Crystal Beach Residential (CBR). In order to maintain the long-term residential character of this area, Staff is proposing these two areas be rezoned to ROI-VR.



**The two parcels at the corner of Azalea and Benning Drives (00-2S-22-0135-0000-0010 and 00-2S-22-0135-0000-0020) are split zoned (MDR-V and INST). A Zoning Map Amendment to remedy this will be brought to the LPA for review in October.

ROI-GD/VR CONSOLIDATION – Proposed Ordinance 19-24-LC

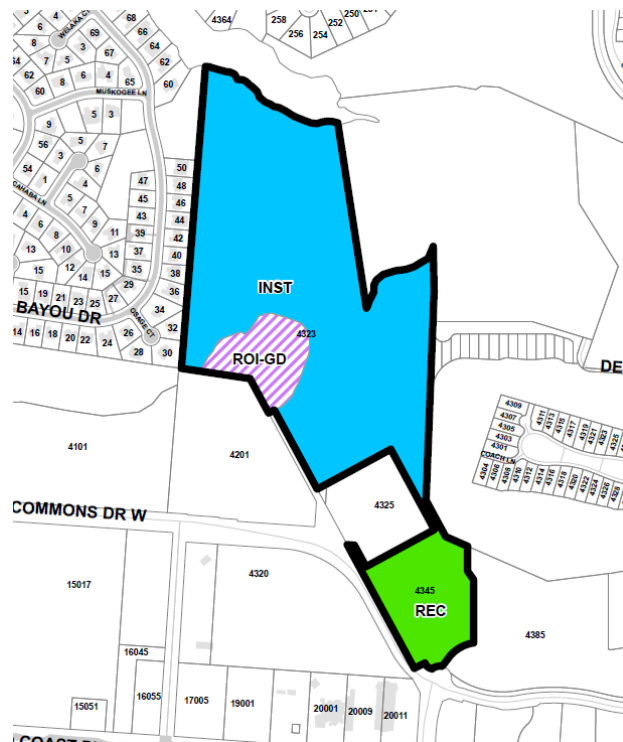
As a result of the proposed consolidation of ROI-VR and ROI-GD, all parcels currently zoned ROI-GD are proposed to be rezoned to ROI-VR. All non-residential uses currently permitted in the ROI-GD district will be converted to conditional uses in the revised ROI-VR zoning district.



**The location of the Sugarloaf Apartments is currently split zoned (Parcel ID: 00-2S-22-0000-0057-0010) ROI-GD and MDR-V. Staff will be preparing a Zoning Map amendment to remedy this for LPA review in October. This property is not included in the proposed Zoning Map Amendment 19-24-LC.

4323 COMMONS BLVD W – Proposed Ordinance 19-29-LC

Additionally, the parcel located at 4323 Commons Blvd West (PID:00-2S-22-0000-0001-B17F) has three different zoning district designations: ROI-GD, Institutional (INST), and Recreation (REC). In order to make the entire parcel consistent, Staff is proposing to amend the Zoning Map to make this entire parcel Institutional. The two existing land uses are the Mattie Kelly Arts Foundation and the Aquatic Center of Destin, both of which are permitted uses in the Institutional zoning district. If approved, the future land use classification will be changed to match through the Evaluation and Appraisal process.



STAFF RECOMMENDATION:

Staff recommends that the LPA recommend approval to City Council of the following proposed ordinances:

1. 19-23-LC: Amends the zoning district of Areas 4 & 5 from Medium Density Residential – Village (MDR-V) to Residential, Office, Institutional – Village Residential (ROI-VR)
2. 19-24-LC: Amends the zoning district of all Residential, Office, Institutional – General Development (ROI-GD) properties to Residential, Office, Institutional – Village Residential (ROI-VR),
3. 19-29-LC: Amends the zoning district of parcel ID 00-2S-22-0000-0001-B17F from Recreation (REC), Institutional (INST), and Residential, Office, Institutional – General Development (ROI-GD) to Institutional (INST).

MOTIONS:

I move the LPA recommends approval of proposed ordinance 19-23-LC.

I move the LPA recommends approval to City Council of proposed ordinance 19-24-LC.

I move the LPA recommends approval to City Council of proposed ordinance 19-29-LC.

AN ORDINANCE OF THE CITY OF DEFTS, FLORIDA ESTABLISHING:
A. PROVIDING FOR REGULATING AND REVERTING CHANGES OF
PROVISIONS, APPROVED LAND USES IN THE CITY OF DEFTS,
PROVIDING FOR AMENDMENTS TO ARTICLE 3
(ADMINISTRATIVE), OF THE LAND DEVELOPMENT CODE,
DEFTS, "CHANGE OF USE", PROVIDING FOR AMENDMENTS TO
ARTICLE 3, "DEVELOPMENT" OF THE LAND DEVELOPMENT CODE,
PROVIDING FOR FUNDING OF FACT, PROVIDING FOR
INCORPORATION INTO THE LAND DEVELOPMENT CODE,
PROVIDING FOR CONFLICTING, PROVIDING, PROVIDING, FOR
NEUTRALITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the authority for enactment of these regulations is Article 3, Section 1.01(1) of the
City Charter, Section 100.01, Florida Statutes, and Chapter 192, Part 3, Florida Statutes, and

WHEREAS, Policies 1.1.1.3 and 1.1.1.4 of the City's Comprehensive Plan require all
development and redevelopment to provide on-site and off-site infrastructure requirements necessary to
accommodate impacts generated by the subject development, as well as, require a site plan review process
necessary to enforce the policies of the Comprehensive Plan and Land Development Code, and

WHEREAS, the City's Land Development Code contains standards and regulations to promote
and protect the desired character of the City through specific design criteria set forth in section 170.01, and

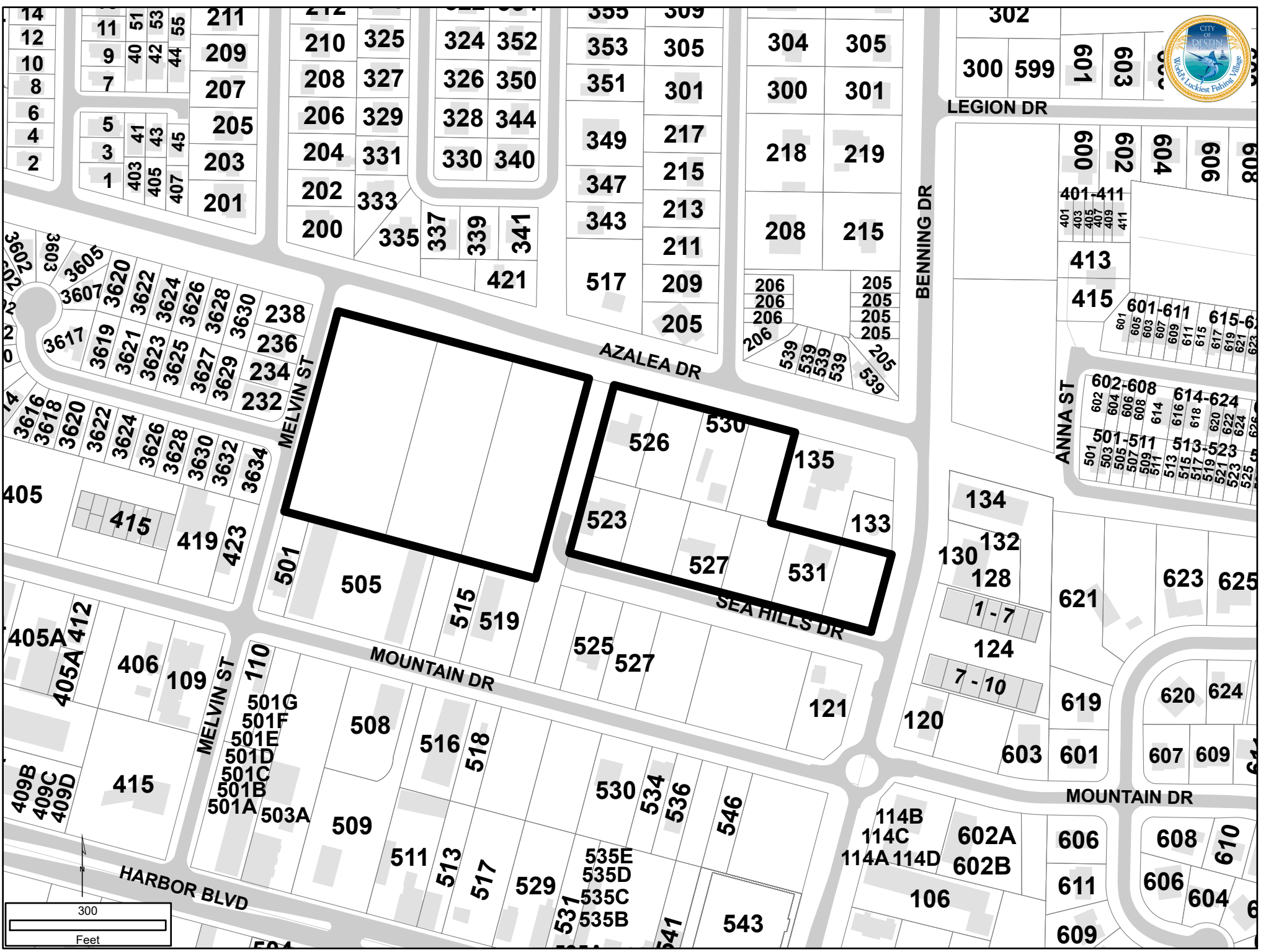
WHEREAS, given the size of the City of Defts, "new" development is primarily generated
through redevelopment opportunities and existing developments are required to be consistent with any
existing development codes, and

WHEREAS, there is a need for a citywide "change of use" development review process that will
address any one of a building or land that changes or proposes to change the nature or intensity of its current
use, and

WHEREAS, when the use of a space changes, the risk factors and neighborhood impacts
associated with the space use also change, and

WHEREAS, alterations to an existing building/area may be required to meet City codes
or building code requirements for the new use in order to ensure the health, safety, and welfare of
the public, and

WHEREAS, a "change of use" process would allow all allowable uses, whose changes in use are
occurring, and afford staff the opportunity to ensure that all land use regulations are adhered to, as well as,
considering potential impacts related to access, fire protection, lighting, noise, parking, signage, traffic,
traffic safety and substation access, and





COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ITEM

LOCAL PLANNING AGENCY MEETING DATE: September 26, 2019

TYPE OF AGENDA ITEM: Staff Report and Recommendation

TO: Local Planning Agency

THRU: Community Development Director, Louis Zunguze
Principal Planner, Lauren Witt
Kimberly Kopp, City Land Use Attorney

FROM: Planner, Sam Brisolara
Planner, Traci Goodhart

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- **July 10, 2019:** City Council Workshop to discuss the appropriate future land use and Zoning Map designations of areas 4, 5, 7 & 15
- **August 19, 2019:** City Council directed staff to prepare a Zoning Map Amendment to rezone areas 4 & 5 to ROI-VR, amend the Land Development code to consolidate ROI-VR and ROI-GD, and amend the Zoning Map to change all parcels zoned ROI-GD to ROI-VR.

DISCUSSION:

AREAS 4 & 5 – Proposed Ordinance 19-23-LC

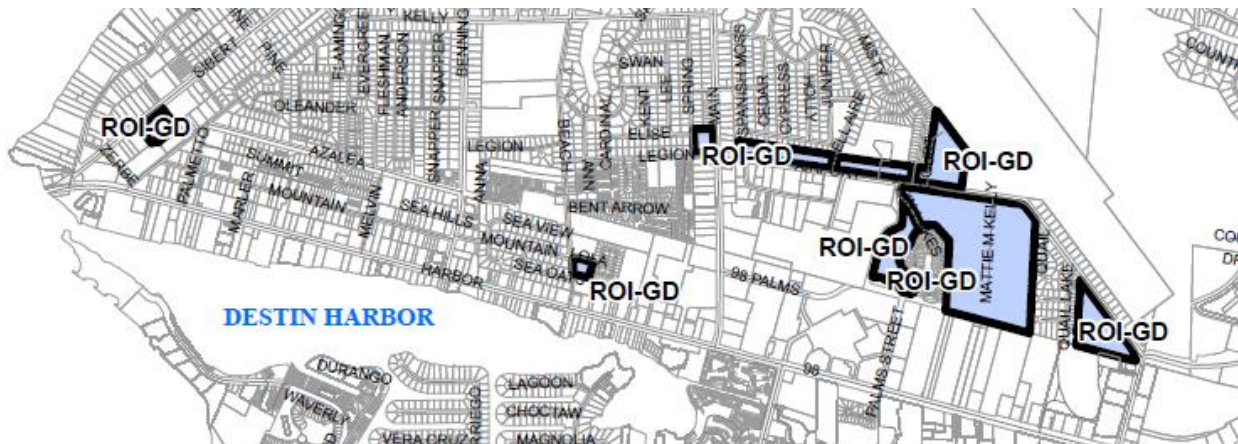
The Zoning designation of Areas 4 & 5 is currently Medium Density Residential – Village (MDR-V), which is not consistent with the Future Land Use Designation of Residential, Office & Institutional (ROI). In order to correct this misalignment, the parcels that make up Areas 4 & 5 should be rezoned to an ROI district. Currently, there are four zoning districts which are derived from the ROI Future Land Use classification: General Development (GD), Tourist Development (TD), Village Residential (VR), and Crystal Beach Residential (CBR). In order to maintain the long-term residential character of this area, Staff is proposing these two areas be rezoned to ROI-VR.



**The two parcels at the corner of Azalea and Benning Drives (00-2S-22-0135-0000-0010 and 00-2S-22-0135-0000-0020) are split zoned (MDR-V and INST). A Zoning Map Amendment to remedy this will be brought to the LPA for review in October.

ROI-GD/VR CONSOLIDATION – Proposed Ordinance 19-24-LC

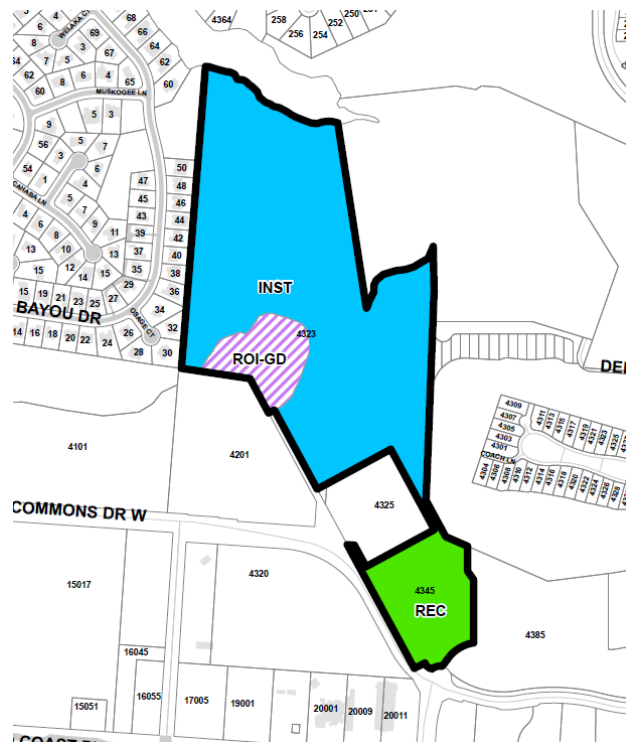
As a result of the proposed consolidation of ROI-VR and ROI-GD, all parcels currently zoned ROI-GD are proposed to be rezoned to ROI-VR. All non-residential uses currently permitted in the ROI-GD district will be converted to conditional uses in the revised ROI-VR zoning district.



**The location of the Sugarloaf Apartments is currently split zoned (Parcel ID: 00-2S-22-0000-0057-0010) ROI-GD and MDR-V. Staff will be preparing a Zoning Map amendment to remedy this for LPA review in October. This property is not included in the proposed Zoning Map Amendment 19-24-LC.

4323 COMMONS BLVD W – Proposed Ordinance 19-29-LC

Additionally, the parcel located at 4323 Commons Blvd West (PID:00-2S-22-0000-0001-B17F) has three different zoning district designations: ROI-GD, Institutional (INST), and Recreation (REC). In order to make the entire parcel consistent, Staff is proposing to amend the Zoning Map to make this entire parcel Institutional. The two existing land uses are the Mattie Kelly Arts Foundation and the Aquatic Center of Destin, both of which are permitted uses in the Institutional zoning district. If approved, the future land use classification will be changed to match through the Evaluation and Appraisal process.



STAFF RECOMMENDATION:

Staff recommends that the LPA recommend approval to City Council of the following proposed ordinances:

1. 19-23-LC: Amends the zoning district of Areas 4 & 5 from Medium Density Residential – Village (MDR-V) to Residential, Office, Institutional – Village Residential (ROI-VR)
2. 19-24-LC: Amends the zoning district of all Residential, Office, Institutional – General Development (ROI-GD) properties to Residential, Office, Institutional – Village Residential (ROI-VR),
3. 19-29-LC: Amends the zoning district of parcel ID 00-2S-22-0000-0001-B17F from Recreation (REC), Institutional (INST), and Residential, Office, Institutional – General Development (ROI-GD) to Institutional (INST).

MOTIONS:

I move the LPA recommends approval of proposed ordinance 19-23-LC.

I move the LPA recommends approval to City Council of proposed ordinance 19-24-LC.

I move the LPA recommends approval to City Council of proposed ordinance 19-29-LC.

