



**AGENDA
LOCA PLANNING AGENCY
THURSDAY, JANUARY 16, 2020
5:30 PM
DESTIN CITY HALL BOARDROOM**

- 1. CALL TO ORDER**
- 2. ROLL CALL/PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MINUTES**
 - A. December 12, 2019 Minutes**
- 4. NEW BUSINESS**
 - A. Proposed Ordinance 20-02-LC: Removal of Tiers from the City's Land Development Code and Comprehensive Plan**
 - B. Proposed Ordinance 20-03-LC: Lot Line Adjustment**
 - C. Proposed Ordinance 20-04-LC & 20-05-CC: Livery Registration**
 - D. Proposed Ordinance 20-06-LC: Marina Siting**
- 5. DIRECTOR'S REPORT**
- 6. ADJOURNMENT**
- 7. NEXT MEETING DATE: JANUARY 23, 2020**

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)

DRAFT

MINUTES LOCAL PLANNING AGENCY WORKSHOP DECEMBER 12, 2019 - 5:30 P.M. DESTIN CITY HALL BOARDROOM

1. CALL TO ORDER:

Chairman Wood called the Local Planning Agency Workshop meeting to order on Thursday, December 12, 2019 at 5:30 p.m., in the Destin City Hall Boardroom; followed by the Pledge of Allegiance.

2. ROLL CALL:

Members Present

James T. Wood, Jr.
Darryl Shelton
Don David
Jason Klosterman
Kevin Schmidt

Member Absent

Corey Ledbetter

Staff Members Present

Kim Montgomery, Deputy City Clerk
Lauren Witt, Planning Manager
Traci Goodhart, Planner
Kyle Bauman, City Attorney
Kimberly Kopp, Land Use Attorney

3. APPROVAL OF MINUTES:

A. November 21, 2019

Agency member Klosterman moved for approval of minutes of November 21, 2019 meeting as corrected; seconded by Agency member Shelton. Motion passed 5-0.

4. NEW BUSINESS:

➤ Evaluation and Appraisal Report (EAR)

Mrs. Witt explained that part of the State requirements for Comprehensive Plan Compliance each community in the State is required to submit an EAR plan every seven years and the city is currently undertaking that process. She added that at this time, their review will be on the Coastal Element only and their input will be incorporated into the next submission. This will come before them at their January meeting for a public hearing and a recommendation to City Council.

Mrs. Goodhart provided the members with staff's proposed schedule for the review and pursuant to the requirements of Chapter 163.3191, F.S. – Evaluation and Appraisal of Comprehensive Plan, The City of Destin is required to amend the Coastal Management Element, per requirements of Section 163.3178, F.S., to include:

- An Evaluation and Appraisal of the current Coastal Management policies
- A review of the current Coastal Management Element per new Florida Statutes
- Proposed new City policies based on state mandates (163.3178,F.S.)

DRAFT

TIMELINE:

- February 14, 2019 – City submitted Letter of Notification to the State Department of Economic Opportunity
- September – December 2019 – City Staff commenced review of current Coastal Management Element
- December 12, 2019 – Coastal Management Element Workshop with LPA
- January 9, 2020 – Evaluation and Appraisal documents brought before LPA for recommendation
- January 21, 2020 – Staff to present LPA recommendations to City Council for consideration (First Reading)
- February 19, 2020 – Proposed update sent to the State Department of Economic Opportunity (DEO)
- Second Reading TBD - pending State review (60 days) will be determined.

OBJECTIVE 6-1.1: PROTECT COASTAL RESOURCES, WETLANDS, ESTUARIES, LIVING MARINE RESOURCES, AND WILDLIFE HABITATS.

Policy 6-1.1.1: Conserve through Land Acquisitions.

- The City shall annually evaluate opportunities to acquire coastal lands and wetlands through state and/or federal conservation land acquisition grant programs.
- City acquired 3.9-acre Cemex plant to expand the Joe's Bayou Recreational Area
- City partnered with the Trust for Public Land, acquiring 3.42-acre bayfront parcel for Captain Leonard Destin Park
- Ongoing partnership with the FDEP for Norriego Point Park Improvements and Restoration

OBJECTIVE 6-1.3: PROTECT AND ENHANCE COASTAL SHORELINES.

Policy 6-1.3.4: Support Revegetation Programs.

- The City provides funding to the Choctawhatchee Basin Alliance (CBA) to support coastal vegetation propagation, planting and related educational programs.
- The City has also taken remedial action to stabilize the coastal dune system and restore coastal vegetative habitat found along Norriego Point.

Policy 6-1.3.5: Support Beach Re-nourishment Programs.

- The City has a U.S. Army Corp of Engineers (USACE) dredging permit that has been used to re-nourish beachfront.
- The City partners with the Okaloosa County Tourist Development Council (TDC), providing a portion of the City's bed tax revenue for beach re-nourishment projects.

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OBJECTIVE 6-1.4: PRIORITIZE SHORELINE USES AND PROVIDE PUBLIC ACCESS TO SHORELINE.

Policy 6-1.4.4: Implement Beach Access Point (Level of Service Standards)

- Trust for Public Land purchased the 3.42-acre property at 101 Calhoun Avenue with Natural Resource Damage Assessment (NRDA) early restoration funds with a vision to create more public space and provide public access to the shoreline.
- Recent rezoning of waterfront property in Bay Estates, to Recreational provides additional public access to the Choctawhatchee Bay shoreline areas. The City recently purchased a 3.9-acre waterfront parcel to expand the existing Joe's Bayou Recreational Area.

OBJECTIVE 6-1.4: PRIORITIZE SHORELINE USES AND PROVIDE PUBLIC ACCESS TO SHORELINE.

Policy 6-1.4.4.5: Coordinate with TDC and Board of County Commissioners

- The City of Destin is investing \$2 million dollars towards its public beach initiative. This is a top priority for the city to sustain our long-term economic vitality and deliver upon our beach brand.
- TDC has secured \$6.5 million towards the public beach initiative.
- Several appraisals have been secured for beachfront properties within the City's Crystal Beach area.

OBJECTIVE 6-1.5: LAND USE CONTROLS AND CONSTRUCTION STANDARDS FOR PROTECTING THE NATURAL SHORELINE AND THE BEACH/DUNE SYSTEM.

Policy 6-1.5.6: Enforce Federal Emergency Management Agency (FEMA) Construction Standards.

- The City of Destin's Floodplain Management Standards now exceed the minimums of the National Flood Insurance Program (NFIP).
- City standards require new homes be elevated at least one-foot above the crown of the highest adjacent road.
- A two-foot free board requirement was adopted by City Council in 2018, that established height requirements for proposed structures in low-lying areas.

OBJECTIVE 6-1.6: MITIGATE HAZARDS IN THE COASTAL HIGH HAZARD AREAS (CHHA)

Policy 6-1.6.5: Coastal Population Densities and Hurricane Evacuation.

- City's Land Development Code (Article 2.27.00; 13.00.00, LDC) includes administrative procedures for intergovernmental review of developments proposed within the City limit, to ensure consistency with the Okaloosa County Hurricane Evacuation Plan.
- City's Future Land Use Map and LDC encourage low population densities in coastal high hazard areas.

Policy 6-1.6.6: Hurricane Evacuation and Roadway Improvements.

- City of Destin is a participating member of the Okaloosa-Walton Transportation Planning Organization (OWTPO), to address among other transportation concerns, enhanced evacuation, and roadway improvements.
- Highway 98 is currently being widened to accommodate additional travel lanes.

OBJECTIVE 6-1.7: LIMIT PUBLIC SUBSIDY OF DEVELOPMENT IN THE CHHA

Policy 6-1.7.1: Existing Infrastructure in the Coastal High Hazard Area (CHHA).

- There are no City infrastructure facilities located in the CHHA.
- City maintains a list of Critical Facilities under its National Flood Insurance Program (NFIP) and Community Rating System (CRS) programs.
- The City's critical facilities list was last updated in 2018, to include; schools, public safety buildings, municipal, and healthcare facilities.

OBJECTIVE 6-1.9: COORDINATE HURRICANE EVACUATIONS

Policy 6-1.9.1: Utilize Emergency Management Plans.

