MINUTES
LOCAL PLANNING AGENCY
NOVEMBER 21, 2019 - 5:30 P.M.
DESTIN CITY HALL BOARDROOM

1. CALL TO ORDER:

Chairman Wood called the Local Planning Agency meeting to order on Thursday, November 21, 2019 at 5:30 p.m., in the Destin City Hall Boardroom; followed by the Pledge of Allegiance.

2. ROLL CALL:

Members Present	***Member Absent***	***Staff Members Present***
James T. Wood, Jr.	~~Corey Ledbetter~~	Kim Montgomery, Deputy City Clerk
Darryl Shelton		Lauren Witt, Planning Manager
Don David		Samantha Brisolara, Planner
Jason Klosterman		Kyle Bauman, City Attorney
Kevin Schmidt		Kimberly Kopp, Land Use Attorney
Corey Ledbetter		

3. APPROVAL OF MINUTES:

A. October 17, 2019

Agency member Klosterman moved for approval of minutes of October 17, 2019 meeting; seconded by Agency member Shelton. Motion passed 5-0. Agency member Schmidt was absent.

4. NEW BUSINESS:

A. A public hearing regarding Ordinance No. 19-34-LC relating to changes to the Zoning Map, which changes the zoning of one (1) parcel from Residential, Office Institutional-Tourist Development (ROI-TD) to Commercial General (CG). The proposed Ordinance title is as follows:

The City Attorney read the title of Ordinance 19-34-LC into the record.

ORDINANCE NO. 19-34-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 RESIDENTIAL, OFFICE AND INSTITUTIONAL-TOURIST DEVELOPMENT (ROI-TD) TO COMMERCIAL GENERAL (CG); 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.

Mrs. Kopp explained this is the last ordinance to rezone Area 15 on the Official Zoning Map to be consistent with the Future Land Use Map.

Mr. Zunguze added that the area will now be governed by the new Commercial General Zoning District.

The Chairman opened the public, with no one coming forward he closed the public and asked for a motion.

Agency member Shelton moved to recommend City Council adopt Ordinance 19-34-LC, with Agency member Schmidt providing the second. A roll call vote of 5-0 was taken and the motion passed.

B. A public hearing regarding Ordinance No. 19-35-LC relating to changes to the Zoning Map, which changes the zoning of one (1) parcel from Bay Estates (BE) to Recreation (REC). The proposed Ordinance title is as follows:

The City Attorney read the title of Ordinance 19-34-LC into the record.

ORDINANCE NO. 19-35-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 PARCEL DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM BAY ESTATES (BE) TO RECREATION (REC); 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.

Mrs. Kopp explained the nature of the Ordinance is to rezone the cement plant property next to Joe's Bayou Boat Ramps to Recreation from Bay Estates so that it can be used as a park like the surrounding properties.

Agency member Klosterman asked staff if they know what the plans are for the property.

According to Mrs. Kopp, the actual plans for the use of the property are still not certain and this Ordinance is just strictly to rezone the property so the land can be consistent for a park; regardless of the type of recreation use.

The Chairman opened the public, with no one coming forward he closed the public and asked for comments from the members or a motion.

Agency member Shelton stated that he was under the impression that the entire area between 820 and 860 was already zoned Recreation. According to Mrs. Witt, the city already owns that portion and it's zoned Recreation.

Agency member Shmidt moved to recommend City Council adopt Ordinance 19-35-LC, with Agency member Shelton providing the second. A roll call vote of 5-0 was taken and the motion passed.

C. A public hearing regarding Ordinance No. 19-36-LC relating to the creation of a "lot split" procedure, which is an addition to the subdivision of land procedures as laid out in Article 2 of the Land Development code. The proposed Ordinance title is as follows:

The City Attorney read the title of Ordinance 19-36-LC into the record.

ORDINANCE NO. 19-36-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLE 2 OF THE LAND DEVELOPMENT CODE; PROVIDING PROCEDURES FOR LOT SPLITS; 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.