ORDINANCE NO. 19-29-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATION OF THE PROPERTY DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM MULTIPLE ZONING DISTRICTS TO ONE ZONING DISTRICT; SPECIFICALLY, FROM INSTITUTIONAL (INST), RESIDENTIAL, OFFICE AND INSTITUTIONAL-GENERAL DEVELOPMENT (ROI-GD), AND RECREATIONAL (REC) TO INSTITUTIONAL (INST), ONLY; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

SECTION 2. FINDINGS OF FACT.

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

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

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

WHEREAS, the City Council desires to administratively rezone the property with Okaloosa County Parcel Identification No. 00-2S-22-0000-0001-B17F and depicted in Exhibit A, from multiple zoning districts to one zoning district; specifically, from Institutional (INST); Residential, Office and Institutional -General Development (ROI-GD); and Recreation (REC); to Institutional (INST), only; and

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

WHEREAS, after due public notice, a public hearing was conducted by the Local Planning Agency on September 26, 2019, and its recommendations reported to the City Council; and

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

SECTION 3. ZONING MAP AMENDMENT. The Official Zoning Map of the City of Destin, Florida, as referenced in the Land Development Code, section 7.12.01(A)2, Zoning Maps, is hereby amended to include a change of zoning map designation from multiple zoning districts to one zoning district; specifically, from Institutional (INST); Residential, Office and Institutional -General Development (ROI-GD); and Recreation (REC); to Institutional (INST), only, for the parcel of land with Okaloosa County Parcel Identification Number 00-2S-22-0000-0001-B17F which is generally depicted in Exhibit A, attached hereto and fully incorporated herein by this reference.

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

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

SECTION 6. SEVERABILITY. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

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

ADOPTED THIS ____ DAY OF _____ 2019.

BY: _____
Gary Jarvis, Mayor

ATTEST:

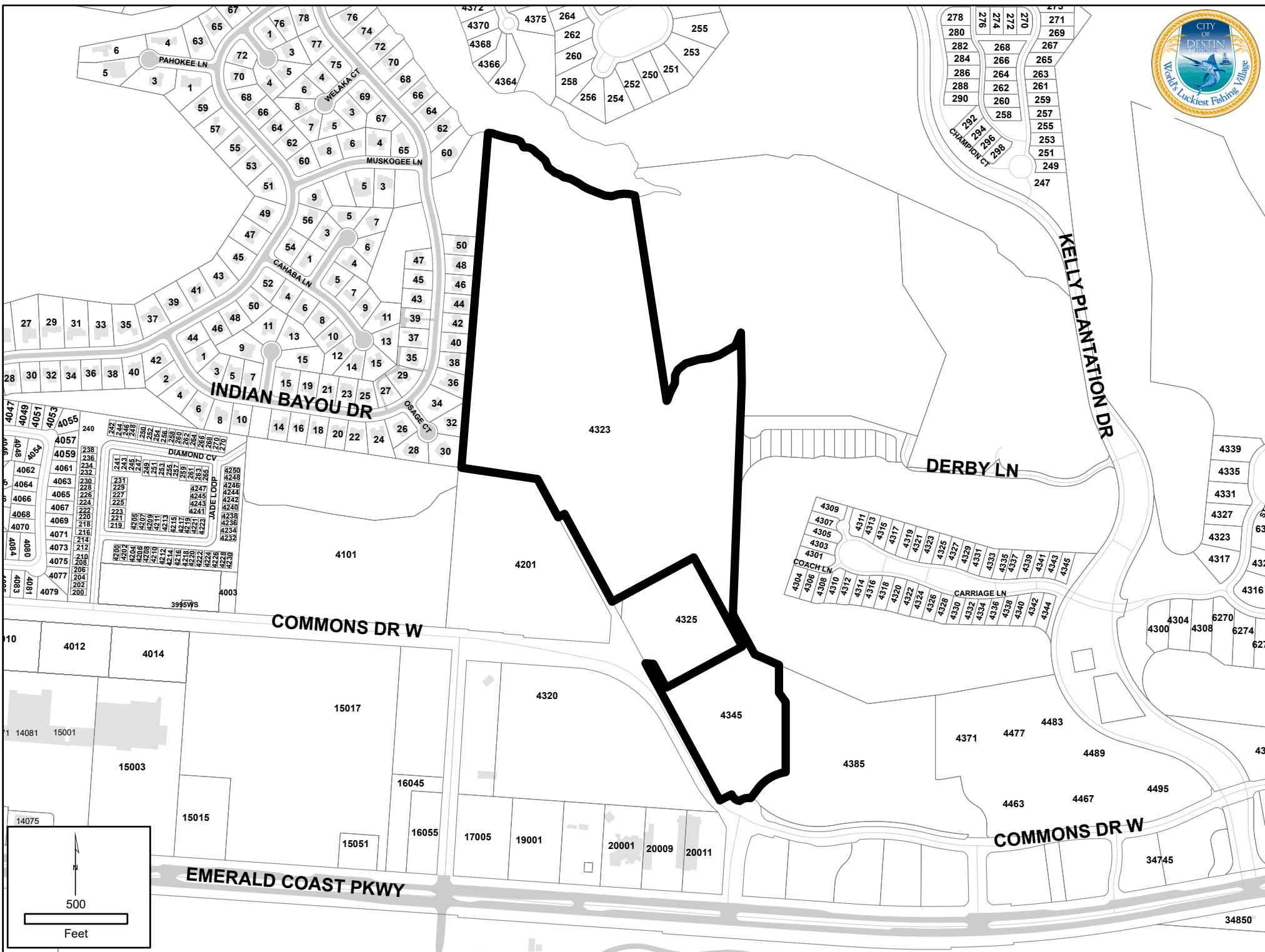
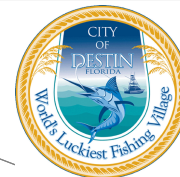
The form and legal sufficiency of the foregoing has been reviewed and approved by the City Land Use Attorney, for the City of Destin, only.

Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: October xx, 2019

Second Reading: _____





COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ITEM

LOCAL PLANNING AGENCY MEETING DATE: September 26, 2019

TYPE OF AGENDA ITEM: Staff Report and Recommendation

TO: Local Planning Agency

THRU: Community Development Director, Louis Zunguze
Principal Planner, Lauren Witt
Kimberly Kopp, City Land Use Attorney

FROM: Planner, Sam Brisolara
Planner, Traci Goodhart

DATE: August 27, 2019

SUBJECT: Zoning Map Amendments

1. 19-23-LC: Areas 4 & 5
2. 19-24-LC: ROI-GD/VR
3. 19-29-LC: 4323 Commons Blvd W

BACKGROUND:

The City Council has directed the Community Development Staff to address the existing discrepancies between the Zoning Map and the Future Land Use Map for the City of Destin, as outlined in Comprehensive Plan Objective 1-2.1.

The following timeline outlines the City's effort in aligning of the Zoning Map and Future Land Use Map:

- **February 26, 2019:** City Council Workshop was held to discuss the alignment of the Zoning Map and Future Land Use Map
- **March 4, 2019:** City Council directed Staff to rezone all areas to be consistent with the Comprehensive Plan, except areas 7 & 15.
- **April 18, 2019:** Staff proposed the FLUM and Zoning Map Alignment to the Local Planning Agency (LPA)
- **May 16, 2019:** LPA made the recommendation to City Council to approve the proposed alignment (without areas 7 & 15)
- **June 3, 2019:** City Council removed areas 4 & 5 from the proposed alignment for further consideration
- **June 17, 2019:** First Reading and Approval of 19-09-LC (Zoning Map Amendment), with areas 4, 5, 7, & 15 removed
- **July 1, 2019:** Second Reading and Approval of 19-09-LC.

- **July 10, 2019:** City Council Workshop to discuss the appropriate future land use and Zoning Map designations of areas 4, 5, 7 & 15
- **August 19, 2019:** City Council directed staff to prepare a Zoning Map Amendment to rezone areas 4 & 5 to ROI-VR, amend the Land Development code to consolidate ROI-VR and ROI-GD, and amend the Zoning Map to change all parcels zoned ROI-GD to ROI-VR.

DISCUSSION:

AREAS 4 & 5 – Proposed Ordinance 19-23-LC

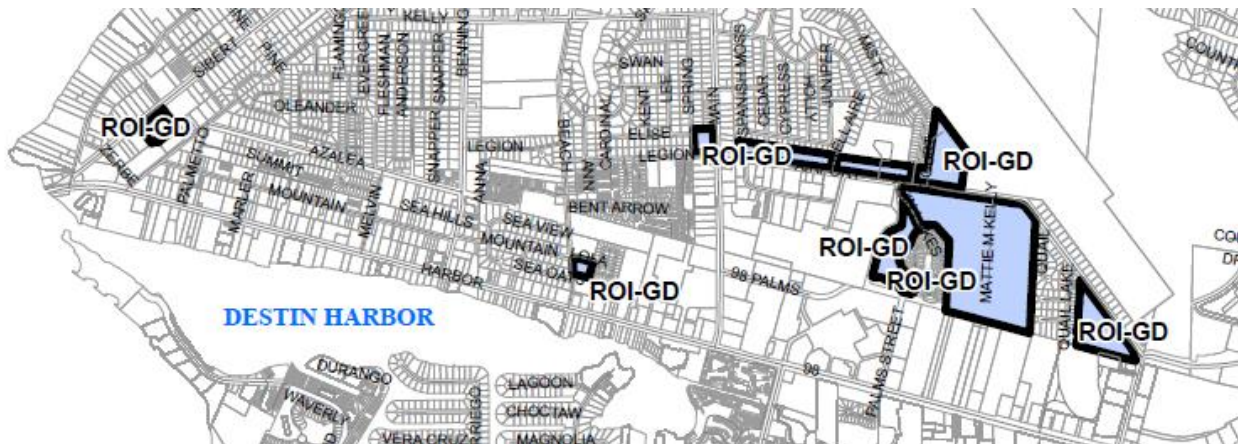
The Zoning designation of Areas 4 & 5 is currently Medium Density Residential – Village (MDR-V), which is not consistent with the Future Land Use Designation of Residential, Office & Institutional (ROI). In order to correct this misalignment, the parcels that make up Areas 4 & 5 should be rezoned to an ROI district. Currently, there are four zoning districts which are derived from the ROI Future Land Use classification: General Development (GD), Tourist Development (TD), Village Residential (VR), and Crystal Beach Residential (CBR). In order to maintain the long-term residential character of this area, Staff is proposing these two areas be rezoned to ROI-VR.



**The two parcels at the corner of Azalea and Benning Drives (00-2S-22-0135-0000-0010 and 00-2S-22-0135-0000-0020) are split zoned (MDR-V and INST). A Zoning Map Amendment to remedy this will be brought to the LPA for review in October.

ROI-GD/VR CONSOLIDATION – Proposed Ordinance 19-24-LC

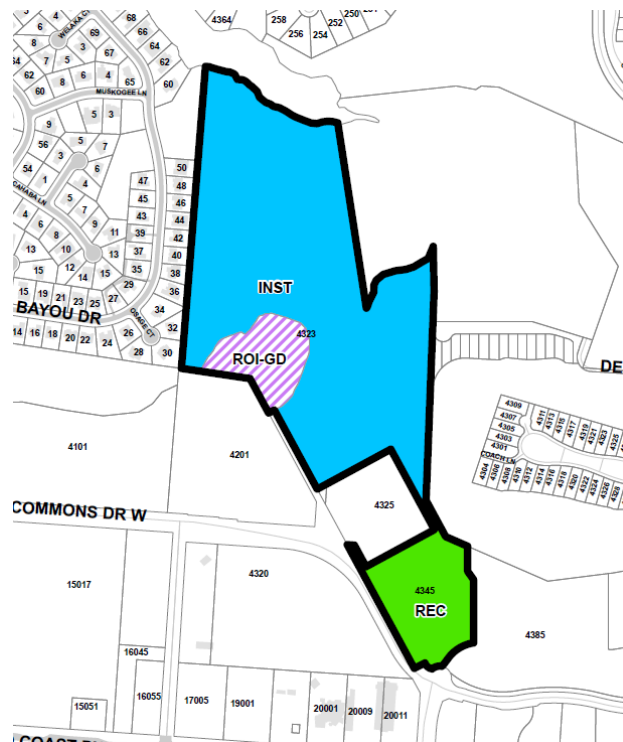
As a result of the proposed consolidation of ROI-VR and ROI-GD, all parcels currently zoned ROI-GD are proposed to be rezoned to ROI-VR. All non-residential uses currently permitted in the ROI-GD district will be converted to conditional uses in the revised ROI-VR zoning district.



**The location of the Sugarloaf Apartments is currently split zoned (Parcel ID: 00-2S-22-0000-0057-0010) ROI-GD and MDR-V. Staff will be preparing a Zoning Map amendment to remedy this for LPA review in October. This property is not included in the proposed Zoning Map Amendment 19-24-LC.

4323 COMMONS BLVD W – Proposed Ordinance 19-29-LC

Additionally, the parcel located at 4323 Commons Blvd West (PID:00-2S-22-0000-0001-B17F) has three different zoning district designations: ROI-GD, Institutional (INST), and Recreation (REC). In order to make the entire parcel consistent, Staff is proposing to amend the Zoning Map to make this entire parcel Institutional. The two existing land uses are the Mattie Kelly Arts Foundation and the Aquatic Center of Destin, both of which are permitted uses in the Institutional zoning district. If approved, the future land use classification will be changed to match through the Evaluation and Appraisal process.



STAFF RECOMMENDATION:

Staff recommends that the LPA recommend approval to City Council of the following proposed ordinances:

1. 19-23-LC: Amends the zoning district of Areas 4 & 5 from Medium Density Residential – Village (MDR-V) to Residential, Office, Institutional – Village Residential (ROI-VR)
2. 19-24-LC: Amends the zoning district of all Residential, Office, Institutional – General Development (ROI-GD) properties to Residential, Office, Institutional – Village Residential (ROI-VR),
3. 19-29-LC: Amends the zoning district of parcel ID 00-2S-22-0000-0001-B17F from Recreation (REC), Institutional (INST), and Residential, Office, Institutional – General Development (ROI-GD) to Institutional (INST).

MOTIONS:

I move the LPA recommends approval of proposed ordinance 19-23-LC.

I move the LPA recommends approval to City Council of proposed ordinance 19-24-LC.

I move the LPA recommends approval to City Council of proposed ordinance 19-29-LC.

ORDINANCE NO. 19-24-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATIONS OF THE PARCELS DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM RESIDENTIAL, OFFICE AND INSTITUTIONAL-GENERAL DEVELOPMENT (ROI-GD) TO RESIDENTIAL, OFFICE AND INSTITUTIONAL-VILLAGE RESIDENTIAL (ROI-VR); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

SECTION 2. FINDINGS OF FACT.

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

WHEREAS, the City Council has determined that the Residential, Office & Institutional zoning districts in the City should be consolidated in the best interests of City residents, and as such, the Residential Office & Institutional-General Development (ROI-GD) zoning district will cease to exist and be rendered obsolete, pursuant to City of Destin Ordinance 19-28-LC; and

WHEREAS, the City Council desires to administratively rezone the parcels depicted in Exhibit A, from Residential, Office & Institutional- General Development (ROI-GD) to Residential, Office & Institutional-Village Residential (ROI-VR); and

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

WHEREAS, after due public notice, a public hearing was conducted by the Local Planning Agency on September 26, 2019, and its recommendations reported to the City Council; and

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

SECTION 3. ZONING MAP AMENDMENT. The Official Zoning Map of the City of Destin, Florida, as referenced in the Land Development Code, section 7.12.01(A)2, Zoning Maps, is hereby amended to include a change of zoning map designation from Residential Office and Institutional – General Development (ROI-GD) to Residential, Office and Institutional – Village Residential (ROI-VR), for the parcels generally depicted in Exhibit A, attached hereto and incorporated herein by this reference, which contain the Okaloosa County Parcel Identification Numbers listed in Exhibit B.

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

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

SECTION 6. SEVERABILITY. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

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

ADOPTED THIS ____ DAY OF _____ 2019.