- Updated Policy per FS 163.3178(2)(d) - State Mandated Update

Policy 6-1.9.6: Improve Hurricane Evacuation Time.

- The City is in the process of redesigning the alternative east-west corridor (Cross Town Connector) to be consistent with land use densities identified in the City's Future Land Use Map (FLUM).
- The proposed route will serve as an alternate roadway to reduce congestion along Highway 98 in the event of a mandatory evacuation.

Policy 6-1.9.7: Evaluate Hurricane Evacuation Clearance Times.

- Annually, the City conducts a Transportation Concurrency Analysis and Report
- The report details levels of service for various collector streets and roads within the City limits to better manage traffic within in the City and inform evacuation clearance times.

OBJECTIVE 6-1.11: MAINTAIN ACCESS TO PUBLIC BEACH AND SHORELINE.

Policy 6-1.11.4: Enhance Waterfront Access.

- The City has developed cost comparative metrics for several potential beach property acquisitions.
- The City has dedicated RESTORE Act funding to renovate existing park infrastructure and to purchase bayfront property for the Captain Leonard Destin Park.
- The City's proposed rezoning of waterfront property in Bay Estates, to Recreational will provide additional public access to bay shoreline areas.

- The City of Destin continues to work with the FDEP, utilizing RESTORE Act funding in the stabilization and future development of recreational opportunities in the Norriego Point Recreational Area.

OBJECTIVE 6-1.14: MAINTAIN INTERGOVERNMENTAL COORDINATION WITHIN THE COASTAL AREA.

Policy 6-1.14.1: Intergovernmental Coordination for the Coastal Area

- The City of Destin and Okaloosa County have an Interlocal Agreement, effective July 2002.
- The City continues to coordinate all development and resource conservation measures impacting the Gulf or Choctawhatchee Bay with local, state, and federal agencies, as necessary.
- Any development proposed near environmentally sensitive lands or State jurisdictional areas is required to have the necessary state and federal permitting, in addition to meeting City land development requirements.
- The City continues to coordinate with other public agencies having jurisdiction in the management of potentially impacted natural resources.

OBJECTIVE 6-1.15: CONTINUE EVALUATION OF COASTAL MANAGEMENT ELEMENT EFFECTIVENESS

Policy 6-1.15.4: Monitor Achievement of Coastal Management Goals

- The City's coastal management goals, objectives, and policies are supported in the City Land Development Code and Comprehensive Plan (Article 11, LDC; Chapter 6, Comprehensive Plan).
- The Coastal Management Element outlines the planning process to identify coastal management issues, through required intergovernmental coordination at the local, state, and federal level.
- The City continues to monitor the achievement of the coastal management objectives through land use changes, density classification, and flood plain management.

Regarding to 6-1.14.1, Item 5; where it talks about the Interlocal Agreement effective July 2002, the Chairman questioned if they were getting all the required information from the County for unincorporated portions of Destin; for traffic concurrency. According to Mrs. Witt, the city does receive project from the County for traffic tracking purposes. The Chairman stated the reason he questions that is because he went to the site of the construction next to Joe's Crab Shack because no one seemed to know what was being constructed. Mrs. Witt stated that she will reach out to them.

Agency member Shelton spoke of how he's heard that Panama City is using flood maps that have not been officially approved by FEMA and why the city is not considering using them as well; as there seems to be a lot of confusion with builders and property owners. According to Mrs. Witt, she is aware that the Building Official is closely tracking the status of the FEMA Flood Maps and she will reach out to her with their concerns.

State Mandate Update:

Pursuant to the requirements of Chapter 163.3191, F.S – Evaluation and Appraisal of Comprehensive Plan

The City of Destin is required to amend the Coastal Management Element, per requirements of Section 163.3178, F.S, to include:

- An Evaluation and Appraisal of the current Coastal Management policies
- A review of the current Coastal Management Element per new Florida Statutes
- Proposed City policies based on state mandates (163.3178,F.S.)

F.S. 163.3178(2)(g) - Expands requirement of coastal element to include strategies that will be used to preserve recreational and commercial working waterfronts, as defined in section 342.07, Florida Statutes

The City continues to preserve recreational and commercial waterfronts through land acquisitions. In addition, water-dependent and water-related uses are established in Article 11.05.00, Marina Siting, LDC. Staff recommends adding a new objective and policy to the Coastal Management Element per 163.3178, F.S.

- **New Objective:** The City shall encourage shoreline development of those land uses which are dependent on or related to access to the water.
- **New Policy:** The City shall preserve recreational and commercial waterfronts through proper land use planning, the public acquisition of land for parks and open space and shall continue to provide the siting of water dependent and water-related uses through the zoning guidelines of appropriate land use districts.

F.S. 163.3177(6)(g)10 - Sets forth an option for the local government to develop an adaptation action area designation for low-lying coastal zones experiencing coastal flooding due to extreme high tides and storm surge and that are vulnerable to the impacts of rising sea level. The City has established guidelines for floodplain management in Article 11.04.00, LDC. Staff recommends adding a new objective and policy to the Coastal Management Element per 163.3178, F.S.

- **New Objective:** The City shall designate as necessary, an adaptation action area for low-lying coastal zones experiencing coastal flooding due to extreme high tides and storm surge and are potentially vulnerable to the impacts of rising sea level.
- **New Policy:** The City will identify areas for which land elevations are below, at or near mean high water, which have a hydrologic connection to coastal waters, or which are designated as evacuation zones for storm surge.

F.S. 163.3178(2)(d) - Assigns the State Division of Emergency Management the responsibility of ensuring the preparation of updated regional hurricane evacuation plans.

Current Policy 6-1.9.1: Utilize Emergency Management Plans. Through the City's emergency management department, the City shall manage its local emergency plan and utilize the recommendations provided in the latest revision of the Okaloosa County Emergency Management Plan (CEMP). The Northwest Florida Hurricane Evacuation Study (July 1999) should also be consulted where information is still current.

Revised Policy: The State Division of Emergency Management will be responsible for preparing regional hurricane evacuation plans. In the event of a natural disaster, the City shall respond to the instruction and guidance of the Okaloosa County Emergency Management office. The City

shall also periodically review the hurricane evacuation plan and will update and revise such plans based upon data from the Statewide Regional Evacuation Study for northwest Florida.

F.S. 163.3177(6)(g) - Modifies the objectives of the coastal management element and includes a new requirement for preserving historic and archeological resources.

Current Policy 6-1.12.2: Performance Standards for Protecting Sites of Historic or Archaeological Significance.

The LDC shall include provisions to address adverse impacts to historic or archaeological sites of significance created by development or redevelopment of the site.

Revised Policy: The City shall continue to support efforts to identify historic or archeological sites and register them with the proper agencies. The City LDC shall establish historic overlay districts, guidelines, and requirements, as necessary, to establish controls for safe construction practices and for retaining the character of development within said districts.

F.S. 163.3178(2)(f) - Adds requirements for the redevelopment component of the Coastal Management Element.

Current Policy 6-1.10.1: Recovery Operations and Post-Disaster Redevelopment.

Expanded Policy:

1. In order to reduce flood risk from, or associated with, high-tide events, storm surge, flash floods, stormwater runoff, and the impacts related to sea-level rise, the City will continue to promote the use of the development and redevelopment principles, strategies and engineering solutions contained in the Florida Building Code and the Land Development Regulations.
2. The City shall continue to ensure development and redevelopment utilize the best available data on minimum floor elevation, including FEMA flood zones.
3. The City shall, through implementation of all Land Development Regulations, continue to ensure that all new buildings or structures meet, or exceed, the flood resistant construction requirements of the Florida Building Code and Federal Flood Plain Management regulations including flood proofing and storm surge.
4. Participate in the National Flood Insurance Program in conformance with Public Law 92-288 and the Community Rating System Program.

The Chairman opened the public for comments, with no one speaking up; he closed the public and turned the discussion over to the members. With no further comments, Mrs. Witt spoke of the assistance she received from all the city departments for their input on the EAR. And reiterated that this will be brought back before them at their January 9th Special Meeting in a more formal format for their review and recommendation to Council. She also provided the members with what will be coming before them in the next three meetings in January in order for staff achieve their necessary deadlines.

7. ADJOURNMENT:

Having no further discussion at this time, the meeting adjourned at 6:10 p.m.

