

**MINUTES
HARBOR AND WATERWAYS BOARD MEETING
DESTIN CITY HALL 5:00 P.M. – AUGUST 26, 2019**

1. CALL TO ORDER:

Chairman Trammell called the Destin Harbor and Waterways Board meeting to order at approximately 5:00 p.m. on Monday, August 26, 2019 at Destin City Hall.

2. ROLL CALL:

Member Present:

Matt Trammell
Richard Hoey
Casey Jones
Jim Green
Bill McKissick
Guy Tadlock
Quinten Selby

Staff:

Kim Montgomery, Deputy City Clerk
Dawn McDonald, Planner
Louis Zunguze, Community Development Dir.
Kyle Bauman, City Attorney
David Bazylak, Code Compliance
Joey Forgione, Code Compliance Manager

3. APPROVAL OF MINUTES:

➤ **April 22, 2019**

Board member Jones moved to approve of the April 22, 2019 minutes as written with Board member Hoey providing the second; the motion passes with a 7-0 vote.

4. PUBLIC COMMENT: None

5. NEW BUSINESS: None

6. OLD BUSINESS:

A. 821 Cross Street, Stan Shipp, Property Owner

- *Request for the removal and replacement of (1) 4' X 41' existing dock with (1) 8' X 41' dock. The total project footprint is ±328 total square feet.*

Ms. McDonald informed the members that they are only approving the dock replacement portion, which is to remove the 4' x 41' dock and replace it with the 8' x 41' dock; adding that the work has already been done and this is an after-the-fact permit approval. Additionally, she informed the members that the request meets all the requirements of the Land Development Code's Marina Siting and the Coastal Element in the Comprehensive Plan and staff recommends approval.

The Chairman asked if the adjacent property owners were properly notified. According to Mrs. McDonald; staff actually notified all the property owners in the surrounding homes for this particular project request. The Chairman asked about the boat ramp that was a part of the previous request last year. According to Ms. McDonald, that is part of the upland permit application and is not something that they are required to review.

Board member Jones made the motion to recommend City Council approve the after-the-fact permit request for the removal of (1) 4' x 41' existing dock with (1) 8' x 41' dock; the total sq. footage being ±328 located at 821 Cross Street. Board member Hoey provided the second to the motion.

Mr. Robert King of 820 Cross Street stated that he received the notice well in advance; even though the project has already been constructed. He then stated that since the request is already constructed he feels that they need to just move on. The Chairman explained they are aware of that and this is just a process they must follow.

The Chairman closed the public and called for the vote. **The motion passed with a vote of 7-0.**

7. MEMBER REPORTS:

A. Mr. Hoey -- Discussion of Article 11.05.00. Marina Siting, Land Development Code, and recommended changes to the existing Code.

Board member Hoey spoke of how self-certification on the State's website has become more prevalent and how about 75% of the projects they have reviewed have been self-certifications. He spoke of how a lot of mistakes are could potentially be made by people not knowing the location of the riparian lines and feels that if they can look at the code and make some changes to the language to make it clear; then possibly mistakes could be avoided for riparian rights issues and suggests the following:

- Adding to section 11.05.01(B) ^{requires} where a letter of concurrence would be required at the time of application; if the project does not comply with the 25/10-foot setback requirements from the effective adjacent property owner.
- If a letter of concurrence from adjacent property owners to be submitted with the application then the project request would not have to come before the Harbor & Waterways Board.
- Self-Certification reconstruction permit where the project would have to be built in the exact location of the previous marine construction.

Chairman Trammell spoke of situations of concern where the setback waiver couldn't come into play such as a past request where the project request property was on 30-feet wide and those exemptions would have to be reviewed by the Board. As well as with a rebuild, how they would address a rebuild with a structure that may extend out further. He also would like to review the requirements for the drawings noting that they don't have to be engineered drawings, but they must be to scale, they must have the dimensions, they must show how long the docks are, location of the slips, as well as general number of pilings. Adding that those requirements would also help staff tremendously.

The Chairman asked the City Attorney what he recommends they do regarding the proposed language in the Code. According to Mr. Bauman, he suggests they send their recommendations to council who can direct staff to revise the language in the code. He also suggested that they have a representative to attend the meeting when this discussion is on the agenda to answer any questions that Council may have.

There was a brief discussion about how the board thought the entire Marina Siting Code was being rewritten. According to Mr. Zunguze, he is working on a timeline for that work plan for this coming year and will coordinate with Chairman Trammell when staff is ready to present this to Council so they can in turn direct staff on any revisions they feel need to be made to the language in the Code. And then at that point, it will be brought back to this board for input before going back to Council for their consideration. However, he added that they are currently reconciling the Zoning Map and the Future Land Use Map to

bring them into compliance with each other and after that is finished staff will start working to revamp the entire Land Development Code.

There was a brief discussion about the permitting and inspecting process after construction is finalized as well as at what point is marine construction considered commercial.

Ms. McDonald informed the members the current process and steps and added that the city has a new software system that will be put into place soon that will enable staff with a better tracking system starting at the beginning of the application process to the end.

Board member Tadlock asked what defines the difference between a residential and commercial marine project. According to Ms. McDonald, it's as simple as checking a box in the application process, as well as the location and zoning of the project, and all the proposed uses should all be clearly stated in the application for the project.

The Chairman suggested to the members to read the Marina Siting Code and their handbook and bring any questions or comments they may have to bring back to their next meeting for discussion.

8. COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR'S REPORT:

➤ Harbor Capacity Study

Mr. Zunguze explained that they are getting closer to the funding for the Capacity Study and expects to hear from the Army Corp of Engineers next month.

He then informed the members that Ms. McDonald's last day of employment with the city is this Friday and wished her well on her endeavors. He then introduced Traci Goodheart, who will be taking over some of the duties.

The members discussed the No-Wake Zone violations they have witnessed this past summer season in the harbor. Mr. Bazylak informed the members that staff has discussed a MOU with the County but explained that he cannot cite anyone for violations in the harbor or Crab Island. Adding that he does have jurisdiction in Joe's Bayou and Indian Bayou.

Mr. Forgione explained that he would have an end-of-the year Action Report to present on what the Division did for the year.

The Chairman welcomed new member Quintin Selby to the Board.

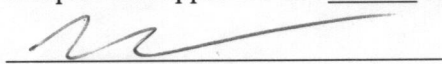
9. MEETING DATES:

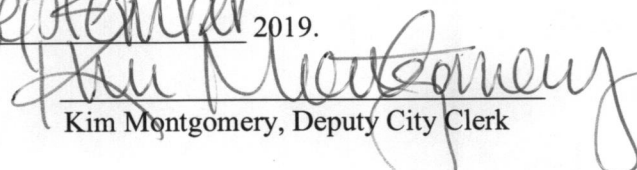
- **Next Meeting:** September 23, 2019

9. ADJOURNMENT:

With there being no further discussion, the meeting adjourned at 6:20 p.m.

Adopted and approved this 23rd day of September 2019.


Matt Trammell, Chairman


Kim Montgomery, Deputy City Clerk

Member Reports:

A.

Adding to section 11.05.01(B) requiring a Letter Of Concurrence to be submitted along with the other required paperwork if the boat lift project slip did not satisfy the setbacks prescribed by section 11.05.01(S). If the letter of concurrence is received the boat lift project would not have to come before the Harbor and Waterways Board.

Adding paragraph 11.05.01(S) to the sections that do not apply to paragraph 11.05.10/
Reconstruction of existing facilities.