BY: _____
Gary Jarvis, Mayor

ATTEST:

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

Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: October xx, 2019

Second Reading: _____

[illegible]

19-24-LC – ROI-GD PARCELS

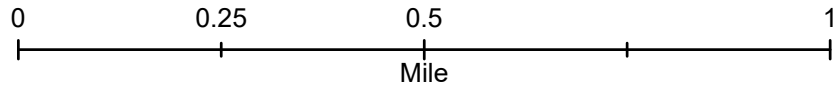
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19-24-LC – ROI-GD PARCELS

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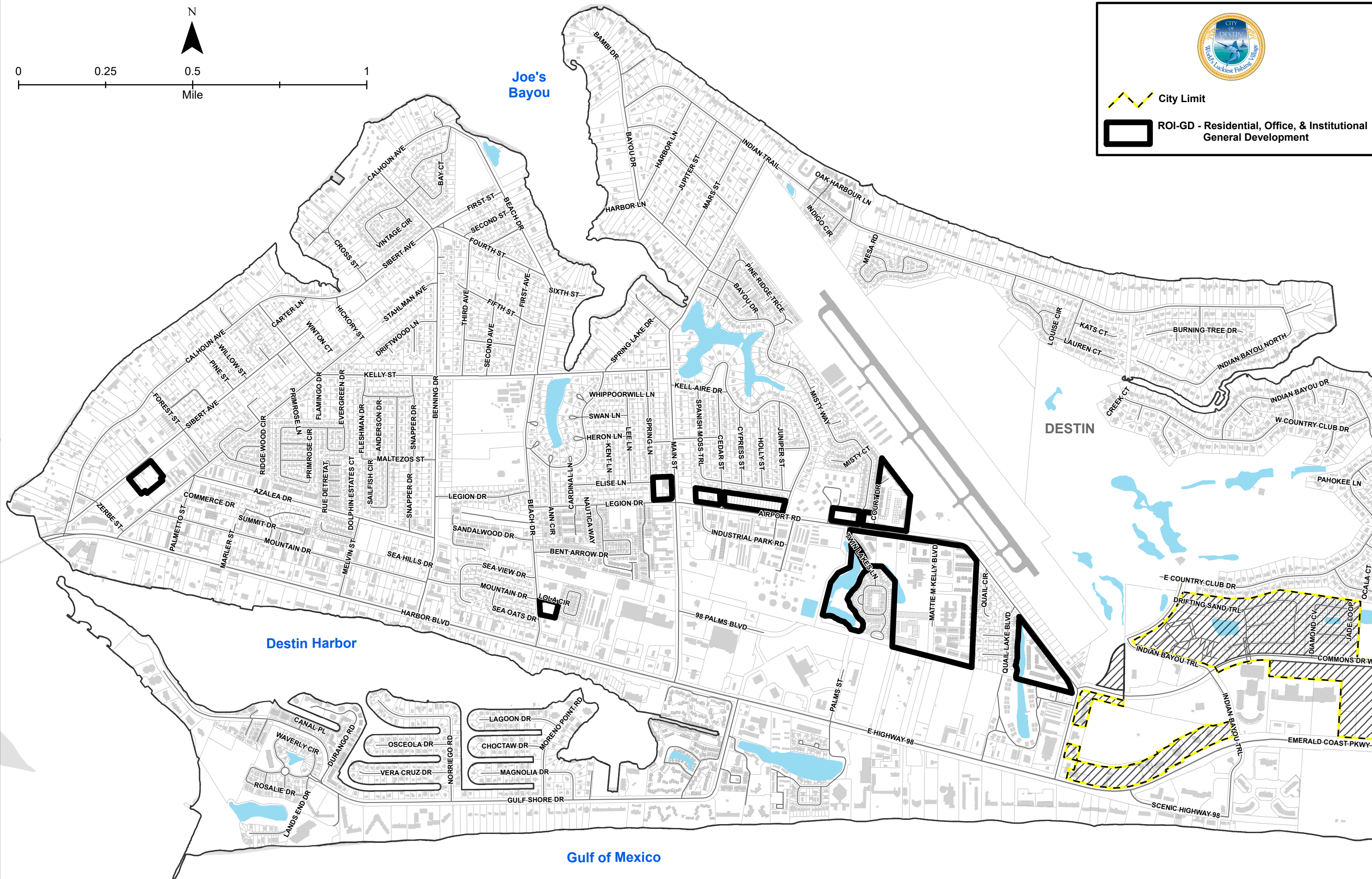
19-24-LC – ROI-GD PARCELS

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00-2S-22-1124-0000-0600	00-2S-22-5226-0000-0120	00-2S-22-5226-0000-0590
00-2S-22-1124-0000-0610	00-2S-22-5226-0000-0130	00-2S-22-5226-0000-0600
00-2S-22-1124-0000-0620	00-2S-22-5226-0000-0140	00-2S-22-5226-0000-0CA0
00-2S-22-1124-0000-0630	00-2S-22-5226-0000-0150	00-2S-22-0689-0000-00A0
00-2S-22-1124-0000-0640	00-2S-22-5226-0000-0160	00-2S-22-0689-0000-00B0
00-2S-22-1124-0000-0650	00-2S-22-5226-0000-0170	00-2S-22-0689-0000-00C0
00-2S-22-1124-0000-0660	00-2S-22-5226-0000-0180	00-2S-22-0689-0000-00D0
00-2S-22-1124-0000-0670	00-2S-22-5226-0000-0190	00-2S-22-0689-0000-00E0
00-2S-22-1124-0000-0680	00-2S-22-5226-0000-0200	00-2S-22-0689-0000-00F0
00-2S-22-1124-0000-0RW0	00-2S-22-5226-0000-0210	00-2S-22-0689-0000-0000
00-2S-22-4537-0000-0CA0	00-2S-22-5226-0000-0220	00-2S-22-1350-001A-0040
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00-2S-22-6500-0000-0030	00-2S-22-5226-0000-0280	00-2S-22-0310-000D-3840
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 City Limit

 ROI-GD - Residential, Office, & Institutional General Development





COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ITEM

LOCAL PLANNING AGENCY MEETING DATE: September 26, 2019

TYPE OF AGENDA ITEM: Staff Report and Recommendation

TO: Local Planning Agency

THRU: Louis Zunguze, Community Development Director
Lauren Witt, Principle Planner
Kimberly Kopp, City Land Use Attorney

FROM: Traci Goodhart, Planner
Sam Brisolara, Planner

DATE: August 28, 2019

SUBJECT: Proposed Ordinance 19-26-LC: FLUM and Zoning Map Amendment (INST):
Area 7

INTRODUCTION:

The City Council has directed the Community Development Staff to address the existing discrepancies between the Zoning Map and the Future Land Use Map for the City of Destin, as outlined in Comprehensive Plan Objective 1-2.1.

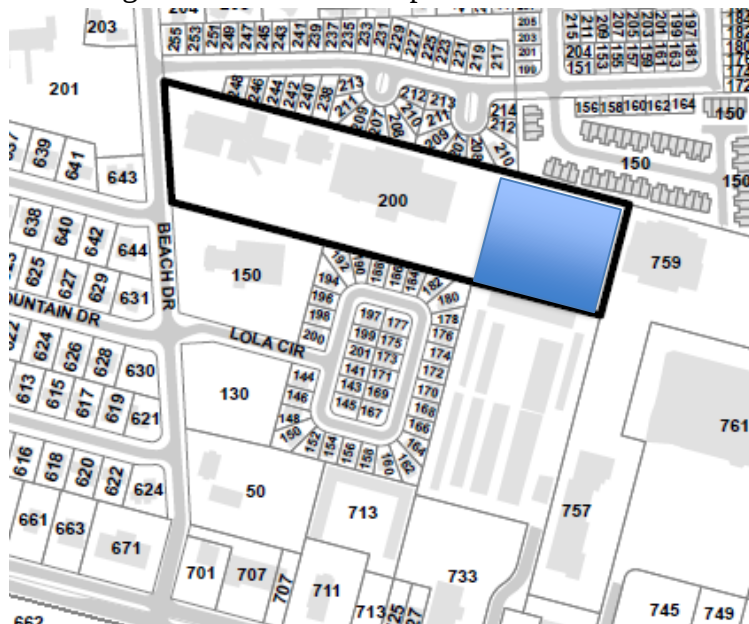
The following timeline outlines the City's effort towards the alignment of the Zoning Map and Future Land Use Map:

- **February 26, 2019:** City Council Workshop was held to discuss the alignment of the Zoning Map and Future Land Use Map
- **March 4, 2019:** City Council directed Staff to rezone all areas to be consistent with the Comprehensive Plan, except areas 7 & 15.
- **April 18, 2019:** Staff proposed the FLUM and Zoning Map Alignment to the Local Planning Agency (LPA)
- **May 16, 2019:** LPA made the recommendation to City Council to approve the proposed alignment (without areas 7 & 15)
- **June 3, 2019:** City Council removed areas 4 & 5 from the proposed alignment for further consideration
- **June 17, 2019:** First Reading and Approval of 19-09-LC (Zoning Map Amendment), with areas 4, 5, 7, & 15 removed
- **July 1, 2019:** Second Reading and Approval of 19-09-LC.
- **July 10, 2019:** City Council Workshop to discuss the appropriate future land use and Zoning Map designations of areas 4, 5, 7 & 15

- **July 24, 2019:** Community Development Director met with Destin United Methodist Church Administrator to discuss the property's zoning
- **August 19, 2019:** City Council directed staff to change the future land use and zoning of the entire United Methodist Church property to Institutional, and the remainder of Area 7 to Town Center Mixed Use.

DISCUSSION:

Currently, the United Methodist Church property has two different land use classifications. The majority of the property has a Future Land Use classification and Zoning designation of Institutional (INST), while the east portion of the property has a Future Land Use of Town Center Mixed Use (TCMU) and a Zoning designation of Commercial General (CG). In order to make the entire property consistent, the future land use and zoning of this parcel should be changed to be entirely Institutional. Additionally, schools and other educational facilities are permitted in the Institutional zoning district. If the proposed zoning amendment is approved, the Future Land Use classification will be changed in the FLUM as a part of the Evaluation and Appraisal process.



COMPREHENSIVE PLAN CONSISTENCY:

The proposed Zoning Map and Land Development Code recommendations implement the following Comprehensive Plan policies:

- **Future Land Use Element Objective 1-3.6: Prevent Inconsistent Land Use**
- **Future Land Use Element Policy 1-3.6.1: Managing Future Land Use; and**
- **Future Land Use Element Policy 1-3.6.4: Identification of Land Use and Zoning Inconsistencies.**

STAFF RECOMMENDATION:

Staff recommends that the LPA recommend approval of proposed ordinance 19-26-LC to the City Council and rezone parcel number 00-2S-22-0000-0011-003A from Institutional and Commercial

General to Institutional and direct Staff to amend the Future Land Use Map during the Evaluation and Appraisal process.

MOTIONS:

I move to recommend approval of proposed ordinance 19-26-LC and direct Staff to amend the Future Land Use Map during the Evaluation and Appraisal process.

ORDINANCE NO. 19-26-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATIONS OF THE PARCEL DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM INSITUTIONAL (INST) AND COMMERCIAL GENERAL (C-G) TO INSTITUTIONAL (INST), ONLY; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

SECTION 2. FINDINGS OF FACT.

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

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

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

WHEREAS, the City Council desires to administratively rezone the property with Okaloosa County Parcel Identification No. 00-2S-22-000-0011-003A, and depicted in Exhibit A, from a dual zoning of both Institutional and Commercial-General to Institutional (INST), only; and

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

WHEREAS, after due public notice, a public hearing was conducted by the Local Planning Agency on September 26, 2019, and its recommendations reported to the City Council; and

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

SECTION 3. ZONING MAP AMENDMENT. The Official Zoning Map of the City of Destin, Florida, as referenced in the Land Development Code, section 7.12.01(A)2, Zoning Maps, is hereby amended to include a change of zoning map designation from Institutional (INST) and Commercial General (C-G) to Institutional (INST), only, for the parcel of land with Okaloosa County Parcel Identification Number 00-2S-22-0000-0011-003A, which is generally depicted in Exhibit A, attached hereto and incorporated herein by this reference.

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

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

SECTION 6. SEVERABILITY. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

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

ADOPTED THIS ____ DAY OF _____ 2019.

BY: _____
Gary Jarvis, Mayor

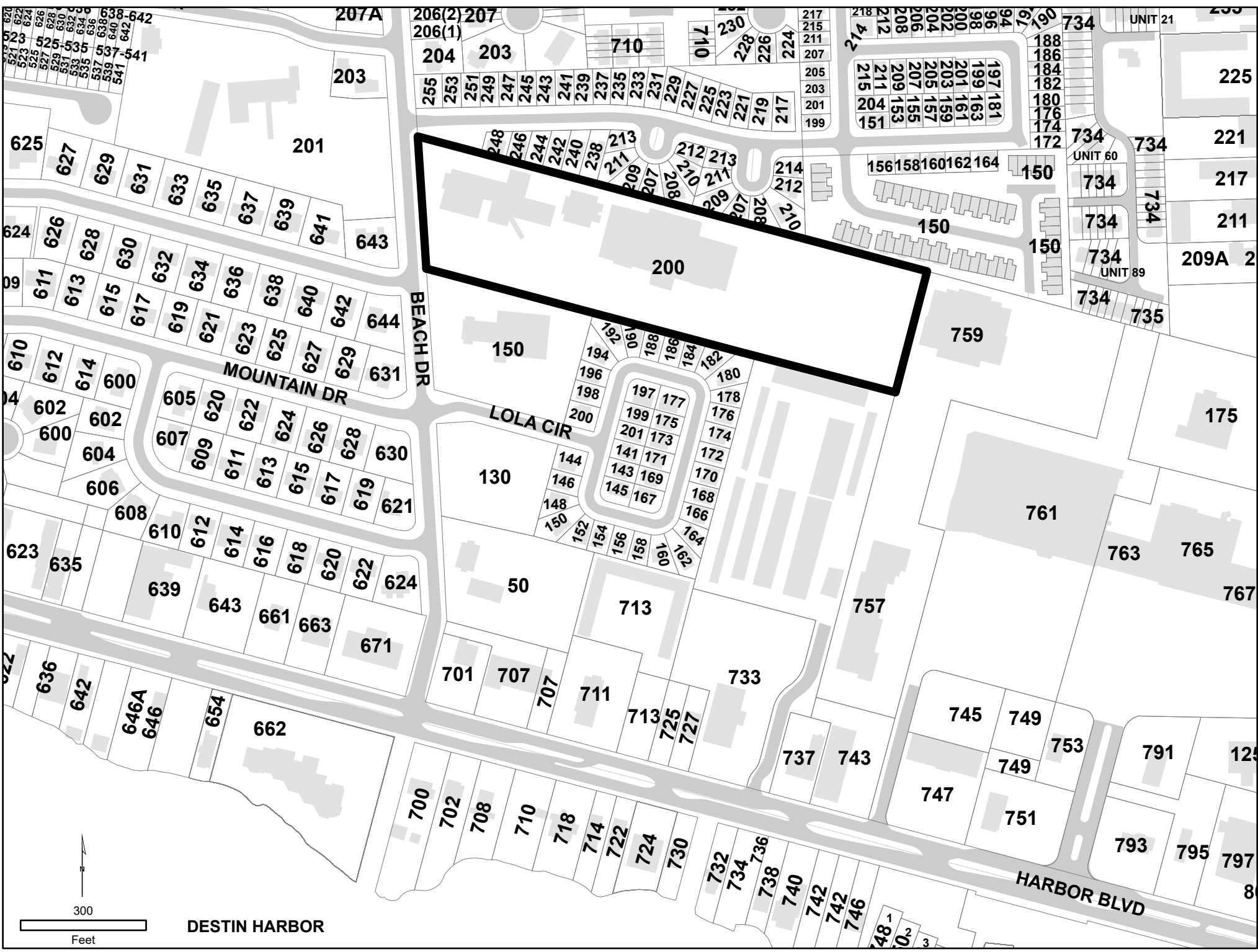
ATTEST:

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

Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: October xx, 2019
Second Reading: _____





COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ITEM

LOCAL PLANNING AGENCY MEETING DATE: September 26, 2019

TYPE OF AGENDA ITEM: Staff Report and Recommendation

TO: Local Planning Agency

THRU: Louis Zunguze, Community Development Director
Lauren Witt, Principal Planner
Kimberly Kopp, City Land Use Attorney

FROM: Traci Goodhart, Planner
Sam Brisolara, Planner

DATE: August 28, 2019

SUBJECT: Proposed Ordinance 19-27-LC: FLUM and Zoning Map Amendment (TCMU):
Area 7

INTRODUCTION:

The City Council has directed the Community Development Staff to address the existing discrepancies between the Zoning Map and the Future Land Use Map for the City of Destin, as outlined in Comprehensive Plan Objective 1-2.1.

The following timeline outlines the City's effort towards the alignment of the Zoning Map and Future Land Use Map:

- **February 26, 2019:** City Council Workshop was held to discuss the alignment of the Zoning Map and Future Land Use Map
- **March 4, 2019:** City Council directed Staff to rezone all areas to be consistent with the Comprehensive Plan, except areas 7 & 15.
- **April 18, 2019:** Staff proposed the FLUM and Zoning Map Alignment to the Local Planning Agency (LPA)
- **May 16, 2019:** LPA made the recommendation to City Council to approve the proposed alignment (without areas 7 & 15)
- **June 3, 2019:** City Council removed areas 4 & 5 from the proposed alignment for further consideration
- **June 17, 2019:** First Reading and Approval of 19-09-LC (Zoning Map Amendment), with areas 4, 5, 7, & 15 removed
- **July 1, 2019:** Second Reading and Approval of 19-09-LC.
- **July 10, 2019:** City Council Workshop to discuss the appropriate future land use and Zoning Map designations of areas 4, 5, 7 & 15

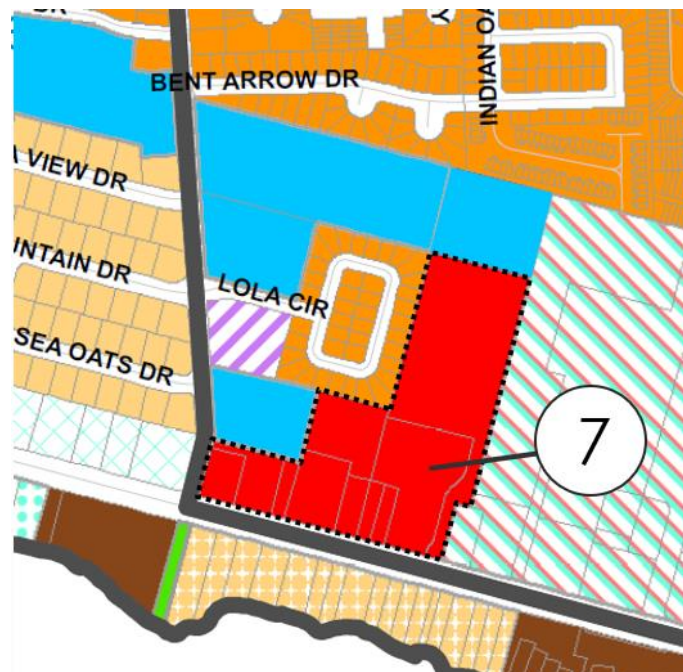
- **July 24, 2019:** Community Development Director met with Destin United Methodist Church Administrator to discuss the property's zoning
- **August 19, 2018:** City Council directed staff to change the Future Land Use classification and Zoning of the entire United Methodist Church property to Institutional, and the Zoning of the remainder of Area 7 to Town Center Mixed Use.