Adopted and approved this _____ day of _____ 2019.

James Wood, Jr. Chairman

Kim Montgomery, Destin City Clerk

ORDINANCE NO. 20-02-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLES 6, 7, 8, 11 AND 12 OF THE LAND DEVELOPMENT CODE TO DELETE ALL REFERENCES TO THE TIERED LAND USE SYSTEM PURSUANT TO THE CITY'S COMPREHENSIVE PLAN; 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 amend Articles 6, 7, 8, 11 and 12 of the Land Development Code to delete all references or the tiered land use system pursuant to the City's Comprehensive Plan; 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 ARTICLES 6, 7, 8, 11, AND 12.

Articles 6, 7, 8, 11 and 12 of the Land Development Code are hereby amended as follows:

6.05.05. Multimodal Transportation Concurrency. All applicants seeking development approval for properties located within the Multimodal Transportation District shall be required to submit a Multimodal Transportation Concurrency Evaluation Certificate (CEC) form, documenting that each development has

met the standards for multimodal site design and mitigation as indicated in Section 8.09. The Multimodal Transportation CECs are found at the end of Article 6. The Multimodal Transportation CEC shall be accompanied by a traffic analysis, which shall include a map indicating the distribution of vehicle trips on the surrounding street network. The traffic analysis will help the City in determining the overall success of the Multimodal Transportation District in accordance with State requirements. ~~Multimodal site design and mitigation requirements are based on a flexible, point-based system. Each multimodal standard is worth a particular number of points. The Multimodal Transportation CEC form indicates which standards are required, which are flexible and the number of points awarded for each standard. Three categories of points can be accumulated to meet the baseline minimum requirement:~~

- ~~1. *Basic points:* No substitutions are allowed for these items. These include the items most vital to the MMTD and feasible for a developer to implement, such as sidewalk provision, building orientation towards the sidewalk, bicycle parking, etc. Basic requirements are worth more than flexible requirements, with twice as much mitigation required to offset basic requirements not met than in the case of not meeting flexible requirements.~~
- ~~2. *Flexible points:* Substitutions for these items may be allowed in cases where the regulation cannot be met or an applicant has a valid reason for not being able to meet the regulation.~~
- ~~3. *Mitigation points:* These are not required, but can be provided to mitigate for basic or flexible requirements that were not met. Mitigation options include on-site design that goes "above and beyond" the requirements, or contributions towards off-site multimodal improvements.~~

~~Point requirements and accumulation are organized by the categories of MMTD development regulations proposed for each tier (refer to Table 6-1: Baseline MMTD point requirements). All points are aggregated for purposes of evaluation, so it is not necessary to meet the point requirements for each individual standard as long as the applicant has met the overall minimum aggregated point requirement for the Tier for which they are seeking approval. The total amount of multimodal site design and mitigation required for each development (MMTD point requirement) is based on the project location, size, and traffic impact, as described in further detail herein:~~

- ~~A. The baseline MMTD point requirement (refer to Table 6-1: Baseline MMTD Point Requirement) is dependent on the project's location within the MMTD and the tier of development. Projects within Old Destin require the most mitigation, projects in Crystal Beach require less mitigation, and residential projects require the least mitigation. Similarly, Tier 3 projects require the most mitigation, Tier 2 projects require less mitigation, and Tier 1 projects require the least mitigation. These standards are outlined below:~~

TABLE 6-1: BASELINE MMTD POINT REQUIREMENT		
MMTD district	Tier	MMTD point requirement
Old Destin ⁽⁴⁾	1	453
	2	500
	3	580
Crystal Beach	1	176

	2	221
	3	271
Residential	N/A	75

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(1) The MMTD point requirement is reduced by 20 points (criteria no. 2 on the MMTD Concurrency Evaluation Certificate) for properties that do not contain the Harbor Boardwalk.

7.09.00. - Special design criteria.

7.09.01. *Purpose and intent.* The purpose of this section is to establish design criteria to preserve, protect, and enhance the economic vitality and character of the City of Destin. Design criteria include general requirements for development, and establishment of specific overlay and special districts that because of their character or special conditions need design standards and use regulations. These standards and regulations are intended to promote and protect the desired character of the City, including promoting multimodal transportation opportunities, and that ensure compatibility with surrounding development. Further, incentives are provided for high standards of design through implementation of the tiered land use system.

~~7.09.03. Tiered land use system.~~

- A. ~~*Purpose and intent.* The intent of the bonus provisions in the tiered land use system is to offer applicants incentives for investing in quality, innovative development that enhances site and building design, enhances compatibility, enhances non-motorized mobility, and provides the opportunities for achieving extraordinary public benefit. The tiered land use system implements Comprehensive Plan: 2010, Future Land Use Element Policies 1-1.1.1(3), 1-2.1.8 and 1-3.2.5.~~
- B. ~~*Applicability.* This section shall apply to all development within the CMU, NHMU, SHMU, HDR, HIMU, TCMU, GRMU, CG, and CBR zoning designations.~~
- C. ~~*Establishment of tiers.* The following land use tiers are hereby established in order to designate the maximum height, density and intensity of development.~~
- ~~1. *Tier 1.* Unless otherwise specified, Tier 1 standards represent the maximum "by right" building height, density and intensity, which can be achieved by adherence to the standard site development criteria established in this code.~~
 - ~~2. *Tier 2.* Tier 2 standards allows for the attainment of additional building height, density and intensity beyond Tier 1.~~
 - ~~3. *Tier 3.* Tier 3 standards provide for additional building height, density and intensity beyond Tier 2.~~
- D. *Design review requirements.* The following design review requirements shall be adhered to when applying for a Tier 2 or Tier 3 approval Major or Minor Development Order or Development Order Amendment:

- ~~1. Applicants seeking Tier 2 height, density and intensity bonuses shall submit a development order application, in accordance with the development order review process established in section 2.07.00, requesting Tier 2 approval and must meet the specified supplemental design standards specified in section 7.09.03.F.~~
 - ~~2. Applicants seeking Tier 3 height, density and intensity bonuses shall meet all of the Tier 2 supplemental design standards specified in section 7.09.03.F, Tier 3 supplemental design analysis, provide public benefits and submit an application for PUD approval in conformance with section 7.14.00.~~
- ~~E. *Tier system height, density and intensity bonuses.* The height, density, and intensity bonuses are only allowed in those areas having one of the following zoning designations as indicated on the Zoning Map of Land Development Code: HDR, CBR, CG, TCMU, CMU, SHMU, NHMU, GRMU, and HIMU. The height, intensity, and density limits of each of the Tiers is set forth within the Table 7-3 of the Land Development Code. It is also important to note that some of the zoning designations, HDR and HIMU in particular, have height bonus standards in Tier 2 and Tier 3, but do not have density bonus standards in either Tier 2 or Tier 3 or both. The SHMU, NHMU, and TCMU future land use designations have floor area ratio bonus standards in Tier 2 and Tier 3.~~
- ~~F. *Tier 2 supplemental design standards.* The following supplemental design standards shall be met in order to qualify for Tier 2 height, intensity and density bonuses:~~
- ~~1. *Design criteria.* All developments shall meet the following design criteria requirements.~~
 - ~~a. *Building footprint.* Buildings shall be located and designed so as to maximize the "functional open space" on the site. Such functional open space shall take the form of view corridors, outdoor gardens, walking areas, or areas for the congregation of people for special events. Such areas may be an integral part of building features such as entranceways and pedestrian amenities providing pedestrian access through buildings and throughout the site. Additionally, buildings shall be oriented towards the public street frontage and shall be constructed as close to the adjacent right-of-way as possible in order to improve access from the multimodal transportation network (refer to Figure 7-1: Building Footprint). A continuous facade line shall be used along a block to provide an accessible and attractive streetscape. It is the intent of this section to have building facades along the length of the adjacent rights-of-way and harbor boardwalk, if applicable, except where vehicular or pedestrian accessways are required or needed. In no case however, shall a building or structure be located so as to block the clear visibility triangle for a vehicular accessway from the subject property onto adjacent rights-of-way. Please refer to Section 8.03.06. Clear visibility triangle for more information on this subject.~~
 - ~~c. *Roofline design* : The use of varied rooflines, through the utilization of parapets and/or sloped roofs, is required. The roofline of a building must vary when:~~
 - ~~1. Any side of such building is between 75 feet and less than 150 feet in width. For buildings or those portions of a building that have a height between 40 and 100 feet, 25 percent of the building's width, must vary by a minimum of one full floor or mezzanine floor contained within a sloping roof at the roofline for at least 20 percent of that roofline width, and such required minimum height variation must be divided into not less than two offsets or vertical eave separations, each of which must represent not less than 25 percent of the minimum required roof offset. For buildings or those portions of a building that have a height over 100 feet, 25 percent of the building's width, must vary by a minimum of two full floors or one floor and~~

one mezzanine floor contained within a sloping roof at the roofline for at least 20 percent of that roofline width, and such required minimum height variation must be divided into not less than two offsets or vertical eave separations, each of which must represent not less than 25 percent of the minimum required roof offset; or