Mrs. Kopp explained that this ordinance is a customer service friendly ordinance where the code has been rather cumbersome for simple lot splits. She did note that there is a change that staff has determined that should be made prior to this ordinance going to the City Council level and that being on page 2 of 3 in section 2.19.05. Lot Splits, at the top that reads, "The City Council may be Resolution, at a public hearing may grant waivers from the platting requirements of this chapter the divisions of land that constitute a lot split." And noted that staff would actually want that to be done at the Community Development Level, under the Department Directors purview, so staff proposes allowing lot splits at staff level it would be more sufficient for the applicant to not have to go through the process of getting scheduled on a Council agenda. Adding that major subdivisions would still have to go through that process for Council's approval. So, the change to the wording would cross out ~~**City Council**~~ and replace it with ***Staff may,*** to read," *Staff may by resolution at a public hearing grant waivers from the platting requirements of this chapter for division of land that constitute a lot split." As well as at the bottom of the page cross out the word* ~~***approval***~~ *to read, "Upon determination by the Community Development Director, the lot split by resolution of the City Council, the resolution shall be duly recorded in the public records of Okaloosa County and recorded on the appropriate city maps and documents.*

Agency member David asked if this would allow someone to come in and split a lot in half, then come in again and split those two lots again to effectively go from one lot down to four smaller lots. According to Mr. Zunguze, as long as the requirements of the Code and the zoning district are met, there should not be any issues.

The Land Use Attorney also pointed out a change to 2.19.05 B. b. to change Twelve (12) copied down to Three (3).

The Chairman opened the public portion of the hearing, having no one in the public, he closed the public hearing.

Chairman Wood moved to recommend City Council adopt ordinance 19-36-LC with the recommended changes by the Land Use Attorney with Agency member Shelton providing the second. The motion passed with a 5-0 vote.

D. A public hearing regarding Ordinance No. 19-37-LC amending 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:

The City Attorney read the title of Ordinance 19-37-LC into the record.

ORDINANCE NO. 19-37-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); AND TABLE 7-3 SCHEDULE OF DIMENSIONAL REQUIREMENTS 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.

According to Mrs. Witt, last month when staff presented them with Ordinance 19-28-LC which amended Table 7-3 to remove ROI-GD from the Zoning District. However, as a result, ROI-VR permits nonresidential uses as conditional uses and was not the intent. So, this ordinance, further amends Table 7-3 to include dimensional requirements for non-residential uses in the ROI-VR zoning district.

The Chairman opened the public portion of the hearing, having no one in the public, he closed the public hearing.

Agency member Schmidt made the motion to recommend City Council adopt Ordinance 19-37-LC with Agency member Klosterman providing the second. The motion passed with a 5-0 vote.

E. A public hearing regarding Ordinance No. 19-38-LC relating to the use of wheeled vehicles on public and private areas of the beach, which amends Section 11.08.02 of the Land Development Code. The proposed Ordinance title is as follows:

The City Attorney read the title of Ordinance 19-38-LC into the record.

ORDINANCE NO. 19-38-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO THE USE OF WHEELED VEHICLES ON PUBLIC AND PRIVATE AREAS OF THE

BEACH; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AN AMENDMENT TO ARTICLE 11 OF THE LAND DEVELOPMENT CODE PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Kopp explained this ordinance is a housekeeping ordinance that was previously passed. Adding that staff inadvertently added a condition that Council had not approved regarding the maximum of three vehicles allowed on the beach. Therefore, what they are asking is to approve the added condition that wheeled vehicles are allowed by each beach vendor be allowed additional vehicles, one per location, with a maximum of three.

The Chairman stated that he has already asked about the vendors that have more than three locations and staff's response was three is the maximum allowed and they will have to spread the three between their locations.

The Chairman opened the public portion of the hearing, having no one in the public, he closed the public hearing.

Agency member Shelton made the motion that City Council approve Ordinance 19-38-LC with Agency member David providing the second.

Agency member Schmidt asked for clarification on the time restrictions meaning that wheeled vehicles would not be allowed on the beach from 5:01 PM to 9:00 AM CST.

According to Mrs. Kopp, that is correct unless the times are suspended because of some type of emergency.

The Chairman asked when do vendors start removing their chairs off the beach. According to Mr. Forgione, they normally start at 4PM and have them all removed by 5PM.

Mrs. Kopp added those times were worked out and agreed upon to help both the vendors and the sea turtles.

The motion passed with a 5-0 vote.

5. DIRECTOR'S REPORT: None

- **Civic Clerk Meeting Material Distribution**
- **Upcoming Ordinances**

6. NEXT MEETING DATE: December 12, 2019 @ 5:30 p.m.

7. ADJOURNMENT:

Having no further discussion at this time, the meeting adjourned at 5:15 p.m.

Adopted and approved this 12th day of December 2019.

James Wood, Jr. Chairman

Kim Montgomery, Destin City Clerk