DISCUSSION:

The zoning of Area 7 is currently zoned Commercial General and is not consistent with the Future Land Use classification in the Future Land Use Map (FLUM), which is Town Center Mixed Use (TCMU). In order to rectify this inconsistency, Area 7 (excluding the northernmost portion which is a part of the United Methodist Church property) should be rezoned to TCMU. The entire UMC parcel is proposed to be changed to Institutional. There are two nonconformities that will be created by this change:

1. A Storage Solution; 733 Harbor Blvd
2. Circle K Gas Station; 701 Harbor Blvd

**These nonconformities will be addressed by classifying these uses as "Conditional" in the TCMU district.



COMPREHENSIVE PLAN CONSISTENCY:

The proposed Zoning Map and Land Development Code recommendations implement the following Comprehensive Plan policies:

- **Future Land Use Element Objective 1-3.6: Prevent Inconsistent Land Use;**
- **Future Land Use Element Policy 1-3.6.1: Managing Future Land Use; and**
- **Future Land Use Element Policy 1-3.6.4: Identification of Land Use and Zoning Inconsistencies.**

STAFF RECOMMENDATION:

Staff recommends that the LPA recommend approval of proposed Ordinance 19-27-LC to the City Council and rezone Area 7, excluding the Destin United Methodist Church property, to Town Center Mixed Use.

MOTIONS:

I move the LPA recommend approval of Ordinance 19-27-LC.

Exhibits:

A. Proposed Ordinance 19-27-LC

ORDINANCE NO. 19-27-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATIONS OF THE PARCELS DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM COMMERCIAL GENERAL (C-G) TO TOWN CENTER MIXED USE (TCMU); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

SECTION 2. FINDINGS OF FACT.

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

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

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

WHEREAS, the City Council desires to administratively rezone the parcels depicted in Exhibit A, from a Commercial-General (CG) to Town Center Mixed Use (TCMU); and

WHEREAS, the parcels depicted in Exhibit A have the following Okaloosa County Parcel Identification Numbers:

00-2S-22-0000-0012-0000
00-2S-22-0000-0012-0010
00-2S-22-0701-000G-0080
00-2S-22-0701-000G-0070
00-2S-22-0701-000G-0020
00-2S-22-0701-000G-002A
00-2S-22-0701-000G-0010
00-2S-22-0700-000C-0010
00-2S-22-0700-000C-0020
00-2S-22-0000-0011-0070; and

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

WHEREAS, after due public notice, a public hearing was conducted by the Local Planning Agency on September 26, 2019, and its recommendations reported to the City Council; and

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

SECTION 3. ZONING MAP AMENDMENT. The Official Zoning Map of the City of Destin, Florida, as referenced in the Land Development Code, section 7.12.01(A)2, Zoning Maps, is hereby amended to include a change of zoning map designation from Commercial General (C-G) to Town Center Mixed Use (TCMU), for the parcels generally depicted in Exhibit A, attached hereto and incorporated herein by this reference, which contain the following Okaloosa County Parcel Identification Numbers:

00-2S-22-0000-0012-0000
00-2S-22-0000-0012-0010
00-2S-22-0701-000G-0080
00-2S-22-0701-000G-0070
00-2S-22-0701-000G-0020
00-2S-22-0701-000G-002A
00-2S-22-0701-000G-0010
00-2S-22-0700-000C-0010
00-2S-22-0700-000C-0020
00-2S-22-0000-0011-0070.

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

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

SECTION 6. SEVERABILITY. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

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

ADOPTED THIS ____ DAY OF _____ 2019.

BY: _____
Gary Jarvis, Mayor

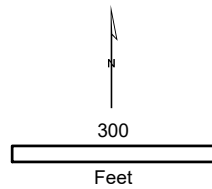
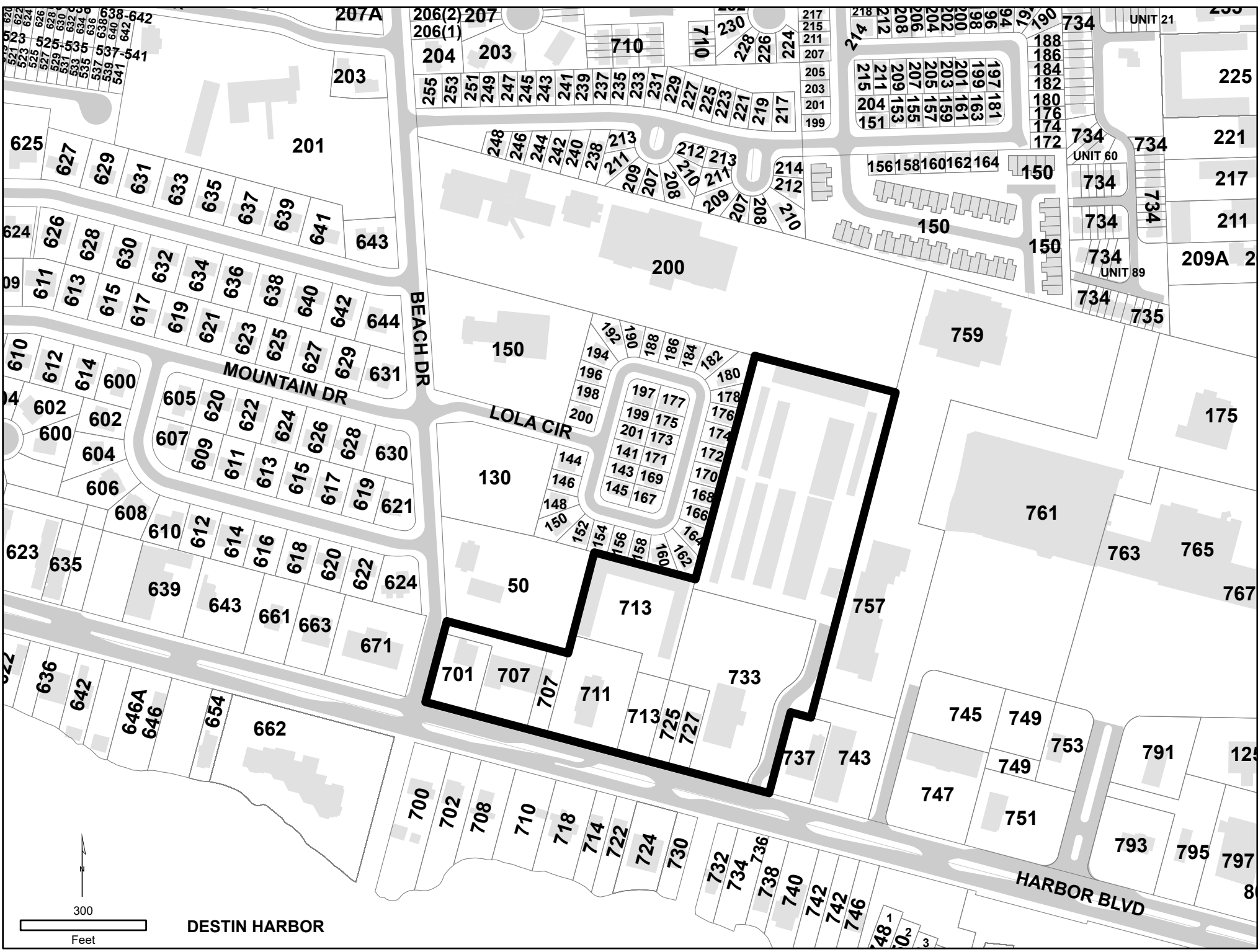
ATTEST:

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

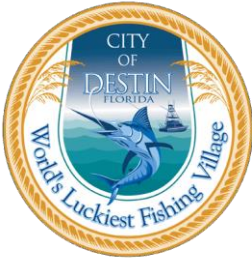
Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: October xx, 2019
Second Reading: _____



DESTIN HARBOR

**COMMUNITY DEVELOPMENT DEPARTMENT**

AGENDA ITEM

LOCAL PLANNING AGENCY MEETING DATE: September 26, 2019**TYPE OF AGENDA ITEM:** **Agenda Item**

TO: Local Planning Agency

THRU: Louis Zunguze, Community Development Director
Lauren Witt, Principal Planner
Kimberly Kopp, City Land Use Attorney

FROM: Sam Brisolara, Planner
Traci Goodhart, Planner

DATE: August 27, 2019

SUBJECT: Ordinance 19-16-LC: Establishment of a Change of Use Program

BACKGROUND:

Given the size of our City, “new” development is primarily generated through redevelopment opportunities. Additionally, existing developments are required to be consistent with any existing development orders. To that end, there is a need for a citywide “Change of Use” development review process that will address any use of a building or land that changes or proposes to change the nature or intensity of its current use. Within the City of Destin, the current planning review process in place for a change of use proposal is through the submittal of a Business Tax Receipt application or through a submittal of a Development Order amendment or exemption application (Article 2.05.02, Land Development Code). Both the Development Order Exemption and the Business Tax Receipt (BTR) (note that BTRs are considered non-regulatory), are limited in scope and therefore staff is not able to review such applications for complete compliance with land use regulations.

A Change of Use review process for the City would address all allowable uses, where changes in use are occurring and afford staff the opportunity to ensure that all land use regulations are adhered to, as well as, considering potential impacts related to access, fire protection, lighting, noise, parking, signage, traffic, traffic safety, and vehicular access. Furthermore, a Change of Use Process is needed to limit the number of potential nonconformities that could arise as a result of redevelopment efforts.

DEFINITIONS:

In addition to the need to adopt a clear review process for changes of use, there is a need to define “change of use” as well as “permanent”, “temporary”, and “seasonal” in the Land Development Code. The following is a proposed definition to be included in the Land Development Code:

Change of Use is defined as a change in the purpose and/or level of activity within a building or on a parcel of land that results in a change in application of the requirements of the Land Development Code.

Permanent is defined as a period of time greater than 6 months.

Temporary is defined as a period of time up to 72 hours.

Seasonal is defined as any period of time between March 1st and October 1st.

DISCUSSION:

Currently, Article 2 of the Land Development Code, which provides requirements for City development review processes, does not address changes of use for a parcel where the nature and intensity of a use is changed or intensified on a site. In other words, there is no clear process to review a building or parcel of land that has one use, but over time adds other uses and/or intensifies the impact of the uses on the parcel/building that have the potential to be, inconsistent with land use regulations and negatively impact surrounding properties.

COMPREHENSIVE PLAN CONSISTENCY:

Policies 1-1.1.5 and 1-1.1.6 of the Comprehensive Plan require all development and redevelopment to provide on-site and off-site infrastructure improvements necessary to accommodate impacts generated by the subject development, as well as, require a site plan review process necessary to enforce the policies of the Comprehensive Plan and Land Development Code. Further, the City’s Land Development Code includes special design criteria in Article 7.09.01., to establish standards and regulations to promote and protect the desired character of the City.

APPLICABILITY:

A Change of Use Permit may be required for the following types of changes, which may include **all permanent, seasonal and temporary** uses:

1. **Properties and structures (including portions of a property or structure) that request a different land use than what the existing or previous use is or was.** (Examples may include retail use where a warehouse use was previously.)
2. **Properties and/or structures where the intensity of a use is increased** and results in additional required parking, structure or site modifications, etc. (Examples include a retail center allowing a mobile vendor to operate.)
3. **The addition of a use to a site with a number of different uses current in operation,** resulting in multiple uses on one site. (Examples may include a commercial building with multiple suites that may include commercial, retail, or restaurant uses.)
4. **Home occupations.** (Examples may include home offices for businesses or realtors, or computer software consultants that provide technical assistance to customers.)

- a. **Off-site businesses.** (Examples may include appliance repair or construction services where there may be an established home office, but business or construction occurs off site and not on the premises.)

CHANGE OF USE APPLICATION REQUIREMENTS:

1. Complete application to include the following (at a minimum):
 - a. Identification of the type of change of use (i.e., properties and structures requesting a different land use; increases in density/intensity; addition of a use to a site with a different use current in operation resulting in multiple uses on one site; home occupations; and off-site businesses
 - b. Applicant Information
 - c. Owner Information
 - d. Subject Property Address & Parcel ID
 - e. Detailed description of proposed change of use
 - f. Current and/or Previous use of property
 - g. Duration of Change of Use (permanent, seasonal or temporary)
2. Owner Authorization
3. Proof of Ownership
4. List of all Shared Parking Agreements for subject property from Property Owner (if applicable)
5. List of all uses on the property, as well as the gross floor area of each use
6. Floor Plan (if applicable)
7. Site Plan**, drawn to scale to include:
 - a. Property lines
 - b. All existing structures
 - c. Parking Space Layout

**A more detailed site plan may be requested by Staff, depending on the scope of the change of use.

RECOMMENDATION:

Staff recommends the LPA recommend approval of proposed Ordinance 19-16-LC to the City Council to establish a Change of Use regulatory process to the Land Development Code.

MOTION:

I move to recommend approval of proposed ordinance 19-16-LC.

ORDINANCE NO. 19-16-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA ESTABLISHING A PROCESS FOR REGULATING AND REVIEWING CHANGES OF PREVIOUSLY APPROVED LAND USES IN THE CITY OF DESTIN; PROVIDING FOR AMENDMENTS TO ARTICLE 2 (“ADMINISTRATION”) OF THE LAND DEVELOPMENT CODE; DEFINING “CHANGE OF USE”; PROVIDING FOR AMENDMENTS TO ARTICLE 3 “DEFINITIONS” OF THE LAND DEVELOPMENT CODE; 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.

WHEREAS, the authority for enactment of these regulations is Article 1, Section 1.01(b) of the City Charter, Section 166.021, Florida Statutes, and Chapter 163, Part II, Florida Statutes; and

WHEREAS, Policies 1-1.1.5 and 1-1.1.6 of the City’s Comprehensive Plan require all development and redevelopment to provide on-site and off-site infrastructure improvements necessary to accommodate impacts generated by the subject development, as well as, require a site plan review process necessary to enforce the policies of the Comprehensive Plan and Land Development Code; and

WHEREAS, the City’s Land Development Code establishes standards and regulations to promote and protect the desired character of the City through special design criteria set forth in section 7.09.01; and

WHEREAS, given the size of the City of Destin, “new” development is primarily generated through redevelopment opportunities and existing developments are required to be consistent with any existing development orders; and

WHEREAS, there is a need for a citywide “change of use” development review process that will address any use of a building or land that changes or proposes to change the nature or intensity of its current use; and

WHEREAS, when the use of a space changes, the risk factors and neighborhood impacts associated with the space can also change; and

WHEREAS, alterations to an existing building/space may be required to meet City codes or building code requirements for the new use in order to ensure the health, safety, and welfare of the public; and

WHEREAS, a “change of use” process would allow all allowable uses, where changes in use are occurring and afford staff the opportunity to ensure that all land use regulations are adhered to, as well as, considering potential impacts related to access, fire protection, lighting, noise, parking, signage, traffic, traffic safety, and vehicular access; and

WHEREAS, a “change of use” process is needed to limit the number of potential nonconformities that could arise as a result of redevelopment or “new” (i.e., with an existing development order) development efforts; and

WHEREAS, it is a strategic objective of the City Council to periodically amend the Land Development Code to revise inconsistent language and improve regulatory efficiency; and

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

WHEREAS, a public hearing was conducted after due public notice by the Local Planning Agency on September 26, 2019, and its recommendations reported to the City Council; and

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

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

SECTION 1. RECITALS. The foregoing recitals are hereby fully incorporated herein by reference as legislative findings of the City Council of the City of Destin.

SECTION 2. CODE AMENDMENT. Language in section 2 of this ordinance that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language that is not ~~struck through~~ or underlined is not to be changed, and * * * represents sections of the Land Development Code that remains unchanged.

ARTICLE 2 – ADMINISTRATION

2.28.00. – Intent of Process for Change of Use Permits.

When the use of a space changes, the risk factors and neighborhood impacts associated with the space can also change. Alterations to the existing building/space may be required to meet the requirements of the City Land Development Code, Comprehensive Plan, Code of Ordinances, and/or building or fire code requirements for the new use. Alterations to the existing building and/or site may therefore be required to meet the Land Development Code requirements for the new use. The Change of Use permit process is intended to help identify those requirements and protect the public health, safety and welfare.

Development and redevelopment opportunities exist within the City. Existing developments are required to be consistent with existing development order(s) and expansion or changes to a space should not be permitted if a property is not currently in compliance with applicable city or state codes, or with an applicable development order.

A change of use review process is intended to allow the City to address all allowable past, present and future uses, where changes have occurred or are proposed to occur on the property. This process is intended to allow the City to ensure compliance with all current land use regulations, and to allow the City to consider

and address potential impacts related to access, fire protection, lighting, noise, parking, signage, traffic, traffic safety, and vehicular access, and other impacts affecting the public health, safety or welfare.

2.28.01. – Change of Use Permits.