2. Any side of such building is greater than 150 feet in width. For buildings or those portions of a building that have a height between 40 feet and 100 feet, 50 percent of the building's width, must vary by a minimum of one full floor or mezzanine floor contained within a sloping roof at the roofline for at least 40 percent of that roofline width, and such required minimum height variation must be divided into not less than two offsets or vertical eave separations, each of which must represent not less than 25 percent of the minimum required roof offset. For buildings or those portions of a building that have a height over 100 feet, 50 percent of the building's width, must vary by a minimum of two full floors or one floor and one mezzanine floor contained within a sloping roof at the roofline for at least 40 percent of that roofline width, and such required minimum height variation must be divided into not less than two offsets or vertical eave separations, each of which must represent not less than 25 percent of the minimum required roof offset.
- d. *Roofscape design* . Fully pitched roofs are required to cover not less than 60 percent of the roof surface on all buildings. A minimum pitch of 4:12 and a maximum pitch of 12:12 are required for the fully pitched roof above the cornice line. One additional floor of living area and associated mezzanine areas may occur within the fully pitched roof space. Within the remaining 40 percent of the roof surface that is not under fully pitched roofs, single pitched or double pitched mansard style roofs or parapet walls are required. All mechanical equipment (e.g. air conditioning units, chillers units, etc...) located on the roof shall be shielded from offsite view by single pitched or double pitched mansard style roofs, parapet walls or screening devices of a design, color and material that match or complement the design of the balance of the roof or other building components. Single pitched or double pitched mansard roofs and parapet walls used for such screening must have a minimum height sufficient enough to conceal the mechanical equipment in question. Mansard style roofs and parapet walls shall not count towards the 60 percent coverage for fully pitched roofs. Non-habitable architectural roof embellishments (e.g. spires, watch towers, crows' nests, cupolas, chimneys, etc...), dormers, or appurtenant structural systems (e.g., machinery rooms, elevator shafts, stairwells, etc.) are permitted. Compliance with the specific pitched roof design requirements of this subsection is not required in the following cases:
 1. Where a parking garage occupies the top story of a building, or a portion of the top story of a building.
 2. Where a rooftop swimming pool amenity is utilized in a residential or mixed use building in lieu of a ground level pool amenity and where the related development plan provides at least an additional five percent open space above the minimum requirements of subsection (f)2. below.
 3. If the parking garage or the pool and related amenities do not utilize the entire roof top level, the remaining areas not utilized shall utilize a pitched roof design.
 4. These excepted buildings must still meet the screening criteria for rooftop mechanical equipment provided in this section.

- e. *Other architectural features.* Building facades shall be visually varied thru architectural design standards to include but are not limited to:
1. Color change;
 2. Texture change;
 3. Material module change;
 4. An expression of architectural or structural bays through a change in plane no less than 12 inches in width, such as an offset, reveal or projecting rib.

All elements shall repeat at intervals of no more than 30 feet, either horizontally or vertically.

- f. Supplemental setback and buffering requirements from single-family, duplex, or townhome uses. All development located in the NHMU, HIMU, CG, HDR, and TCMU zoning designations that abut single-family, duplex or townhome uses located in zoning designations different from the previously mentioned designations shall meet the following supplemental setbacks and buffers requirements:

1. *Setbacks* . Any portion of a building that abuts single-family, duplex or townhome uses shall provide a setback from those uses that is the greater of one foot for every foot in height (e.g. 160-foot tall project will have an 160-foot setback), ~~or the distance required so as not to cast a shadow on such residential uses, as measured to the property line of the residential use, between 9:00 a.m. and 4:00 p.m. central time. The date used in the shadow study shall be the autumnal equinox for the year that the study is performed. The autumnal equinox (the day of the year when night and day are nearly of the same length and the first day of autumn) is typically the date between the summer solstice (longest day of the year and the first day of summer) and the winter solstice (shortest day of the year and the first day of winter). Applicants that prefer to use the shadow option may be required to submit a shadow study to demonstrate that a project provides adequate setbacks.~~
2. *Buffers* . Minimum supplemental buffers shall be provided by the more intense use or zoning district when abutting single-family, duplex, or townhome uses.
 - a. Areas used or set aside for parking, loading, accessways, or service and utility areas shall not be located within 20 feet of the property line when such property line abuts single-family, duplex or townhome uses.
 - b. A minimum of six feet and not higher than eight-foot tall decorative, opaque, masonry wall shall be located within five feet of the property line along the extent of any parking, loading, accessway, or service and utility area located adjacent to a single-family, duplex or townhome use.
 - c. Supplemental landscaping shall be provided along the property line within the required ten-foot wide landscape buffer. One of the following landscaping designs shall be provided.
 - i. For every ten linear feet of landscape buffer, a minimum of one tree and 15 shrubs must be planted. The required landscaping may be planted on either side of the required wall. Trees shall be a minimum of 14 feet in height and have a three and one-half- inch caliper at the time of planting. Shrubs shall be a minimum of 24 inches in height at the time of planting; or

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- ii. For every 50 linear feet landscape buffer, a minimum of one tree and 15 shrubs, as specified above, must be planted and a continuous row of evergreen trees, not less than 14 feet in height, spaced in staggered groupings to form a minimum of an 80 percent opaque buffer when planted. Trees may be located on either or both sides of any required wall; or
 - iii. Any combination of the above to achieve effective buffering and good landscape design.
 - d. Where space allows, berms at a slope of not greater than 3:1 may reduce required tree height by one foot for each two feet of berm height for those trees planted on the top of the berm. All berms must have at least a three-foot wide crest.
- 2. *Open space.* Development proposed in the CMU, NHMU, SHMU, HDR, HIMU, TCMU, GRMU, CG, and CBR zoning designations shall provide an additional five percent open space in addition to the required minimum of 25 percent for a total of 30 percent. Developments proposed in the NHMU, SHMU, and TCMU zoning designations can reduce the amount of required open space from the required minimum of 30 percent, provided they meet the requirements indicated in section 12.04.03.
- 3. *Landscaping.* All developments shall meet the following landscaping requirements.
 - a. *Trees.* All required trees shall be a minimum of 12 feet in height and have a three and one-half-inch caliper at the time of planting. Palm trees cannot comprise more than 40 percent of the total number of all required trees. For those properties lying south of Harbor Boulevard and Emerald Coast Parkway palm trees may comprise up to 80 percent of the total number of all required trees. The number of required trees shall be increased by 20 percent above the minimum requirements for trees set forth in Section 12.04.04.
 - b. *Shrubs.* All shrubs shall be sized in accordance to the following specifications: one-third shall be a minimum of 36 inches in height at the time of planting; one-third shall be a minimum of 18 inches in height at the time of planting; and one-third shall be ground cover plantings of a one-gallon size. The number of required shrubs shall be increased by 20 percent above the minimum requirements for shrubs set forth in Section 12.04.04.
 - c. *Landscaping south of the coastal construction control line (CCCL).* For that portion of a development area that lies between the Gulf of Mexico and southern portion of the proposed building, all landscaping shall only meet the landscaping standards set forth in the permit issued by the Department of Environmental Protection.
- 4. *Pedestrian amenities.* All developments shall provide gathering/sitting areas that at a minimum include the following decorative pedestrian amenities: benches, waste containers, planters, and pedestrian lighting fixtures. Other types of pedestrian amenities may be incorporated and include: decorative water fountains, sculptures, drinking fountains, phone booths and bicycle racks.
- G. ~~*Tier 3 standards.* In order to qualify for Tier 3 height, density and intensity bonuses, an applicant will have to demonstrate that they have met the Tier 2 supplemental design standards, Tier 3 supplemental design analysis, submit an application for PUD approval and are providing "public benefits" as stated in section 7.09.03.G.2.~~

- ~~1. *Supplemental design analysis* . As part of the PUD application for a Tier 3 project, the applicant shall demonstrate the impact of the project on access to light, impact on airflow dynamics, as well as the visual impacts that may adversely affect adjacent properties, motorists, pedestrians, or segments of the population. This shall be demonstrated by submitting three dimensional models, virtual computer images, architectural renderings, shadow analysis and/or other analyses that are appropriate to the character of the development proposed as determined by the City Manager or designee.~~
- ~~2. *Public benefits* . The City Manager shall be responsible for negotiating with the applicant concerning the Tier 3 public benefit requirement of subsection b. The applicant shall bear the burden of demonstrating that the specific character, design, and investment commitment is a significant overall public benefit. The City retains the decision making power to determine whether the specific private investment, including the project amenities, together with the public benefits, are commensurate with the increment of increased height, density or intensity that the applicant seeks. The final determination for what satisfies the Tier 3 public benefit requirement lies with City Council. In order for a project to be approved for the additional height, density, or intensity provided for in Tier 3, the applicant must meet, to the satisfaction of City Council, all of the items listed below in subsection a and at least one of the items listed under subsection b. However, if an applicant satisfies the item listed in subsection c, they do not have to satisfy any of the items listed in subsections a or b.~~
 - ~~a. Minimum required public benefits (must provide all of the following):~~
 - ~~i. *Develop affordable workforce housing in the north harbor mixed use future land use designation* . An applicant must satisfy one of the following items or an equitable combination of the two:~~
 - ~~a. Developments located on property within the NHMU zoning designation shall either:~~
 - ~~i. Build one affordable workforce housing unit on the development site for each 10,000 square feet of floor area developed, excluding areas devoted to structured parking and accessways; or~~
 - ~~ii. Dedicated \$2.00 per square foot of floor area developed into a dedicated "affordable workforce housing fund" maintained by the City or a housing authority having jurisdiction within the City of Destin that would be used for the purpose of providing "affordable workforce housing units" anywhere in the City.~~
 - ~~iii. Provide a proportionate combination of i. and ii. in such a manner that, for example, if half of the required housing units are physically provided, then one half of the \$2.00 per square foot dedication would be required. If 75 percent of the required housing units are physically provided, then only 25 percent of the \$2.00 per square foot dedication would be required.~~
 - ~~b. Developments located on property with a zoning designation other than NHMU shall dedicate \$2.00 per square foot of floor area developed into a dedicated "affordable workforce housing fund" maintained by the City or a housing authority having jurisdiction within the City of Destin that would be used for the purpose of providing "affordable workforce housing units" in the NHMU area.~~

- ~~ii. — Relocation and conversion of above ground utilities to below ground locations. An applicant can qualify for Tier 3 bonuses by relocating and converting all above-ground utilities to below ground locations for that portion of the above ground utilities that are located on the subject property and that are in an adjacent right-of-way. Additionally, the applicant can choose to pay the City the amount it would cost for the relocation and conversion of the above ground utilities to below ground locations, based on a binding cost estimate provided by Gulf Power, instead of performing the work. The City would then place the money into a separate fund (underground utility improvement fund), which would be used to accomplish several projects at once instead of piecemeal.~~
- ~~iii. — Construct open space malls and arcades equipped with pedestrian-oriented furniture and streetscape that serve as gathering spaces for the general public. Encourage private investment in public gathering places. Site plans must demonstrate architecturally designed open space malls and arcades equipped with pedestrian-oriented furniture and streetscape. Pedestrian-oriented furniture and streetscape includes benches, trash receptacles, decorative light poles, paver blocks or stamped and colored concrete, water fountains, statues, high quantity and quality landscaping, etc.~~
- ~~iv. — Create and/or reinforce a pedestrian friendly transit system. Proposed developments shall construct a transit stop where the City has the greatest need for one or make a monetary contribution to the City in the amount that would equal the cost of constructing a transit stop, or some combination of the two. The location of the transit stop shall be the highest ranked project listed in the City's 5-year Capital Improvement Plan (CIP) that is proposed for the next fiscal year.~~
- b. — Additional required public benefits (must provide at least one).
 - ~~i. — Beach access improvements. For improved access to the Beaches, this objective shall be carried forth within the GRMU, CBR, and HIMU zoning designated areas through private investment in the form of dedicating pedestrian easements to the public for access from public areas to the beach (public beach access points), the design, permitting, and construction of beach/dune walkovers facilities that include public showers, and access to that portion of the beach (proposed public beach) from the mean high water line to a reasonable distance from the principal structure(s) and/or accessory structures (e.g. pool and pool deck area, cabanas, gazebo, etc.) on the development site.~~
 - ~~ii. — Off site public parking garage. Non-residential uses located in the CMU, NHMU, SHMU, and TCMU districts are allowed to have up to 80 percent of their required parking located in an off site parking garage. However, the applicant must also provide an equivalent of 30 percent of the total required parking space for the proposed development in the proposed off site parking garage be dedicated to the City for public use. This dedication shall be in the form of a license and shall cover the above mentioned parking spaces and the ingress/egress to said parking spaces. The off site parking garage for non-residential uses located in the CMU, NHMU and SHMU districts shall be located in the NHMU district. The off site parking garage for non-residential uses located in the TCMU district shall be located in the TCMU district. All required handicap parking spaces and loading spaces must be provided for on-site.~~

- iii. ~~Preserve significant view of the gulf, harbor, or bay.~~ This incentive is applicable to sites that have direct access to the Gulf of Mexico, Destin Harbor or Choctawhatchee Bay and that have exceptional waterfront views that would clearly be imperiled without this incentive provision. Applicants for such incentive must submit scaled three-dimensional models demonstrating the preservation of a valuable view corridor and vista that is or would be a public benefit. In order to achieve the preservation of a significant view of the gulf or harbor the applicant shall be required to take the cumulative total of both side setbacks, minus 15 feet, and provide the entire combined setback on one side of the property. The opposite side of the property shall provide a minimum 15-foot setback. Additionally, an easement that runs with the land, the form of which must be approved by the City Land Use Attorney, must be recorded with the Clerk of the Circuit Court of Okaloosa County stating that the area of the development site where the significant view of the gulf or harbor is located can not be developed with any structures and must remain unobstructed. Applicants choosing to take advantage of this incentive shall be exempt from the Supplemental design analysis stated in section C.1 above. More specifically, the applicant will not have to demonstrate the impact of the project on access to light, impact on airflow dynamics, as well as the visual impacts that may adversely affect the adjacent properties where the 15-foot setback is located.
- iv. ~~Significant improvements to public infrastructure.~~ In order to satisfy this objective, the applicant must prove that they are encouraging private investment in off-site infrastructure improvements. Such off-site improvements may be located anywhere within the City. This may be achieved by: purchasing and/or dedicating land for needed rights-of-way as indicated in the comprehensive plan; improving median landscaping; designing and building public parking located within city rights-of-way; constructing sidewalks identified in City wide sidewalk improvement plan; constructing needed multi-use pathways or bikeways identified by the City; constructing recreational improvements identified in Policy 7-1.4.3; contributions, either in monetary or real property, that will hasten the implementation of any project identified in the most recently adopted five-year capital improvement plan; and any other significant public benefit that enhances public infrastructure throughout the City.
- c. ~~Annexation into the city limits.~~ Unincorporated properties seeking annexation shall be eligible for Tier 3 status within the Future Land Use Category established pursuant to an annexation agreement where Tier 3 heights or densities are necessary to maintain equality with the heights or densities achievable through applicable County comprehensive plans and land development regulations.