A. *Applicability and Criteria.* A change of use permit shall be required for the following types of changes, which includes all permanent, temporary, and seasonal uses:

1. **A property or structure (including portions of a property or structure) is, or is proposed to be, a different land use than the approved use or existing use.** (Examples may include, but are not limited to, a new retail use where a warehouse use was previously approved or permitted, or an amenity proposed for a residential use has been changed to a commercial use.)
2. **Properties and/or structures where the intensity of a use is increased, which results in additional impacts including but not limited to additional required parking, structure or site modifications., or other impacts affecting the public welfare, as determined by the Community Development Director or designee (Examples may include, but are not limited to, a retail center allowing a mobile vendor to operate).**
3. **The addition of a use to a site with a number of different uses current in operation, resulting in multiple uses on one site. (Examples may include, but are not limited to, a commercial building with multiple suites that may include commercial, retail, or restaurant uses.)**
4. **Establishment of new or expanded home occupations.** (Examples may include, but are not limited to, home offices for businesses or realtors, or computer software consultants that provide technical assistance to customers).
 - a. **Off-site businesses.** (Examples may include, but are not limited to, appliance repair or construction services where there may be an established home office, but business or construction occurs off site and not on the premises.)

B. *Additional Applications.* The City may require additional applications be submitted as part of the Change of Use permitting process, including but not limited to applications for a development order, development order exemption, major or minor amendment to a development order, conditional use, or any other application determined to be necessary by the Community Development Director or designee, pursuant to any city code or ordinance.

C. Eligibility.

An application for a change of use permit shall be denied if any one (or more) of the following conditions exist:

- a. There is a pending code compliance violation on the subject property; or
- b. A recorded code compliance lien exists on the subject property; or
- c. There is a development order on the property and the Community Development Director or designee determines that the property is not currently in compliance with such existing development order; or
- d. The application submitted is not complete, is missing any information, and/or is missing any required fee; or
- e. Any of the criteria or requirements set forth in section 2.28.01(A) or (B) for a change of use permit application is/are not met.

2.28.02. – Change of Use Permit Application Requirements.

A complete application must include the following information, at a minimum, and the Community Development Director or designee may require additional information if the Community Development Director or designee determines that more information is needed based on the scope of the change of use:

- a. Identification of the type of change of use (i.e., properties and structures requesting a different land use; increases in density/intensity; addition of a use to a site with a different use current in operation resulting in multiple uses on one site; home occupations; and off-site businesses
 - b. Applicant Information
 - c. Owner Information
 - d. Subject Property Address & Parcel ID
 - e. Detailed description of proposed change of use
 - f. Current and/or Previous use of property
 - g. Duration of Change of Use (permanent, seasonal or temporary)
2. Owner Authorization
 3. Proof of Ownership
 4. List of all Shared Parking Agreements for subject property from Property Owner (if applicable)
 5. List of all uses on the property, as well as the gross floor area of each use
 6. Floor Plan (if applicable)
 7. Site Plan, drawn to scale to include:
 - a. Property lines
 - b. All existing structures
 - c. Parking Space Layout

ARTICLE 3 – DEFINITIONS

Change of use is a change in the purpose, use, impacts and/or level of activity within a building or an a parcel of land that results in a change in application of the requirements of the Land Development Code. The definition shall also apply to the usage of the surrounding site and access to and from the building, structure or site, as necessary to achieve the purpose of this code, and to obtain compliance with other City codes and ordinances.

Permanent means a period of time greater than or equal to 180 calendar days, in the context of change of use permit applications.

Seasonal means any period of time between March 1 and October 1, in the context of change of use permit applications.

Temporary means a period of time less than 180 calendar days, in the context of change of use permit applications.

SECTION 3. 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 4. 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 5. SEVERABILITY. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

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

ADOPTED THIS ____ DAY OF _____, 2019.

By: _____
Gary Jarvis, Mayor

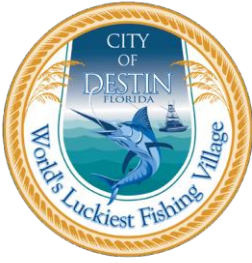
ATTEST:

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

Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: _____
Second Reading: _____



COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ITEM

LOCAL PLANNING AGENCY MEETING DATE: September 26, 2019**TYPE OF AGENDA ITEM:** **Agenda Item**

TO: Local Planning Agency

THRU: Community Development Director, Louis Zunguze
Principal Planner, Lauren Witt
Kimberly Kopp, City Land Use Attorney

FROM: Planner, Sam Brisolara
Planner, Dawn McDonald

DATE: August 27, 2019

SUBJECT: Proposed Ordinance 19-19-LC: Article 2 Amendments

BACKGROUND:

Due to changes in the Florida State statutes regarding the development order review process, the City is required to amend its current Technical Review Committee process in line with the changes outlined in HB 7103. Additionally, Staff is proposing to amend other sections of Article 2 regarding **Noticing, Conditional Use process, and the thresholds for Major Development Order review**. By revising the Land Development Code to include these changes, the City is providing a more transparent and streamlined review process of all development related applications for the citizens of Destin.

DISCUSSION:

The following are the proposed changes:

TECHNICAL REVIEW COMMITTEE PROCESS

The City is required to update its Technical Review Committee (TRC) process currently in place to be consistent with the changes adopted in HB 7103. The change requires all development order applications to be processed under a specific timeline which includes the following:

- 30 days for Staff to perform a completeness review
- 120 days for the City to approve, approve with conditions, or deny the project, or 180 days if the project requires a quasi-judicial hearing.

This timeline eliminates the constant back and forth of submittals and resubmittals between the Applicant and City Staff. To that end, Staff will be revising the internal process so that there is a much more robust Pre-Application process which will help eliminate the need for Technical

Review Committee meetings for all projects. However, the applicant or Staff may request that a meeting is held with reviewers in order to discuss outstanding comments or conditions of approval. The new process will allow development orders to be reviewed completely in a more efficient manner, with a high level of consistency and predictability.

NOTICING

The proposed ordinance also changes three parts of the noticing requirements for various types of applications:

1. **SIGN POSTING.** Currently, only applicants of development related projects are required to post a sign on their property notifying residents of the change on the land (i.e. development orders, subdivisions, replats, etc.). The new proposed language will require any applicant requiring a public meeting with the Local Planning Agency or Board of Adjustment to also post a sign. The types of applications that will be affected by this change are: Zoning Map and Future Land Use Map Amendments, Conditional Uses, and Right-of-Way Vacations.
2. **SIGN SIZE.** Currently, the required size of a notification sign is between 10" x 16" and 18" x 24". Staff has received several reports from applicants that this does not provide enough area to fit all of the required information in a way that is still legible. Staff is proposing a change to the required sign size to a minimum of 18" x 24" and a maximum of 24" x 36".
3. **ABUTTER NOTICES.** Per Art. 2.17.00, written notice shall be provided to property owners within 300 feet of land subject to the following types of applications: **deed of gift, lot reconfigurations, minor replats, major and minor subdivisions, major and minor development orders, major and minor deviations to previously approved development orders, future land use map amendments, and zoning map amendments.** Staff is proposing to add both variances and conditional uses to the list of applications which require written notice to be given to property owners within 300' of the subject land. Additionally, noticing requirements for Right-of-Way Vacation applications are located in Article 8, and noticing requirements for Harbor and Waterways Board applications are located in Article 11. Staff is also recommending that all noticing requirements for all types of applications requiring written notice are consolidated in Article 2 of the LDC for ease of reference.

CONDITIONAL USE PROCESS

The Board of Adjustment is currently charged with reviewing all conditional use applications, except those for properties which are located in the Town Center Mixed Use and Calhoun Mixed Use – Village Zoning Districts. As conditional uses are specifically related to land use compatibility, the Board which oversees all land related applications (Comprehensive Plan and Land Development Code Amendments), development regulations, and land development codes, should also review Conditional Use applications. Staff is proposing to include conditional use application review as a duty of the Local Planning Agency for uses in all zoning districts. Under this new process, Conditional Use applications would be reviewed by the LPA and approved or denied by the City Council, similar to Zoning Map Amendment applications. This proposed amendment will allow the Board of Adjustment to fully fulfill its function as a quasi-judicial board.

MAJOR DEVELOPMENT ORDER THRESHOLD

Per Article 2.06.01.A, a development is considered “Major” and therefore required to be reviewed by City Council in the following circumstances:

1. Non-residential and Mixed-Use development plans consisting of 10,000 square feet or more of gross floor area,
2. Residential development plans of 10 dwelling units or more,
3. Major Subdivisions, and
4. Planned Unit Developments (PUDs).

Due to the specific language and definition of gross floor area in the Comprehensive Plan, there are large scale outdoor developments that are still considered “Minor” because they do not meet the strict criteria of a Major development order. Staff is proposing that the language in Article 2.06.01.A (1) be changed to: **10,000 square feet or more of “land development activity generating traffic.” This shall mean any change in land use or any construction of buildings or structures or any change in the use of any structure that generates vehicle trips.** By including this language in the Land Development Code, all developments with “land development activity of 10,000 square feet or more generating traffic, will be required to be approved or denied by City Council.

RECOMMENDATION:

Staff recommends the LPA recommend approval to City Council of proposed ordinance 19-19-LC, which amends Article 2 of the Land Development Code.

MOTION:

I move the LPA recommend approval of proposed ordinance 19-19-LC.

ORDINANCE NO. 19-19-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO THE PROCESS FOR DEVELOPMENT APPLICATION REVIEW; PROVIDING FOR AMENDMENTS TO ARTICLE 2 (“ADMINISTRATION”) OF THE LAND DEVELOPMENT CODE; PROVIDING FOR AMENDMENTS TO ARTICLE 7 “LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS”) OF THE LAND DEVELOPMENT CODE; MODIFYING THE TECHNICAL REVIEW COMMITTEE PROCESS; AMENDING NOTICE REQUIREMENTS FOR DEVELOPMENT APPLICATIONS; AMENDING THE CONDITIONAL USE PROCESS; AMENDING THE THRESHOLDS FOR MAJOR DEVELOPMENT ORDER REVIEW; 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.

WHEREAS, the authority for enactment of these regulations is Article 1, Section 1.01(b) of the City Charter, Section 166.021, Florida Statutes, and Chapter 163, Part II, Florida Statutes; and

WHEREAS, the 2019 Legislature passed HB 7103, which established timelines and procedures for local government review of development applications; and

WHEREAS, the City Council wishes to amend the Land Development Code to come into compliance with HB 7103 and to render the TRC process as discretionary;

WHEREAS, it is a strategic objective of the City Council to periodically amend the Land Development Code to revise inconsistent language and improve regulatory efficiency; and

WHEREAS, it is necessary to streamline the requirements and the time frame for Development Orders, while assuring a completed, high quality development; and

WHEREAS, it is necessary to amend the existing Land Development Code to include additional development as “major” development within the City; and

WHEREAS, it is necessary to amend the existing Land Development Code to update and improve notice and signage requirements for development applications; and

WHEREAS, the City Council desires to apply the existing conditional use provisions in the Land Development Code to all zoning districts within the City, and to no longer limit such existing provisions to only certain zoning districts; and

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

WHEREAS, a public hearing was conducted after due public notice by the Local Planning Agency on September 26, 2019, and its recommendations reported to the City Council; and

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

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

SECTION 1. RECITALS. The foregoing recitals are hereby fully incorporated herein by reference as legislative findings of the City Council of the City of Destin.

SECTION 2. CODE AMENDMENT. Language in section 2 of this ordinance that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language that is not ~~struck through~~ or underlined is not to be changed, and * * * represents sections of the Land Development Code that remains unchanged.

ARTICLE 2 – ADMINISTRATION

2.06.01. *Designation of plans as minor or major developments.* Before submitting a development plan for formal review, the applicant shall provide the City with sufficient information to make a determination as to whether or not the plan will be designated a major or minor development. For purposes of these procedures, all development plans shall be designated, in writing, by the City Manager, or his designee, as either exempt from the development order process (in accordance with Section 2.05.02), a minor development, or major development according to the criteria below.

- A. *Major development.* A development order application shall be deemed a major development if it satisfies one or more of the following criteria:
1. Non-residential and mixed-use development plans consisting of more than 10,000 square feet of gross floor area.
 2. 10,000 square feet or more of “land development activity generating traffic.” “Land development activity generating traffic” means (a) any change in land use, (b) any construction of buildings or structures, or (c) any change in the use of any structure, that generates vehicle trips.
 2. 3. Residential development plans consisting of 10 or more dwelling units.
 3. 4. subdivisions.
 4. 5. All planned unit developments (PUDs).
- B. *Minor development.* A development plan shall be designated as a minor development if it is neither a major development nor a development exempt under Section 2.05.02 of this Code.

2.07.00. - Procedures for development review.

All applications for a major or minor development order or a major or minor deviation to a development order shall be processed in a timely manner and in accordance with section 166.033, Florida Statutes. This shall entail prompt review and responses from both the applicant and the City. ~~members of the Technical Review Committee (TRC)~~. No property shall have more than one development order application under review by the City at any one time. The applicant shall adhere to the following procedures when seeking approval for a major or minor development order or a major or minor deviation to a development order:

- A. A pre-application meeting is required prior to the submittal of a Development Order Application.
- B. The applicant for a proposed development order shall submit a complete application package (i.e. application, development plans, applicable fees, etc...) to the Community Development Department.
- C. Within thirty ~~ten~~ working days of receipt of the application package for review, the Community Development Department shall perform an application completeness review and either:
 - 1. Determine that the application package is incomplete and inform the developer, in writing, of the deficiencies. The applicant shall submit an amended application package for application completeness review by the Community Development Department within thirty days. ~~The amended application package must be received within 30 calendar days to maintain the application's relative position and priority for plan review.~~ If the applicant fails to submit an amended application package within 30 calendar days, the application ~~does not maintain its relative position and priority for plan review and~~ is considered withdrawn; or
 - 2. Determine that the application package is complete as received, inform the developer, in writing of completeness, or of the TRC meeting date, if such a meeting is required in the discretion of the community development director.
 - 3. Within 120 days after the City has deemed the application complete, or 180 days for applications that require final action through a quasi-judicial hearing or a public hearing, the City must approve, approve with conditions, or deny the application. Both parties may agree to a reasonable request for an extension of time, particularly in the event of a force majeure or other extraordinary circumstance. An approval, approval with conditions, or denial of the application must include written findings supporting the City's decision, which shall be reviewed by the City Land Use Attorney prior to finalization.
- D. TRC Procedures. The Community Development Department shall make available to each TRC ~~¶~~ member a copy of the application package, which at a minimum shall contain all information which is pertinent to the member's functional area(s) and the TRC meeting date at which the application submittal comments will be reviewed.
- E. The TRC members shall review the proposed application package and submit comments, if any, in writing to the Community Development Department, ~~within thirty days of receipt of the application package. The TRC comments shall be forwarded to the applicant no later than three days prior to the TRC meeting date.~~ Each TRC member shall limit their review to their area of expertise, which shall be defined at the time the TRC member's appointment is approved by the City Council.
- F. ~~Staff shall review the plan and comments at the TRC meeting and determine whether the application complies with the requirements of this Code.~~

- F. Staff shall either ~~accept~~ approve, ~~accept with comments~~ approve with conditions, ~~accept~~ approve with modifications, or deny and shall:
1. Determine conformity of the proposed development with the Comprehensive Plan, this Code, other applicable requirements and the items enumerated in subsection B. above.
 2. Hear and address concerns and desires of surrounding landowners and other affected persons.
 3. Consider any rule, objective or policy of the Comprehensive Plan or any other criterion applicable to the particular development proposals in formulating a recommendation to either approve, approve with conditions, approve with modifications or deny the application.
- G. ~~If the application has been approved with modifications, the applicant shall adhere to the procedures listed below until the Community Development staff concludes that the application is approved, approved with conditions, approved with modifications or denied.~~
1. ~~From the date on which the Community Development Department conducts a TRC meeting for the project the applicant shall have not more than 60 calendar days to resubmit a revised package for technical review, unless the one-time 15-day extension is approved as stated below. If a resubmittal package is not received by the Community Development Department within 60 calendar days from the date on which the TRC met on the project, the process shall start over and the applicant shall be required to submit a new application package, complete with a new application, new plans, new fees, etc., to the Community Development Department. The application shall be subject to all new regulations that are in effect at the time of the new application. The applicant may only request one 15-day extension to the 60-day resubmittal deadline during the entire review process. The request shall be in the form of a written letter indicating why the extension is needed. Requests for an extension shall be reviewed by the City Manager or designee, with a recommendation by the Community Development Director or designee. The applicant shall receive a letter indicating whether or not the request has been granted or denied. If the request is denied, the letter must specifically indicate the reason(s) for such denial.~~
 2. ~~From the date of application, the applicant shall have not more than nine months to obtain technical review approval of the project, unless the one-time three-month extension is approved as stated below. If technical approval is not received within nine months from the date of application, the process shall start anew and the applicant shall be required to submit a new application package, complete with a new application, new plans, new fees, etc., to the Community Development Department. The project shall be subject to all new regulations that are in effect at the time of the new application. The applicant may request one three-month extension to the nine-month deadline during the entire review process. The request shall be in the form of a written letter indicating why the extension is needed. Requests for the one-time three-month extension shall be reviewed by the City Manager or designee, with a recommendation by the Community Development Director or designee. The applicant shall receive a letter indicating whether or not the request has been granted or denied. If the request is denied, the letter must specifically indicate the reason(s) for such denial.~~
- H. ~~Once the Community Development staff has come to a conclusion that the application is approved, approved with conditions, approved with modifications or denied, the application shall adhere to the requirements of Section 2.07.01 if it is classified as a major development or adhere to the requirements of Section 2.07.02 if it is classified as a minor development.~~

* * *

2.07.01. *Major developments.* The following procedures, in addition to those listed in Section 2.07.00, shall apply to all major development order applications:

- A. Once the application has been to the TRC meeting and each individual TRC member, as it pertains to their area of expertise, has come to the conclusion that the proposal can be approved, approved with conditions, approved with modifications or denied, the Community Development Department shall prepare and forward each TRC member's written recommendation, through the City Manager to the City Council. A list of all pending Major developments shall be provided by the Community Development Director to the City Council, each month, prior to the first regularly scheduled Council meeting, or the tenth (10th) day of the month, whichever occurs first. In addition to the written recommendations of each TRC member, information provided to the City Council in the technical staff report shall include, but not be limited to, the following:

2.07.02. *Minor developments.* The following procedures, in addition to those listed in Section 2.07.00, shall apply to all minor development order applications:

- A. Once the application has been reviewed and each individual TRC member, as it pertains to their area of expertise, has come to the conclusion that the proposal can be approved, approved with conditions, approved with modifications, or denied, the Community Development Department ~~If the proposal is approved or approved with conditions, the Community Development Director, or designee,~~ shall authorize the issuance of a development order that complies with Section 2.08.00. A list of all pending Minor developments shall be provided by the Community Development Director to the City Council, each month, prior to the first regularly scheduled Council meeting, or the tenth (10th) day of the month, whichever occurs first.
- B. If the proposal is approved with modifications, a development order may be authorized by the Community Development Director, or his designee, once the required modifications have been completed and approved by the appropriate TRC ~~TRF~~ members.