~~Additionally, it is the expressed intent of this code that any Tier 3 public benefit has to be met prior to the issuance of any certificate of completion or occupancy for any portion of the development. Bonding a public benefit/improvement to receive certificate of completion or occupancy for the development prior to the completion of the public benefit/improvement is expressly prohibited, unless special circumstances exist that are beyond the developer's control. In this case the City Manager may allow the developer to post a bond to ensure completion of the public benefit/improvement. If the City Manager decides against allowing the developer to post a bond to ensure completion of the public benefit/improvement, then the developer may appeal the City Manager's decision to the Board of Adjustment.~~

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:

S. *South Harbor Mixed Use (SHMU).* The South Harbor Mixed Use zoning district implements Future Land Use Element Policy 1-2.4.3(3), South Harbor Mixed Use of the Comprehensive Plan.

1. Purpose and intent. The South Harbor Mixed Use zoning district is intended to preserve SHMU area as a world-class fishing village that is open to the public and accommodates a mixed use festive market place. The SHMU zoning district accomplishes these goals by encouraging tourist commercial development designed to preserve waterfront views, preserve water dependent activity, foster a pedestrian-oriented environment, and promote convenient public access to the harbor boardwalk and charter fishing opportunities for the public. It is the intent of the this zoning district to encourage commercial hotel, motel, bed and breakfast establishments, other commercial transient living accommodations, and short-term residential uses. ~~It is the intent of the SHMU zoning district to specifically not encourage permanent residential uses by not providing any additional long term density above that stated in Tier 1.~~ Residential uses shall be prohibited within the SHMU area, unless such residential developments incorporate a minimum of 4,500 square feet of "publicly leasable commercial space" (e.g. retail, office, restaurant, etc...). The term "publicly leasable commercial space" shall mean: a space that is open to the public to lease and use; not a space or use that is exclusively for the owners or guest of the residential development in question; shall be heated and cooled square footage; and shall not constitute that portion of the harbor boardwalk that is reserved for ingress and egress for public use. The purpose of requiring this minimum publicly leasable commercial space is to foster and encourage access by the public to the development and the harbor boardwalk. Additionally, parcels having frontage on the Harbor shall provide in their development a commercial storefront equal to a minimum of 50% of the width of the property along the harbor front. Such commercial storefront may be distributed between the first three floors of the building facing the harbor and all three floors must be accessible by pedestrians from the Harbor side of the development.
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.

7.12.08. *Dimensional requirements.* The following schedule of dimensional requirements together with the footnotes is hereby established for the City.

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 (%)		
		Wi	De	Tier	Tier	Tier	Fr	Si	Re	Tier	Tier	Tier	Ti	Ti	Ti	Ti	Ti	Ti

		depth	width	1A	2	3	front	depth	area	1	2	3	er 1	er 2	er 3	er 1	er 2	er 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 - one d.u.	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
LDR-HI/M DR-HI - one d.u.	7,500	70	100	30/3 stories	N/A	N/A	20	7½	10	5.81	N/A	N/A	N/A	N/A	N/A	30	N/A	N/A
HDR - one d.u.	7,500	70	100	30/3 stories	N/A	N/A	20	7½	10	9.90	N/A	N/A	N/A	N/A	N/A	30	N/A	N/A
CL - 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
ROI-TD - one d.u.	7,500	70	100	30/3 stories	N/A	N/A	20	7½	10	12.00/R	N/A	N/A	N/A	N/A	N/A	30	N/A	N/A
/ROI-VR/ROI-CBR - one	7,500	70	100	35/3 stories	N/A	N/A	20	7½	10	12.00/R	N/A	N/A	N/A	N/A	N/A	25	N/A	N/A

d.u.																		
CBN - one d.u.	7,500	70	100	30/3 stories	N/A	N/A	20	7½	10	6.00	N/A	24.0 0	N/ A	N/A	N/A	30	N/A	N/A
CBN- TDD - one d.u. (Y)	Y	50	150	Y	¥	¥	Y	Y	Y	Y	¥	¥	Y	¥	¥	Y	¥	¥
CBR - one d.u.	7,500	70	100	30/3 stories	N/A	N/A	20	7½	10	12.0 0/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	12.0 0	N/A	16.0 0	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	No ne	No ne	50/4 stories	N/A	N/A	J	J	J	12.0 0	N/A	N/A	N/ A	N/A	N/A	25	N/A	N/A
CMU -V - non d.u.	None	No ne	No ne	H	N/A	N/A	J	J	J	N/A	N/A	N/A	.50	N/A	N/A	25	N/A	N/A
SHM U - one d.u.	7,500	70	100	30/3 stories	N/A	N/A	20	7½	10	19.9 0/S	26.0 0/S	36.0 0	N/ A	N/A	N/A	30	18 A	12 A

NHM U - one d.u.	7,500	70	100	35/3 storie s	N/A	N/A	20	7½	10	19.9 0/T	26.0 0/T	36.0 0/T	N/ A	N/ A	N/ A	25	18 A	12 A
GRM U - one d.u.	7,500	70	100	50/4 storie s	N/A	N/A	20	7½	10	19.9 0/S	25.0 0/S	30.0 0	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	30	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	25	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	25	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	25	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	25	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	25	N/ A	N/ A
CL - two or more d.u.	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	25	N/ A	N/ A
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	25	N/ A	N/ A
CG - two or more d.u.	None	No ne	No ne	50/4 storie s	130/ 12 storie s	N/A	M	M	M	40.0 0	N/A	N/A	N/ A	N/ A	N/ A	25	30	N/ A
CG - non d.u.	None	No ne	No ne	50/4 storie s/F	130/ 12 storie s/F	N/A	M	M	M	N/A	N/A	N/A	1.3 0	N/ A	N/ A	25	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	25	N/ A	N/ A
ROI-VR/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	25	N/ A	N/ A
ROI-GD/R OI-TD	None	No ne	No ne	35/3 storie s	N/A	N/A	C/ D	C/ D	C/ D	N/A	N/A	N/A	.50	N/ A	N/ A	25	N/ A	N/ A

non d.u.				G														
CBR - two or more d.u.	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	25	N/A	30
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	25	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	25	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	25	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	N/A	N/A	1.5	N/A	N/A	25	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	25	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	25	N/A	30
SHM U -	None	No	No	35/3 storie	100/ 9	160/ 15	P	P	P	19.9	26.0	36.0	N/	N/A	N/A	25	18	12

two or more d.u. (short-term)		ne	ne	s/I	stories	stories				0/S	0/S	0	A	A	A		18	12
SHM U - two or more d.u. (long-term)	None	No ne	No ne	35/3 stories/I	100/9 stories	160/15 stories	P	P	P	19.9 0/S	N/A	N/A	N/A	N/A	N/A	25	18	12
SHM U - non d.u.	None	No ne	No ne	35/3 stories/I	100/9 stories	160/15 stories	P	P	P	N/A	N/A	N/A	.60	1.75	2.50	25	18	12
NHM U - two or more d.u.	None	No ne	No ne	35/3 stories	100/9 stories	160/15 stories	M	M	M	19.9 0/T	26.0 0/T	36.0 0/T	N/A	N/A	N/A	25	18	12
NHM U - non d.u.	None	No ne	No ne	35/3 stories	100/9 stories	160/15 stories	M	M	M	N/A	N/A	N/A	.60	1.75	2.50	25	18	12
GRM U - two or more d.u.	None	No ne	No ne	50/4 stories	130/12 stories	200/19 stories	O	O	O	19.0 0/S	25.0 0/S	30.0 0	N/A	N/A	N/A	25	30	30

GRM U - non d.u.	None	No ne	No ne	50/4 storie s	130/ 12 stori es	200/ 19 stori es	O	O	O	N/A	N/A	N/A	1.3 0	N/ A	N/ A	25	30	30
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	25	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	25	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	25	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	25	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	25	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	25	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	25	N/ A	N/ A

REC	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	.20	N/ A	N/ A	25	N/ A	N/ 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	80	N/ A	N/ A

Footnotes defining requirements:

- ~~A. Heights listed under the Tier 1 heading are the maximum height that may be achieved by adherence to the standard site development criteria of the land development code such as, but not limited to, setbacks, open space, parking, access and circulation, landscaping and minimum required buffers, including those to help assure smooth transition between distinctly different land uses.~~
- ~~B. The height and stories listed under the Tier 3 heading can only be achieved by properties that are located in the East Harbor Planning Area, as depicted on the future land use map (map 1-1) of the comprehensive plan.~~
- F. Retail, service, restaurant, and similar commercial uses have a maximum height of 35 feet/three stories. ~~Tier 2 is not available for retail, service, restaurant, and similar commercial uses. Tier 2 is available for office, hotel, motel, bed and breakfast, other commercial transient living accommodations, and short term multi family residential uses.~~
- H. Office, neighborhood retail commercial goods and services, restaurant, and similar commercial uses have a maximum height of 35 feet/two stories. ~~Tier 2 is not available for office, neighborhood retail commercial goods and services, restaurant, and similar commercial uses. Hotel, motel, bed and breakfast, and other commercial transient living accommodations have a maximum height of 50 feet/four stories. Tier 2 height of 70 feet/six stories is available for hotel, motel, bed and breakfast, and other commercial transient living accommodations.~~
- X. ~~In the BRMU zoning district, the recreation use is limited to Tier 1 height and a maximum floor area ratio of .20 per Comprehensive Plan: 2010.~~
- Y. Crystal Beach Neighborhood-Traditional Development District (CBN-TDD) overlay applies only to minimum lot width and depth.
- ~~Z. For those single family residences intended for long term use in zoning districts where short term residential uses are allowed, a deed restriction, recorded in the official records of Okaloosa County must be provided to Community Development staff prior to a certificate of occupancy being issued. Otherwise, the maximum height and minimum open space standards mentioned above for short term residential will apply. The standards mentioned above are not applicable in any zoning district where short term single family residential uses are not permitted.~~

7.14.00. - Planned unit developments.

7.14.01. *Purpose and intent* . Planned unit developments are designed to provide an alternate method of land development not otherwise available within the framework of the land development code. For the purposes of this section, single-family dwellings, duplexes, townhouses, patio houses, atrium houses, multi-

family dwellings, motels, and hotels, along with other forms of residential development, may be considered as planned unit developments. Specifically, this use may be assigned to land which is to be developed utilizing innovative design techniques for the purpose of achieving one or more of the following development objectives:

- A. To preserve or be otherwise sensitive to significant environmental or topographical features which exist on the site.
- B. To accommodate a mixture of uses on a single parcel of land made internally and externally compatible through use limitations, sign control, building orientation, buffering, or other techniques which may be appropriate to a particular development proposal.
- C. To accommodate a juxtapositioning of buildings with exceptional setback or separation distances made internally and/or externally compatible through strategic landscape and spatial design.
- D. To accommodate a comprehensively planned and phased development or redevelopment project involving multiple ownerships which provides for interrelated uses, circulation patterns (both vehicular and pedestrian), building orientations, parking areas, architectural motifs, signs, open spaces, vistas, amenity areas and like features which positively contribute to the area being developed or redeveloped in the city.
- E. ~~To accommodate proposed Tier 3 developments which meet all requirements of the specified supplemental design standards of Tier 2, Tier 3 supplemental design analysis and provides specified "public benefits" as stated in section 7.09.03.G.2.~~

7.14.06. *Specific requirements.*

- A. No minimum lot size shall be required within a PUD. The frontage on dedicated public or private rights-of-way shall observe a front yard setback requirement in accordance with the zoning district. For detached structures, there shall be a minimum of a five-foot side yard and rear yards shall be a minimum of ten feet. For detached single-family dwellings exceeding three stories, the side yard shall be increased by two feet for each story above the third story. ~~Refer to section 7.09.03 for the side and rear yard setbacks for Tier 2 and/or 3 developments.~~ Corner lots and through lots shall provide the full front setback along the street frontage to which the structure is oriented and a minimum of ten-foot setback along the other street frontage.

8.06.12. *Reduction of the required number of vehicle parking spaces.* The following options may be used to reduce the number of required vehicle parking spaces for a development:

- D. *Multimodal Transportation District (MMTD) parking reduction options.* The following options for the reduction of the required number of vehicle parking spaces are available to those properties located within the MMTD:
 - 4. *In-lieu parking fees.* Within designated special parking districts (refer to Section 8.06.13) an applicant shall be required to contribute fees, as established by the City Council, in lieu of providing dedicated on- or off-site parking spaces. For properties whose primary building entrance is located within 600 feet from an existing or proposed City parking facility, a minimum of 30 percent and maximum of 50 percent of the required nonresidential parking may be provided at the City parking facility by paying the in-lieu parking fees. For properties whose primary building entrance is located greater than 600 feet but less than 1,200 feet away from an existing or proposed City parking facility, a minimum of 15 percent and a maximum of 25 percent of required nonresidential parking may be provided at the City parking facility by paying the in-lieu parking fees. For properties whose primary building entrance is located greater than 1,200 feet away from an existing or proposed City parking facility, in-lieu parking fees are not an option. The distance requirements of this subsection

shall be measured from the primary building entrance of the subject property to property line of the City parking facility. Sidewalks and crosswalks shall be required to connect between the primary building entrances and the parking facility. Residential uses cannot use in-lieu parking fees for required on-site parking. ~~In order for an applicant to have more than 50 percent of the required parking located on a City facility, the applicant's project must be approved as a Tier 3 project (refer to section 8.06.13(A)(4)).~~

8.06.13. *Special parking districts.* The City Council may designate special parking districts where off-site vehicle parking facilities may be provided by the City or private enterprises, thus lessening the demand for on-site vehicle parking.

A. *Off-site vehicle parking facilities requirements.* The following provisions apply to all developments that desire to take advantage of off-site vehicle parking facilities:

1. Nonresidential and short-term residential uses are the only uses that are allowed to take advantage of having required vehicle parking spaces located off-site.
2. Those portions of a mixed-use development that contain long-term residential uses, as defined in Comprehensive Plan: 2010, are required to have all required parking spaces located on-site.
3. ~~For projects requesting Tier 1 or 2 approval, a maximum of 50 percent of the total number of required vehicle parking spaces are allowed to be located off-site.~~
4. ~~For projects requesting Tier 3 approval, up to 100 percent of the total number of required vehicle parking spaces for nonresidential and short term residential uses are allowed to be located off-site provided that approval is granted by City Council.~~

8.09.03. *Multimodal Transportation District Design Standards.* All proposed development located in the MMTD must demonstrate adherence to the following standards.

A. *Old Destin MMTD sub-area—Mixed-use, nonresidential, and multifamily residential.* All mixed-use, nonresidential, and multifamily residential development located within the Old Destin MMTD sub-area, shall be subject to the following standards.

1. *Pedestrian-oriented building design.*
 - a. *Setbacks.* Buildings shall be located directly adjacent to the public sidewalk (refer to Figure 8-2: Setbacks) and in accordance with the setbacks specified in Table 7-3: Schedule of dimensional requirement in zoning districts of this Code and outside of clear visibility triangle as stated in section 8.03.06. Exceptions to the requirement that buildings must be located directly adjacent to the public sidewalk may be granted by the City Manager or designee to: 1) provide space for outdoor seating areas, plazas, markets, or other pedestrian-oriented outdoor activities; 2) buildings and or structures associated with gasoline stations; and 3) automobile and other motor vehicle dealers. Alternatively, if a project provides a frontage road or limited accessway between the existing road right-of-way and the front of its development (buildings), then the setback requirements shall be measured from the frontage road or limited accessway and not the existing road right-of-way. Side setbacks of zero shall be required so that adjacent buildings can be designed to adjoin and form a continuous street front. Exceptions to the zero-side setback may be granted by the City Manager or designee for vehicular accessways, and pedestrian sidewalks. ~~and Tier 3 view corridors.~~

- b. *Building orientation.* Each building shall include at least one pedestrian entrance oriented towards the primary pedestrian accessway leading from the adjacent right-of-way and include design elements to ensure that such entrance is identifiable and is integrated into the building architecture (refer to Figure 8-3: Building orientation). Such design elements shall include, but are not limited to canopies, wall recesses or projections, arcades, arches, and columns. Buildings fronting the Harbor boardwalk shall have at least one pedestrian entrance oriented towards the boardwalk. It is the intent of this section to have buildings oriented along the entire length of the adjacent rights-of-way except where vehicular accessways, ~~or pedestrian accessways, or Tier 3 view corridors~~ are required or needed. For those properties located in the SHMU zoning district, developments shall provide a nonresidential storefront equal to a minimum of 50 percent of the width of the property along the harbor front. Said nonresidential storefront may be distributed between the first three floors of the building facing the harbor and all three floors must be accessible by pedestrians from the harbor side of the development. The term "nonresidential storefront" as it is used herein, refers to that portion of a building which faces the harbor and is devoted to any use allowed in the zoning district in which the property in question is located, with the exception of long- and short-term residential units, hotel/motels, bed and breakfast inns, other commercial transient living accommodations, rooming houses and boarding houses. The City strongly encourages property owners to orient the required nonresidential storefront next to the Harbor Boardwalk.