2.17.00. - Notice.

- A. Written notice shall be provided to owners of property within 300 feet of land subject to all development related applications. Development related applications shall include all of the following types of applications: deed of gift, lot reconfigurations, minor replats, major and minor subdivisions, major and minor development orders, major and minor deviations to previously approved development orders, conditional uses, variances, right-of-way vacations, future land use map amendments and zoning map amendments. Notice for Harbor and Waterways Board applications need only be provided to adjacent property owners. The written notice shall include, at a minimum, the following: the name of the owner of the property, the name of the authorized agent (if applicable), the address of the subject property or tax parcel identification number if an address has not been issued for the property, project description, location map of the subject property, and a statement informing the public of the location where the

proposed application package can be viewed, unless otherwise provided in Florida Statutes. Unless otherwise provided by law, regulation or decision, addresses for a mailed notice required by this code shall be obtained from the records of the Okaloosa County Tax Collector. The failure of any person to receive notice shall not invalidate an action if a good faith effort was made to comply with the notice requirements of this code.

B. Any development related application or applicant requiring a public meeting with the Local Planning Agency or Board of Adjustment shall post a A sign, meeting the following requirements, ~~shall be posted~~ on the property:

1. The sign must be prominently placed on the development site and shall not be located further than five feet from the adjacent right-of-way. The required content of the sign shall be legible as viewed from the adjacent right-of-way;
2. Such sign shall be not larger than 24 ~~48~~ inches by 36 ~~24~~ inches and not smaller than 18 ~~46~~ inches by ~~ten~~ 24 inches in size;
3. The sign must clearly indicate the name of the project, name of the applicant, and 24 hours a day, seven days a week emergency contact phone number of the responsible party for said development site; and
4. The sign must be continuously on the property of the development site and shall be removed from said property within five working days after the issuance of Certificate of Completion or Certificate of Occupancy (whichever applies).

2.26.00. – Technical Review Committee (TRC)

2.26.01. *Establishment.* There is hereby created a committee to be known as the technical review committee (TRC) for the purpose of providing for the professional and technical review of development order applications as specified under section 2.26.03 of this Code.

2.26.02. *Membership*

- A. The initial membership on the TRC shall be capped at nine (9) members, and terms on the committee shall be for four (4) years, unless the member resigns from the committee, is removed from the committee by a majority vote of the City Council, or has their membership terminated pursuant to subsection B.
- B. Membership on the TRC shall be terminated if the member: (1) files a lawsuit against the City, (2) is convicted of a felony, or a crime involving moral turpitude, or (3) fails to timely review projects to such a degree that the City Manager, Community Development Director, and Land Use Attorney all three agree is causing a detriment to the function of the TRC.
- C. The membership shall include:

1. The City Land Use Attorney

an appropriate individual from the following city departments, as applicable:

2. Community Development Department, Planning;
3. Public Services Department;
4. Parks and Recreation Department;
5. Community Development Department, Building Official or Building Official's designee;

City of Destin

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an appropriate individual from following agencies:

6. Destin Fire Control District (nominee must have experience as a firefighter);

an appropriate individual from following utilities:

7. Destin Water Users (nominee must have technical experience in the area of water utilities)
8. Okaloosa Gas District (nominee must have technical experience in the area of gas utilities)
9. Gulf Power (nominee must have technical experience in the area of electrical utilities)

- D. The City Manager may appoint and remove the City Staff representatives, under section 2.06.02.C., 2-5 above, as the City Manager may deem appropriate.
- E. Other than the City Land Use Attorney, the City Manager shall provide the names of the nominees for the other four positions to the City Council, for the City Council's approval by a majority vote. The consideration and vote by City Council shall not be part of the Consent Agenda.

2.26.03. Functions, duties and responsibilities of TRC.

The TRC members ~~shall~~ may be provided items to review in relation to their areas of expertise, and shall confine their review to the areas so designated. Subject to these limitations, the TRC shall review the following applications for compliance with the provisions of this City Land Development Code, and all applicable building codes:

1. Major/Minor development order;
 2. Major/Minor deviations to development orders;
 3. Major subdivisions; and
 4. Planned Unit Developments.
- F. At the second City Council meeting each month, the City Land Use Attorney shall provide a brief monthly update, under City Land Use Attorney's designated portion of the Agenda, summarizing the activities of the TRC.

~~2.26.04 Conduct of TRC meetings.~~

- ~~A. The TRC staff shall hold regular monthly meetings at the established time and place unless cancelled due to lack of items to be discussed or acted upon.~~
- ~~B. The TRC agenda shall be distributed to the members and applicants at least seven working days prior to the regularly scheduled meeting.~~
- ~~C. The meetings shall be open to the public and reasonable notice of the time, place and agenda shall be given and posted. Attendance of the applicant or agent is not required but is encouraged.~~
- ~~D. On development applications to be reviewed by the TRC, the Community Development Director, or other person designated by the City Manager, shall be responsible for the following:~~
- ~~1. Agenda preparation and distribution;~~
 - ~~2. Chairing the meeting;~~
 - ~~3. Recording the minutes;~~
 - ~~4. Notification to applicants of the regularly scheduled date, time and place for consideration of the application;~~

~~5. Written notification to applicants of the outcome of the TRC review.~~

~~E. At the second City Council meeting each month, the City Land Use Attorney shall provide a brief monthly update, under City Land Use Attorney's designated portion of the Agenda, summarizing the activities of the TRC.~~

7.12.06. *Zoning districts.* The following zoning districts are established for the city, with principal uses and structures, accessory uses and structures, conditional uses and structures all as indicated by the following:

Q. *Town Center Mixed Use (TCMU).* The Town Center Mixed Use zoning district implements Future Land Use Element Policy 1-2.4.3(1), Town Center Mixed Use of the Comprehensive Plan.

1. Purpose and intent. The Town Center Mixed Use zoning district shall apply to areas developed, redeveloped and/or maintained and conserved as areas that accommodate permanent multi-family attached residential dwelling units; retail; service; restaurant; office; and similar commercial uses. It is the intent of the TCMU zoning district to specifically not allow permanent or seasonal single-family residential uses. It is also the intent of the TCMU zoning district to encourage multi-family developments to include appropriate non-residential components in furtherance of the mixed-use nature of the zoning district. Commercial hotel, motel, bed and breakfast establishments and other commercial transient living accommodations and seasonal multi-family attached residential dwelling units are only allowed on properties that have direct or secondary access to Harbor Boulevard/U.S. Highway 98. It is intended that the TCMU zoning district provide for increased buffering and setbacks from nearby residential and mixed use developments.

2. Principal, accessory and conditional uses. Permitted, accessory and conditional uses shall include those listed in Table 7-2, Table of Allowable Uses. ~~The following shall apply to all applications for a conditional use in the TCMU zoning district:~~

~~a. Findings. A conditional use shall be permitted upon a finding by the city council, after a duly noticed public hearing, that the proposed use, application and, if applicable, site plan, comply with the criteria specified in this section, including specific conditions established by the city council during review of the respective application in order to ensure compliance with the comprehensive plan and land development regulations. If the proposed conditional use is a major development pursuant to Chapter 2 of the LDC, the city council shall render the final determination pursuant to the procedures for major developments. A conditional use shall be denied if the city determines that the proposed use does not meet the criteria provided in this section and,~~

~~further, that the proposed conditional use is adverse to the public's interest. An application for a conditional use shall describe how the specific land use characteristics proposed meet the criteria described herein and shall include a description of any measures proposed to mitigate against possible adverse impacts of the proposed conditional use on properties in the immediate vicinity.~~

~~b. *Characteristics of use described.* The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:~~

~~(1) Scale and intensity of the proposed conditional use as measured by the following:~~

- ~~i. Floor area ratio;~~
- ~~ii. Traffic generation;~~
- ~~iii. Square feet of enclosed building for each specific use;~~
- ~~iv. Proposed employment;~~
- ~~v. Proposed number and type of service vehicles; and~~
- ~~vi. Off-street parking needs.~~

~~(2) On or off site improvement needs generated by the proposed conditional use and not identified on the list in subsection, including the following:~~

- ~~i. Utilities;~~
- ~~ii. Public facilities, especially any improvements required to ensure compliance with concurrency management;~~
- ~~iii. Roadway or signalization improvements, or other similar improvements;~~
- ~~iv. Accessory structures or facilities; and~~
- ~~v. Other unique facilities/structures proposed as part of site improvements.~~

~~(3) On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:~~

- ~~i. Open space;~~
- ~~ii. Setbacks from adjacent properties;~~
- ~~iii. Screening and buffers;~~
- ~~iv. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites; and~~

- v. ~~Mitigative techniques for abating smoke, odor, noise, and other noxious impacts.~~

c. ~~Criteria for Conditional Uses in the TCMU:~~

- i. ~~Land use compatibility.~~ The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.
- ii. ~~Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use.~~ The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off street parking, efficient internal traffic circulation, infrastructure and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.
- iii. ~~Proper use of mitigative techniques.~~ The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.
- iv. ~~Hazardous waste.~~ The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation without use of city-approved mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material and shall regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the city unless the specific location is consistent with the comprehensive plan and land development regulations and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources.

~~v. *Avoid Over-Proliferation of Uses.* The TCMU is intended to provide a variety of uses along U.S. Highway 98, and an over-proliferation of similar uses within the zoning district shall not be permitted. The City Council shall review the existing uses within the TCMU zoning district in determining whether a conditional use shall be approved or denied.~~

~~vi. *Compliance with applicable laws and ordinances.* A conditional use application shall demonstrate compliance with all applicable federal, state, county, and city laws and ordinances. Where permits are required from governmental agencies other than the city, these permits shall be obtained as a condition of approval. The city may affix other conditions to any approval of a conditional use in order to protect the public health, safety, and welfare.~~

~~d. *Appeals:* Appeals of the city council on a conditional use application are by writ of certiorari to the circuit court.~~

* * *

CC. *Calhoun Mixed Use - Village(CMU-V).* The Calhoun Mixed Use - Village zoning district implements Future Land Use Element Policy 1-2.4.3(2), Calhoun Mixed Use - Village of the Comprehensive Plan.

1. Purpose and intent. The "CMUV" area is depicted on the FLUM (Map 1-1) and is generally located east of Calhoun Avenue, west of Sibert Avenue, south of Forest Street, and north of the South Harbor Mixed Use area. The intent of this zoning district is to preserve the character of the nearby "Old Destin" area, and to provide a mixed use transitional area between the higher intensity south harbor mixed use zoning district and the less intense surrounding low density residential zoning areas. The Calhoun Mixed Use-Village is envisioned as a walkable, medium-scale resort-mixed use area. Planned developments that increase pedestrian connectivity, east- west vehicular connectivity, and parks or open space shall be encouraged. The Calhoun Mixed Use Village should encourage an excellent tree canopy and before major new development occurs, it is important the tree preservation be enhanced to ensure the lush character of this area continues even as new development occurs. The area shall redevelop as a mixed use area, accommodating primarily medium to high density long-term and short-term residential uses. Commercial hotels, motels, bed and breakfast establishments, and other commercial transient living accommodations shall be allowed. Non-residential uses shall include neighborhood retail commercial goods and services not exceeding 5,500 square feet designed primarily to serve the needs of the adjacent "Old Destin" area, offices; water dependent activities, restaurants, and similar uses (refer to table 7-2). It is the intent of the CMU-V zoning district to specifically not allow each general retail commercial goods and services uses to exceed 5,500 heated and cooled square feet. Additionally, it is the intent of the CMU-V to encourage lower density residential

developments and mixed use developments by specifically not allowing stand-alone multi-family residential uses, but rather, to require multi-family uses to include appropriate nonresidential uses as components of the development.

1. Principal, accessory and conditional uses. Permitted, accessory and conditional uses shall include those listed in Table 7-2, Table of Allowable Uses. ~~The following shall apply to all applications for a conditional use in the CMU-V zoning district:~~

- ~~a. *Findings.* A conditional use shall be permitted upon a finding by the city council, after a duly noticed public hearing, that the proposed use, application and, if applicable, site plan, comply with the criteria specified in this section, including specific conditions established by the city council during review of the respective application in order to ensure compliance with the comprehensive plan and land development regulations. If the proposed conditional use is a major development pursuant to Chapter 2 of the LDC, the city council shall render the final determination pursuant to the procedures for major developments. A conditional use shall be denied if the city determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is adverse to the public's interest. An application for a conditional use shall describe how the specific land use characteristics proposed meet the criteria described herein and shall include a description of any measures proposed to mitigate against possible adverse impacts of the proposed conditional use on properties in the immediate vicinity.~~

- ~~b. *Characteristics of use described.* The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:~~

- ~~(1) Scale and intensity of the proposed conditional use as measured by the following:~~

- ~~i. Floor area ratio;~~
- ~~ii. Traffic generation;~~
- ~~iii. Square feet of enclosed building for each specific use;~~
- ~~iv. Proposed employment;~~
- ~~v. Proposed number and type of service vehicles; and~~
- ~~vi. Off street parking needs.~~

- ~~(2) On or off site improvement needs generated by the proposed conditional use and not identified on the list in subsection, including the following:~~

- ~~i. Utilities;~~

- ~~ii. Public facilities, especially any improvements required to ensure compliance with concurrency management;~~
- ~~iii. Roadway or signalization improvements, or other similar improvements;~~
- ~~iv. Accessory structures or facilities; and~~
- ~~v. Other unique facilities/structures proposed as part of site improvements.~~

~~(3) On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:~~

- ~~i. Open space;~~
- ~~ii. Setbacks from adjacent properties;~~
- ~~iii. Screening and buffers;~~
- ~~iv. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites; and~~
- ~~v. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts.~~

~~c. Criteria for Conditional Uses in the CMU V:~~

- ~~i. Land use compatibility. The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.~~
- ~~ii. Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.~~
- ~~iii. Proper use of mitigative techniques. The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to~~

~~ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.~~

~~iv. *Hazardous waste.* The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation without use of city-approved mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material and shall regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the city unless the specific location is consistent with the comprehensive plan and land development regulations and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources.~~

~~v. *Preservation of "Old Destin".* The CMU V is intended to promote the public health, safety, and welfare by protecting, enhancing, and perpetuating buildings, sites, and areas of the district that are reminiscent of past eras, events, and persons important in local, state, or national history or providing significant examples of architectural styles of the past. It is also the purpose of this zoning district to develop and maintain appropriate settings and environments for such buildings, sites, and areas to enhance property values, stabilize the area east of the Choctawhatchee Bay and Calhoun Avenue, promote the tourist trade and interest, and foster knowledge of the city's living heritage. Therefore, conditional uses should meet one or more of the following criteria:~~

- ~~1. *Historical Significance:* Proposed development in the CMU V district, should show character, interest or value as part of the development, heritage, or cultural characteristics of the area east of the Choctawhatchee Bay and Calhoun Avenue; be the site of historic or prehistoric event(s) that had an effect upon the City of Destin; or exemplify the cultural, political, economic, or social heritage of the City of Destin.~~
- ~~2. *Architectural Significance:* Proposed development should portray an era of history characterized by distinctive architectural period(s)/style(s); embody those distinguishing characteristics of an architectural type specimen, contain elements of architectural design, detail, materials or craftsmanship that represent~~

~~a significant era in the history of the area east of the Choctawhatchee Bay and Calhoun Avenue.~~

- ~~3. Environmental Significance: Proposed development should enhance the variety, interest, and sense of identity of the area east of the Choctawhatchee Bay and Calhoun Avenue by protecting the unique natural and man-made environments.~~

~~vi. Compliance with applicable laws and ordinances. A conditional use application shall demonstrate compliance with all applicable federal, state, county, and city laws and ordinances. Where permits are required from governmental agencies other than the city, these permits shall be obtained as a condition of approval. The city may affix other conditions to any approval of a conditional use in order to protect the public health, safety, and welfare.~~

- ~~d. Appeals: Appeals of the city council on a conditional use application are by writ of certiorari to the circuit court.~~

7.12.10. Conditional Uses. The following shall apply to all applications for a conditional use in any zoning district within the City of Destin:

- e. Findings. A conditional use shall be permitted upon a finding by the city council, after a duly noticed public hearing, that the proposed use, application and, if applicable, site plan, comply with the criteria specified in this section, including specific conditions established by the city council during review of the respective application in order to ensure compliance with the comprehensive plan and land development regulations. If the proposed conditional use is a major development pursuant to Chapter 2 of the LDC, the city council shall render the final determination pursuant to the procedures for major developments. A conditional use shall be denied if the city determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is adverse to the public's interest. An application for a conditional use shall describe how the specific land use characteristics proposed meet the criteria described herein and shall include a description of any measures proposed to mitigate against possible adverse impacts of the proposed conditional use on properties in the immediate vicinity.
- f. Characteristics of use described. The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:

(4) Scale and intensity of the proposed conditional use as measured by the following:

- i. Floor area ratio;
- ii. Traffic generation;
- iii. Square feet of enclosed building for each specific use;
- iv. Proposed employment;
- v. Proposed number and type of service vehicles; and
- vi. Off-street parking needs.

(5) On- or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection, including the following:

- i. Utilities;
- ii. Public facilities, especially any improvements required to ensure compliance with concurrency management;
- iii. Roadway or signalization improvements, or other similar improvements;
- iv. Accessory structures or facilities; and
- v. Other unique facilities/structures proposed as part of site improvements.

(6) On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:

- i. Open space;
- ii. Setbacks from adjacent properties;
- iii. Screening and buffers;
- iv. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites; and
- v. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts.

g. Criteria for Conditional Uses:

- i. Land use compatibility. The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will

not adversely impact land use activities in the immediate vicinity.

- ii. Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.
- iii. Proper use of mitigative techniques. The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.
- iv. Hazardous waste. The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation without use of city-approved mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material and shall regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the city unless the specific location is consistent with the comprehensive plan and land development regulations and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources.
- v. Avoid Over-Proliferation of Uses. An over-proliferation of similar uses within a zoning district shall not be permitted. The City Council shall review the existing uses within the zoning district in determining whether a conditional use shall be approved or denied.
- vi. Compliance with applicable laws and ordinances. A conditional use application shall demonstrate compliance with all applicable federal, state, county, and city laws and ordinances. Where permits are required from governmental

agencies other than the city, these permits shall be obtained as a condition of approval. The city may affix other conditions to any approval of a conditional use in order to protect the public health, safety, and welfare.

- h. LPA Recommendation Required: All applications for a conditional use must first be considered by the City's Land Planning Agency (LPA) for consistency with the Comprehensive Plan, prior to being considered by the City Council for a final decision. The City Council shall not be bound by the recommendation of the LPA.
- i. The Board of Adjustment shall not be required to review conditional use applications.
- j. Appeals: Appeals of the city council on a conditional use application are by writ of certiorari to the circuit court.

SECTION 3. 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 4. 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 5. SEVERABILITY. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

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

ADOPTED THIS ____ DAY OF _____, 2019.

By: _____
Gary Jarvis, Mayor

ATTEST:

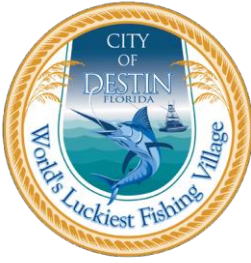
The form and legal sufficiency of the foregoing has been reviewed and approved by the City Land Use Attorney, for the City of Destin, only.

Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: _____

Second Reading: _____

**COMMUNITY DEVELOPMENT DEPARTMENT****AGENDA ITEM****LOCAL PLANNING AGENCY MEETING DATE:** September 26, 2019**TYPE OF AGENDA ITEM:** Staff Report and Recommendation

TO: Local Planning Agency**THRU:** Community Development Director, Louis Zunguze
Principal Planner, Lauren Witt
Kimberly Kopp, City Land Use Attorney**FROM:** Planner, Sam Brisolara
Planner, Traci Goodhart**DATE:** August 27, 2019**SUBJECT:** Proposed Ordinance 19-28-LC: ROI-VR Text Amendment

BACKGROUND:

The proposed text amendment is part of the ongoing effort to align the FLUM and the Zoning Map. Furthermore, in an effort to reduce the total number of zoning districts in the City of Destin, City Council directed staff to amend the Land Development code to consolidate ROI-VR and ROI-GD, and amend the Zoning Map to change all parcels zoned ROI-GD to ROI-VR, as both of these zoning districts are focused on long-term residential development and supportive services.

DISCUSSION:

As mentioned, both ROI-VR and ROI-GD are both focused around long-term residential uses. ROI-VR is specifically designed to conserve long-term residential uses and does not allow any non-residential uses. ROI-GD accommodates permanent residential uses, as well as supportive uses to the neighborhoods, such as offices and institutional uses.

Staff is proposing the consolidation of ROI-GD and ROI-VR, in which all non-residential uses in the ROI-GD Zoning District would become conditional and the ROI-GD Zoning District would be eliminated. Additionally, Staff is recommending that any conditional uses would be reviewed by the LPA and approved or denied by City Council. The following outlines additional justifications for this change:

1. **Supportive Uses for Neighborhoods** – The non-residential uses which would be incorporated into the ROI-VR zoning district are utilized to support the needs of existing

residential developments. Examples of such uses could be doctors' offices, daycares, drycleaners, etc.

2. **Traffic Reduction** – By introducing supportive uses to residential areas, the need to travel to heavier commercial areas located on Collector or Arterial roadways is reduced. Residents in those areas can utilize the services provided locally, and trips onto Highway 98 and similar roadways becomes unnecessary.
3. **No Nonconformities Created** – As a result of consolidating these two zoning districts, no nonconforming uses will be created. Those areas that were previously zoned ROI-VR are now granted additional uses (if conditionally approved), and no uses which are currently allowed in ROI-GD are removed.
4. **Too Many Zoning Districts** – Currently, the City of Destin has 29 zoning districts, many of which have similar functions. The consolidation of the ROI zoning districts, which both have a focus of preserving the long-term residential character of those areas, is the first step to cleaning up the multitude of zoning districts without sacrificing any rights of the citizens of Destin.
5. **Conditional Use Process** – In order to preserve the residential integrity of the ROI-VR zoning district, any non-residential use will be required to go through the conditional use process to ensure compatibility with existing neighborhoods. Under this review conditions could be placed on the site design, hours of operation, etc. Any conditional use application will be reviewed by the LPA and approved or denied by the City Council.

STAFF RECOMMENDATION:

Staff recommends that the LPA recommend approval to City Council of proposed ordinance 19-28-LC.

MOTIONS:

I move to recommend approval of proposed ordinance 19-28-LC.

ORDINANCE NO. 19-28-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLE 7 OF THE LAND DEVELOPMENT CODE TO ELIMINATE THE RESIDENTIAL, OFFICE AND INSTITUTIONAL-GENERAL DEVELOPMENT ZONING DISTRICT (ROI-GD) AND CONSOLIDATE IT WITH THE RESIDENTIAL, OFFICE AND INSTITUTIONAL-VILLAGE RESIDENTIAL ZONING DISTRICT; PROVIDING FOR; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. AUTHORITY.

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

SECTION 2. FINDINGS OF FACT.

WHEREAS, the City Council desires to align the Future Land Use Map set forth in the Comprehensive Plan with the Zoning Map set forth in the Land Development Code, consistent with Florida law, and;

WHEREAS, in an effort to reduce the total number of redundant and overlapping zoning districts in the City of Destin, the City Council directed staff to amend the Land Development code to consolidate the ROI-VR and ROI-GD zoning districts, and to amend the Zoning Map to change all parcels zoned ROI-GD to ROI-VR, because both of these zoning districts are focused on long-term residential development and supportive services; and

WHEREAS, the City Council in providing for the health, safety and welfare of its citizens finds that the Residential, Office, and Institutional-General Development zoning district should be eliminated and the uses therein should be consolidated into the existing Residential, Office, and Institutional-Village Residential zoning district; and

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

WHEREAS, a public hearing has been conducted after due public notice by the Local Planning Agency on September 26, 2019, and its recommendations reported to the City Council; and

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

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

OF DESTIN, FLORIDA, AS FOLLOWS:

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

SECTION 3. AMENDMENT OF LAND DEVELOPMENT CODE SECTION 7.12.06.

Section 7.12.06 of the Land Development Code is hereby amended as follows:

~~L. Residential, Office, and Institutional – General Development (ROI – GD). The Residential, Office, and Institutional – General Development zoning district implements Future Land Use Element Policy 1-2.4.1, Residential, Office, and Institutional of the Comprehensive Plan.~~

- ~~1. Purpose and intent. The Residential, Office, and Institutional – General Development zoning district shall apply to areas developed, redeveloped and/or maintained and conserved as areas that accommodate: business and professional offices; permanent single family detached or multi family attached residential dwelling units; and institutional uses. General retail sales and services are allowed but must be integrated in a planned unit development designed to support the surrounding residential neighborhoods. It is the intent of the ROI – GD zoning district to specifically not allow the following uses to be located in the district: seasonal single family detached or multi family attached residential dwelling units; commercial hotels, motels, bed and breakfast establishments, or other commercial transient living accommodations; and all non-residential uses not previously listed above.~~
- ~~2. Principal, accessory and conditional uses. Permitted, accessory and conditional uses shall include those listed in Table 7-2, Table of Allowable Uses.~~
- ~~3. Performance standards. For lot area, lot width, lot depth, height, setback, density, floor area ratio, and open space standards, please refer to Table 7-3, Table of Dimensional Regulations.~~

N. *Residential, Office, and Institutional - Village Residential (ROI - VR).* The Residential, Office, and Institutional - Village Residential zoning district implements Future Land Use Element Policy 1-2.4.1, Residential, Office, and Institutional of the Comprehensive Plan.

1. Purpose and intent. The Residential, Office, and Institutional - Village Residential zoning district shall apply to areas developed, redeveloped and/or maintained and conserved as permanent single-family detached residential dwelling units, with or without limited and supportive commercial uses. It is the intent of the ROI - VR

zoning district to specifically not allow the following uses to be located in the district: seasonal single-family detached residential dwelling units; ~~seasonal or permanent or multi-family attached residential dwelling units~~; commercial hotels, motels, bed and breakfast establishments, ~~or~~ and other commercial transient living accommodations; ~~and all non-residential uses.~~

2. Principal, accessory and conditional uses. Permitted, accessory and conditional uses shall include those listed in Table 7-2, Table of Allowable Uses.
3. Performance standards. For lot area, lot width, lot depth, height, setback, density, floor area ratio, and open space standards, please refer to Table 7-3, Table of Dimensional Regulations.

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

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

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

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

ADOPTED THIS ____ DAY OF _____, 2019.

By: _____
Gary Jarvis, Mayor

ATTEST:

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

Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: _____
Second Reading: _____

TABLE 7-2: TABLE OF ALLOWABLE USES

[illegible]

[illegible]

[illegible]

512131 Motion picture theaters									P	P					P				P	P	P	P	P					
515 Broadcas ting, except internet									P	P					P													
516 Internet publishin g and broadcas ting									P	P	P	P	<u>C</u>		P				P	P	P	P	P					
517 Telecom municati ons									P	C													P					
5172 Wireless telecom municati ons carriers (except satellite)									P	P ₁₅					P ₁₅								P ₁₅		P ₁₅	P ₁₅		
518 ISPs, search portals, and data processin g									P	P	P	P	<u>C</u>		P				P	P	P	P	P					
519 Other									P	P	P	P	<u>C</u>		P				P	P	P	P	P					

[illegible]

[illegible]

[illegible]

[illegible]

713950 Bowling centers									P							P	P	C	P	P	P			P				P	
713990 Indoor Shooting Ranges										P															P				
713990 All other amusement and recreation industries									P			€	C	C			C	P	C	P	P	P	P	P			P	P	

Sector 72 Accommodation and Food Services

[illegible]

[illegible]

8123 Dry cleaning and laundry services								P	P	P	P	P	<u>C</u>			P	P	P	P	P	P	P	P		P				
81233 Linen and uniform supply services								P	P																P				
812910 Pet care (except veterinar y) services								P		P	P	P	<u>C</u>		P	P	P	P	P	P	P	P	P	P					
812930 Parking lots and garages (public & private)															C				P							P			
813 Members hip associati ons and organizat ions								P	P		P	P	<u>C</u>		P	P	P	P	P	P	P	P	P	P			P		
8131 Religious organizat ions							P	P	P	P	P	P	<u>C</u>		P	P	P	P		P	P	P	P			P			

[illegible]

residential neighborhoods.
⁴ Neighborhood retail commercial goods and services shall not exceed 5,500 square feet and shall be designed primarily to serve the needs of the Crystal Beach resort area.
⁵ Only allowed on properties that have direct or secondary access to Harbor Boulevard.
⁶ Neighborhood retail commercial goods and services shall not exceed 5,500 square feet and shall be designed primarily to serve the needs of the adjacent "Old Destin" area.
⁷ Must meet minimum distance separation requirements, see Section 7.16.00 of the Land Development Code.
⁸ Must meet minimum distance separation requirements, refer to the definition of the use in question in article 3 of the Land Development Code.
⁹ Office space associated with this use shall not exceed 25 percent of the total square footage of the building.
¹⁰ Zoos are only allowed in the Industrial zoning district.
¹¹ Passive recreation includes the following as accessory uses: beach accessways, such as dune walkovers, parking lots, docks, and restroom facilities.
¹² Commercial transient living accommodations.
¹³ Used merchandise stores are restricted to only those that are classified as a nonprofit business.
¹⁴ Can only provide said services free of charge, refer to Section 7.09.02B(11) for further information.
¹⁵ Telecommunication towers are an allowable use in this zoning district subject to a hierarchy of eligibility per Section 7.19.04.A.
¹⁶ Refer to Section 7.09.02(B)12 for further information.
¹⁷ Reserved.
¹⁸ Land Use 7132 Gambling Industries and 72112 Casino Hotels shall be prohibited in all districts.
¹⁹ No sexually oriented business shall be located on any Industrial (IN) zoned parcel within the Town

Center CRA with a boundary within 330' south of the southern right-of-way boundary of Airport Road or within 330' east of the eastern right-of-way boundary of Main Street. The measurement of the minimum separation distance shall be a line perpendicular to the right-of-way of Airport Road or Main Street, as the case may be, to the nearest point of the property line of the parcel on which the Sexually Oriented Business is proposed to be located.

²⁰ No medical marijuana dispensary shall be located on any Industrial (IN) zoned parcel within the Town Center CRA with a boundary within 330 feet south of the southern right-of-way boundary of Airport Road or within 330 feet east of the eastern right-of-way boundary of Main Street. The measurement of the minimum separation distance shall be a line perpendicular to the right-of-way or Airport Road or Main Street, as the case may be, to the nearest point of the property line of the parcel on which the medical marijuana dispensary is proposed to be located. Cultivating or processing medical marijuana shall be prohibited within the City.

NOTE: Any change of use within the Harbor District Overlay that is part of an application for a certificate of appropriateness shall require conditional use approval pursuant to Section 7.12.06(DD).

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

(Dimensions are in feet)

Zoning Districts	Minimum Lot Area (sq. ft.)	Minimum Lot Size		Maximum Building Height			Setbacks			Maximum Density (units per acre)			Maximum Floor Area Ratio			Minimum Open Space (%)		
		Width	Depth	Tier 1A	Tier 2	Tier 3	Front	Side	Rear	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3
BE - one d.u.	15,000	80	150	35/3 stories	N/A	N/A	20	10	10	2.90	N/A	N/A	N/A	N/A	N/A	25	N/A	N/A
LDR-V/LDR-H/M DR-V	7,500	70	100	35/3 stories	N/A	N/A	20	7½	10	5.81	N/A	N/A	N/A	N/A	N/A	25	N/A	N/A

(Y)																		
CBR - one d.u.	7,500	70	100	30/3 stories	N/A	N/A	20	7½	10	12.00/Q	N/A	N/A	N/A	N/A	N/A	30	N/A	N/A
CMU - one d.u.	7,500	70	100	35/3 stories	N/A	N/A	20	7½	10	12.00	N/A	16.00	N/A	N/A	N/A	25	N/A	30
CMU -V - one d.u.	5,000	50	100	35/3 stories	N/A	N/A	20	71/2	10	9.00	N/A	N/A	N/A	N/A	N/A	25	N/A	N/A
CMU -V - two or d.u.	None	None	None	50/4 stories	N/A	N/A	J	J	J	12.00	N/A	N/A	N/A	N/A	N/A	25	N/A	N/A
CMU -V - non d.u.	None	None	None	H	N/A	N/A	J	J	J	N/A	N/A	N/A	.50	N/A	N/A	25	N/A	N/A
SHMU - one d.u.	7,500	70	100	30/3 stories	N/A	N/A	20	7½	10	19.90/S	26.00/S	36.00	N/A	N/A	N/A	30	18/V	12/V
NHMU - one d.u.	7,500	70	100	35/3 stories	N/A	N/A	20	7½	10	19.90/T	26.00/T	36.00/T	N/A	N/A	N/A	25	18/V	12/V
GRMU - one d.u.	7,500	70	100	50/4 stories	N/A	N/A	20	7½	10	19.90/S	25.00/S	30.00	N/A	N/A	N/A	30	30	N/A

HIM U - one d.u.	7,500	70	100	35/3 storie s	N/A	N/A	20	7½	10	19.9 0/S	24.0 0/S	N/A	N/ A	N/ A	N/ A	3 0	30	N/ A
BRM U - one d.u.	7,500	70	100	35/3 storie s	N/A	N/A	20	7½	10	20.0 0	N/A	N/A	N/ A	N/ A	N/ A	2 5	30	30
MDR - V/M DR- HI - two or more d.u.	None	No ne	No ne	35/3 storie s	N/A	N/A	C/ D	C/ D	C/ D	9.99	N/A	N/A	N/ A	N/ A	N/ A	2 5	N/ A	N/ A
HDR - two or more d.u.	None	No ne	No ne	80/7 storie s	100/ 9 stori es	170/ 16 stori es/B	J	J	J	19.9 0	N/A	N/A	N/ A	N/ A	N/ A	2 5	30	30
CBN - two or more d.u.	None	No ne	No ne	50/4 storie s	N/A	N/A	20	C/ D	C/ D	6.00	N/A	N/A	N/ A	N/ A	N/ A	2 5	N/ A	N/ A
CBN - non d.u.	None	No ne	No ne	50/4 storie s	N/A	N/A	20	C/ D	C/ D	N/A	N/A	N/A	.50	N/ A	N/ A	2 5	N/ A	N/ A
CL - two or more	None	No ne	No ne	50/4 storie s	N/A	N/A	20	C/ D	C/ D	12.0 0/Q	N/A	N/A	N/ A	N/ A	N/ A	2 5	N/ A	N/ A

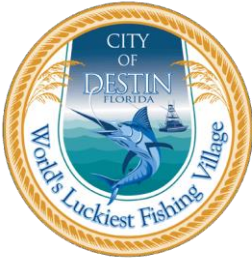
d.u.																		
CL - non d.u.	None	No ne	No ne	E	N/A	N/A	10	C/ D	C/ D	N/A	N/A	N/A	.50	N/ A	N/ A	2 5	N/ A	N/ A
CG - two or more d.u.	None	No ne	No ne	50/4 storie s	130/ 12 stori es	N/A	M	M	M	40.0 0	N/A	N/A	N/ A	N/ A	N/ A	2 5	30	N/ A
CG - non d.u.	None	No ne	No ne	50/4 storie s/F	130/ 12 stori es/F	N/A	M	M	M	N/A	N/A	N/A	1.3 0	N/ A	N/ A	2 5	30	N/ A
CTS	None	No ne	No ne	35/3 storie s	N/A	N/A	N	N	N	U	N/A	N/A	1.3 0	N/ A	N/ A	2 5	N/ A	N/ A
ROI- GD/R OI- TD two or more d.u.	None	No ne	No ne	35/3 storie s G	N/A	N/A	C/ D	C/ D	C/ D	12.0 0/R	N/A	N/A	N/ A	N/ A	N/ A	2 5	N/ A	N/ A
ROI- GD/R OI- TD non d.u.	None	No ne	No ne	35/3 storie s G	N/A	N/A	C/ D	C/ D	C/ D	N/A	N/A	N/A	.50	N/ A	N/ A	2 5	N/ A	N/ A
CBR - two or more	None	No ne	No ne	50/4 storie s	N/A	60/5 stori es	O	O	O	12.0 0/Q	N/A	24.0 0	N/ A	N/ A	N/ A	2 5	N/ A	30

d.u.																		
CBR - non d.u.	None	No ne	No ne	50/4 storie s	N/A	60/5 stori es	O	O	O	N/A	N/A	N/A	.50	N/ A	N/ A	2 5	N/ A	30
TCM U - one d.u.	5,000	50	100	35/3 storie s	N/A	N/A	20	5	10	9.00	N/A	N/A	N/ A	N/ A	N/ A	2 5	N/ A	N/ A
TCM U - two or more d.u.	None	No ne	No ne	50/4 storie s	N/A	N/A	M	M	M	24.0 0	N/A	N/A	N/ A	N/ A	N/ A	2 5	N/ A	N/ A
TCM U - none d.u.	None	No ne	No ne	75/6 storie s	N/A	N/A	M	M	M	N/A	NA	N/A	1.5	N/ A	N/ A	2 5	N/ A	N/ A
CMU - two or more d.u.	None	No ne	No ne	35/3 storie s	N/A	70/6 stori es	J	J	J	12.0 0	N/A	16.0 0	N/ A	N/ A	N/ A	2 5	N/ A	30
CMU - non d.u.	None	No ne	No ne	H	N/A	H	J	J	J	N/A	N/A	N/A	.50	N/ A	N/ A	2 5	N/ A	30
SHM U - two or more d.u. (short-	None	No ne	No ne	35/3 storie s/l	100/ 9 stori es	160/ 15 stori es	P	P	P	19.9 0/S	26.0 0/S	36.0 0	N/ A	N/ A	N/ A	2 5	18 /V	12 /V

term)																		
SHM U - two or more d.u. (long-term)	None	No ne	No ne	35/3 storie s/l	100/ 9 stori es	160/ 15 stori es	P	P	P	19.9 0/S	N/A	N/A	N/ A	N/ A	N/ A	2 5	18 /V	12 /V
SHM U - non d.u.	None	No ne	No ne	35/3 storie s/l	100/ 9 stori es	160/ 15 stori es	P	P	P	N/A	N/A	N/A	.60	1. 75	2. 50	2 5	18 /V	12 /V
NHM U - two or more d.u.	None	No ne	No ne	35/3 storie s	100/ 9 stori es	160/ 15 stori es	M	M	M	19.9 0/T	26.0 0/T	36.0 0/T	N/ A	N/ A	N/ A	2 5	18 /V	12 /V
NHM U - non d.u.	None	No ne	No ne	35/3 storie s	100/ 9 stori es	160/ 15 stori es	M	M	M	N/A	N/A	N/A	.60	1. 75	2. 50	2 5	18 /V	12 /V
GRM U - two or more d.u.	None	No ne	No ne	50/4 storie s	130/ 12 stori es	200/ 19 stori es	O	O	O	19.0 0/S	25.0 0/S	30.0 0	N/ A	N/ A	N/ A	2 5	30	30
GRM U - non	None	No ne	No ne	50/4 storie	130/ 12 stori	200/ 19 stori	O	O	O	N/A	N/A	N/A	1.3 0	N/ A	N/ A	2 5	30	30

d.u.				s	es	es												
HIM U - two or more d.u.	None	No ne	No ne	50/4 storie s	110/ 10 stori es	140/ 13 stori es	J	J	J	19.9 0/S	24.0 0/S	N/A	N/ A	N/ A	N/ A	2 5	30	30
HIM U - non d.u.	None	No ne	No ne	50/4 storie s	110/ 10 stori es	140/ 13 stori es	J	J	J	N/A	N/A	N/A	1.3 0	N/ A	N/ A	2 5	30	30
BRM U - two or more d.u.	None	No ne	No ne	35/3 storie s	100/ 9 stori es	180/ 17 stori es	O	O	O	20.0 0	N/A	N/A	N/ A	N/ A	N/ A	2 5	30	30
BRM U - non d.u.	None	No ne	No ne	35/3 storie s/W	100/ 9 stori es/X	180/ 17 stori es/X	O	O	O	N/A	N/A	N/A	.75 /X	N/ A	N/ A	2 5	30	30
IN	None	No ne	No ne	35/3 storie s	N/A	N/A	N	N	N	N/A	N/A	N/A	1.3 0	N/ A	N/ A	2 5	N/ A	N/ A
A	None	No ne	No ne	35/3 storie s/ K	N/A	N/A	L	L	L	N/A	N/A	N/A	1.3 0	N/ A	N/ A	2 5	N/ A	N/ A
INST	None	No ne	No ne	35/3 storie s	N/A	N/A	No ne	No ne	No ne	N/A	N/A	N/A	.50	N/ A	N/ A	2 5	N/ A	N/ A
REC	None	No	No	35/3 storie	N/A	N/A	No	No	No	N/A	N/A	N/A	.20	N/ A	N/ A	2	N/ A	N/ A

		ne	ne	s			ne	ne	ne					A	A	5	A	A
CON	None	No ne	No ne	15/1 story	N/A	N/A	No ne	No ne	No ne	N/A	N/A	N/A	.05	N/ A	N/ A	8 0	N/ A	N/ A



COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ITEM

LOCAL PLANNING AGENCY MEETING DATE: September 26, 2019**TYPE OF AGENDA ITEM:** Agenda Item

TO: Local Planning Agency**THRU:** Community Development Director, Louis Zunguze
Principal Planner, Lauren Witt
Kimberly Kopp, City Land Use Attorney**FROM:** Planner, Sam Brisolara
Planner, Traci Goodhart**DATE:** September 26, 2019**SUBJECT:** Proposed Ordinance 19-25-LC: Text Amendment to Commercial-General Zoning District

BACKGROUND:

The Community Development Department, with direction from the City Council, has revised the Commercial General (CG) zoning set forth in 7.12.06(J) of the Land Development Code, to (1) add increased buffering for properties adjacent to existing residential uses or residential zoning districts and (2) change currently Permitted uses in the zoning district to Conditional uses, and to set up a process and establish associated criteria for approval of such conditional uses.

On July 15, 2019, the City Council invoked the pending ordinance doctrine, as follows:

Pursuant to *Smith v. City of Clearwater*, 383 So. 2d 681 (Fla. 2d DCA 1980) a “zoning in progress” is hereby announced as to the above referenced Land Development Code (“Code”) amendments to the Commercial General (CG) zoning district, thereby invoking the Pending Ordinance Doctrine. Consideration of all applications for development approval, including any application for development order, development order amendment, building permit, or zoning approval, which is received by the City after the date hereof, and which may be affected by the above referenced Code amendments, shall be compliant with such Code amendments.

DISCUSSION:

Ordinance 19-25-LC proposes the following;

- A minimum buffer of 35' when the property is adjacent to residential uses. If the height of the proposed building exceeds 35', the buffer shall equal at least the height of the proposed building. The minimum buffer requirements may be increased in the discretion of the City Council if the use is a conditional use.
- Change to the list of allowable uses in the district (many previously permitted uses will now be conditional uses in the zoning district).

With respect to setting up a process for the approval of conditional uses, staff has determined that the best methodology for this is a process that is applicable in **all** zoning districts. Therefore, this process will be reviewed by the LPA via separate Ordinance No. 19-19-LC which will be applicable to all zoning districts and will not be limited to the Commercial General (CG) district. Ordinance 19-19-LC is also before the LPA on September 26, 2019.

RECOMMENDATION:

Staff recommends the LPA recommend approval to City Council of proposed ordinance 19-25-LC, which amends the Commercial-General (CG) zoning district set forth in section 7.12.06(J) of the Land Development Code.

MOTION:

I move the LPA recommend approval of proposed ordinance 19-25-LC.

ORDINANCE NO. 19-25-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING THE COMMERCIAL GENERAL (CG) ZONING DISTRICT; AMENDING ARTICLE 7 OF THE LAND DEVELOPMENT CODE “LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS”; AMENDING TABLE 7-2 “TABLE OF ALLOWABLE USES”; ESTABLISHING CONDITIONAL USES IN THE COMMERCIAL GENERAL (C-G) ZONING DISTRICT; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. AUTHORITY.

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

SECTION 2. FINDINGS OF FACT.

WHEREAS, the City Council in providing for the health, safety and welfare of its citizens finds that the City should modify the Commercial General (CG) zoning district in order to allow the City Council to consider specified criteria for conditional uses within the zoning district; and

WHEREAS, the purpose of the Commercial General (CG) zoning district is to provide a intended to accommodate the general commercial needs of the permanent and seasonal residents.; and

WHEREAS, the City Council desires to establish conditional uses in the Commercial General (CG) zoning district; and

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

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

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

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

NOTE: Language in all sections of this ordinance that is ~~strike-thru~~ is language

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

SECTION 3. AMENDMENT OF LAND DEVELOPMENT CODE SECTION 7.12.06.

Section 7.12.06 of the Land Development Code is hereby amended as follows:

J. *Commercial General (CG)*. The Commercial General zoning district implements Future Land Use Element Policy 1-2.3.2, Commercial General of the Comprehensive Plan.

1. Purpose and intent. The Commercial General zoning district shall apply to areas generally located along Harbor Boulevard/Emerald Coast Parkway and is intended to accommodate the general commercial needs of the permanent and seasonal residents. The general commercial needs of the permanent and seasonal residents are provided generally by the following uses: general retail sales and services; highway oriented sales and services; offices; commercial hotels, motels, bed and breakfast establishments, other commercial transient living accommodations; and seasonal multi-family attached residential dwelling units. It is the intent of the CG zoning district to specifically not allow the following uses to be located in the district: permanent single-family detached or multi-family attached residential dwelling units; manufacturing of goods; other activities that may generate nuisance impacts, including glare, smoke or other air pollutants, noise, vibration, major fire hazards or other impacts generally associated with more intensive industrial uses. Additionally, it is the intent of the zoning district to encourage a variety of uses to address general commercial needs, and not to allow the over-proliferation of any particular use(s).

2. Principal, accessory and conditional uses. Permitted, accessory and conditional uses shall include those listed in Table 7-2, Table of Allowable Uses.

3. Performance standards. For lot area, lot width, lot depth, height, setback, density, floor area ratio, and open space standards, please refer to Table 7-3, Table of Dimensional Regulations. Additionally, a minimum buffer of 35' is required when the property is adjacent to residential uses. If the height of the proposed building exceeds 35', the buffer shall equal at least the height of the proposed building. The minimum buffer requirements may be increased in the discretion of the City Council if the use is a conditional use.

SECTION 4. AMENDMENT OF LAND DEVELOPMENT CODE TABLE 7-2, TABLE OF ALLOWABLE USES. Table 7-2, Table of Allowable Uses, is attached hereto as Exhibit

“A”, and is fully incorporated herein by this reference. Where a previously permitted use has been changed to a conditional use, a designation of “C” is provided next to the use.

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. 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 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 OCTOBER, 2019.

By: _____
Gary Jarvis, Mayor

ATTEST:

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

Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: _____
Second Reading: _____

Proposed Conditional Uses

Uses	CG
Multi-Family attached dwelling (ST)	<u>C</u>
Distribution Electric Substation	P
Printing and Related Support Activities	P
Wholesale Trade	<u>C</u>
Auto parts, accessories, and tire stores	<u>C</u>
Parts and Accessories Dealer - Automotive/Marine	<u>C</u>
Furniture and Home Furnishing Stores	<u>C</u>
Electronics and Appliance Stores	P
Building Material and Garden Equipment and Supply Dealers	<u>C</u>
Kitchen Cabinet Stores	<u>C</u>
Grocery Stores	<u>C</u>
Specialty Food Stores	<u>C</u>
Beer Wine and Liquor Stores	<u>C</u>
Health and Personal Care Stores	<u>C</u>
Medical Marijuana Dispensary	<u>C</u>
Gasoline Stations	<u>C</u>
Clothing and Clothing Accessory Stores	P
Sporting Goods and Musical Instrument Stores	P
Book, periodical, and music stores	P
Department Stores	P
Other general merchandise stores	P

Proposed Conditional Uses

Uses	CG
Florists	P
Office Supplies, Stationary, and Gift Stores	P
Used Merchandise Stores	<u>C</u>
Thrift Stores	<u>C</u>
Other miscellaneous store retailers	<u>C</u>
Urban Transit System	<u>C</u>
Interurban and Rural Bus Transportation	<u>C</u>
Motor vehicle towing	<u>C</u>
General Warehousing and Storage	<u>C</u>
Publishing Industries except Internet	p
Motion Picture Theaters	P
Broadcasting except Internet	P
Internet Publishing and Broadcasting	P
Telecommunications	P
Wireless telecommunications carriers (except satellite)	P
ISPs, Search portals, and data processing	P
Other Information Services	P
Finance and Insurance	P
Pawn Shops	<u>C</u>
Real Estate Services	P
Conference Convention Center	<u>C</u>
Mini-Warehouse/ Self Storage	<u>C</u>

Proposed Conditional Uses

Uses	CG
Boat, Vehicle, Equipment, etc. storage leasing	<u>C</u>
Automotive equipment rental and leasing	<u>C</u>
Consumer Goods Rental	<u>C</u>
Machinery and Equipment rental and leasing	<u>C</u>
General Rental Centers	P
Professional and Technical Services	P
Veterinary Services	<u>C</u>
Management of Companies and Enterprises	P
Administrative and Support Services	P
Janitorial Services	P
Landscaping Services	<u>C</u>
Business Computer and Management Training	P
Other Schools and Instruction	P
Educational Support Services	P
Ambulatory Health Care Services	<u>C</u>
Child day care services	P
Performing Arts and Spectator Sports	<u>C</u>
Amusement and Theme Parks	<u>C</u>
Amusement arcades	<u>C</u>
Fitness and rec sports	<u>C</u>
Bowling Centers	<u>C</u>
All Other amusement and recreation industries	<u>C</u>
Hotels and Motels	<u>C</u>

Proposed Conditional Uses

Uses	CG
Bed & Breakfast Inns	<u>C</u>
Other Traveler Accommodation	<u>C</u>
RV parks and recreational camps	<u>C</u>
Rooming and boarding houses	<u>C</u>
Food services and drinking places	<u>C</u>
Full Service Restaraunts	<u>C</u>
Limited Service Restaraunts	<u>C</u>
Drinking Places, alcholic beverages	<u>C</u>
Repair and Maintenance	<u>C</u>
Automotive repair and maintenance	<u>C</u>
Car Washes	<u>C</u>
Other Personal and Household Goods	P
Boat and Motorcycle repair	<u>C</u>
Personal and Laundry Services	P
Dry Cleaning and laundry Services	<u>C</u>
Linen and uniform supply services	P
Pet Care (exept veterinary) services	<u>C</u>
Membership associations and organizations	P
Religious Organizations	P
Tattoo Parlors	<u>C</u>