11.05.09. *Exceptions.* Exceptions from the provisions of Section 11.05.01 are as follows:

B. ~~Properties located in the South Harbor Mixed Use zoning district that propose development under Tier 1 or 2 development standards are exempt from the provisions prescribed in paragraphs F, G, M and N of Section 11.05.01 provided they meet all of the following criteria:~~

- ~~1. An approved submerged land lease from FDEP is submitted.~~
- ~~2. An approval from the Army Corps of Engineers stating that the length of docks and pilings will not create a risk to navigation is submitted.~~
- ~~3. This provision only applies to properties with only non-residential uses and mixed uses that contain non-residential uses and short-term residential uses.~~
- ~~4. This provision does not apply to developments that contain long-term residential uses.~~
- ~~5. A minimum ten percent of the total number of the slips in the project are set aside for fare carrying boats and that another minimum ten percent of the total slips are set aside for transient boats that are open to the public (to promote non-automobile travel). "Project" as used herein shall mean the entire number of slips tied to the uplands and not the total number of slips past 200 feet from the uplands. A minimum of 50 percent of the transient slips must be reserved for non-rental users. The remainder of the total ten percent may be reserved for short-term rental users. A loading and unloading area or slip must be reserved for use by a water taxi. This area or slip must be clearly marked by signage stating that it is reserved for the water taxi.~~
- ~~6. For Tier 1 developments, all of the requirements listed in Section 7.09.03.F.7 must be met.~~

~~C. Properties located in the Calhoun Mixed Use zoning district that propose development under Tier 1 or 2 development standards are exempt from the provisions prescribed in paragraphs M and N of Section 11.05.01 provided they meet all of the following criteria:~~

- ~~1. An approved submerged land lease from FDEP is submitted.~~

2. ~~An approval from the Army Corps of Engineers stating that the length of docks and pilings will not create a risk to navigation is submitted.~~
3. ~~A minimum ten percent of the total number of the slips in the project are set aside for fare carrying boats and that another minimum ten percent of the total slips are set aside for transient boats that are open to the public (to promote non-automobile travel). "Project" as used herein shall mean the entire number of slips tied to the uplands and not the total number of slips past 200 feet from the uplands. A minimum of 50 percent of the transient slips must be reserved for non-rental users. The remainder of the total ten percent may be reserved for short term rental users. A loading and unloading area or slip must be reserved for use by a water taxi. This area or slip must be clearly marked by signage stating that it is reserved for the water taxi.~~
4. ~~For Tier 1 developments, all of the requirements listed in Section 7.09.03.F.7 must be met.~~

12.04.02. *Open space.* The minimum required open space within all zoning districts shall be 25 percent except for conservation, which shall be 80 percent. ~~For developments proposed under the Tiered Land Use System, as outlined in section 7.09.03, the minimum required open space shall be increased to 30 percent.~~ Notwithstanding, within the North Harbor, South Harbor, and Town Center Mixed Use districts the minimum required open space can be reduced to not less than 12 percent through adherence to the requirements of the "open space incentive program" as stated in section 12.04.03 of this Code.

12.04.03. *Open space incentive program.*

D. *Supplemental standards required.* ~~In order to decrease the required open space to 18 percent, developments shall meet the Tier 2 standards contained in section 7.09.03.F. In order to obtain the full reduction of required open space to 12 percent, developments shall meet Tier 3 standards in section 7.09.03.G.~~ The following list indicates the incentives and their associated percentage amount that the overall open space requirement can be reduced by:

6. ~~All required trees for the development are one inch d.b.h. above Tier 2 standards and all required shrubs, not including ground cover, for the development are 12 inches above Tier 2 standards at time of planting (three percent).~~
7. ~~Projects that provide an additional five percent of the total number of boat slips, above and beyond the required 20 percent total stated in the requirement for Tier 2 status, as either fare carrying or transient slips (four percent).~~
12. ~~The total area of all pedestrian and/or vehicular easements or rights-of-way dedicated to the public for access from Harbor Boulevard to the Harbor waterfront and between adjoining properties along the Harbor waterfront and along Harbor Boulevard shall be credited towards the open space landscape requirement of the development. However, the percentage of the reduction cannot be greater than the maximum allowed for the tier that the applicant is applying for approval of (Tier 2 = 18% or Tier 3 = 12%).~~
13. ~~The total area provided for a transit stop, as specified in section 7.09.03.G.2a.iv.a, located either on-site or adjacent to Harbor Boulevard/Emerald Coast Parkway will be given 100 percent credit for area dedicated to the transit stop. However, the percentage of the reduction cannot be greater than the maximum allowed for the tier that the applicant is applying for approval of (Tier 2 = 12 percent or Tier 3 = 18 percent).~~

12.04.04. *Categories.* Landscape developments shall consist of seven landscape development categories: open space landscape, front perimeter/common boundary landscape, interior parking landscape, buffer zone landscape, publicly owned property, public utility development, and telecommunications tower sites.

D. *Buffer zone landscape.* The following criteria shall apply to buffer zone landscape requirements:

3. ~~*Buffer zones for Tier 2 and Tier 3 developments.* Tier 2 and Tier 3 developments are exempt from provisions 1 and 2 of this subsection and instead shall be governed by the supplemental buffering requirements listed in section 7.09.03.F.1.f.2.~~

12.04.05. *Landscape development standards.* To ensure the attainment of the objectives of this section, the design and installation of required landscaping shall be consistent with the following standards, unless it can be demonstrated that alternative design and installation plans will meet the objectives of this section. The landscape development standards contained herein shall apply whenever a landscape plan is required.

E. *Plant material standards.*

1. *Quality.* Unless otherwise provided herein, plant material as described in Grades and Standards for Nursery Plants, 1963, Part I and Part II, of the State of Florida, Department of Agriculture, Tallahassee, shall be credited on the landscape development requirements of this section. ~~All plant material quality for Tier 2 and Tier 3 developments shall be Florida grade number one or better. Additionally, all tree calipers shall be measured four and one-half feet above grade when planted.~~
6. ~~*Tier 2 and Tier 3 developments.* The minimum tree and shrub material standards for Tier 2 and Tier 3 developments shall be in accordance with requirements listed in Section 7.09.03.F.4. and not subsections 3 and 4.a listed above.~~

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 _____, 2020.

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: _____

ORDINANCE 17-22-PC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN: 2020; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR TITLE; PROVIDING FOR JURISDICTION; PROVIDING FOR INTENT; AMENDING CHAPTER 1 - FUTURE LAND USE ELEMENT; AMENDING CHAPTER 2 - TRANSPORTATION ELEMENT; AMENDING CHAPTER 12 - ADMINISTRATION; AND AMENDING CHAPTER 13 - GLOSSARY; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

SECTION 1. AUTHORITY.

The authority for the enactment of this Ordinance is Section 1.01 of the City Charter; Chapter 163, Part II, *Florida Statutes*; Sections 166.021 and 166.041, *Florida Statutes*.

SECTION 2. FINDINGS OF FACT.

Whereas, Article VIII, Section 2 of the Florida Constitution, and Chapter 166, Florida Statutes, provide municipalities the authority to exercise any power for municipal purposes, except where prohibited by law, and to adopt ordinances in furtherance of such authority; and

Whereas, pursuant to the requirements of section 163.3164, et seq., Florida Statutes, the Community Planning Act, (hereinafter "Community Planning Act") the City of Destin has adopted and has in effect a Comprehensive Plan; and

Whereas, the City Council of the City of Destin adopted its Comprehensive Plan: 2020 on November 3, 2013; and

Whereas, the Department of Economic Opportunity found Comprehensive Plan: 2020 to be in compliance with state requirements on January 7, 2015; and

Whereas, the City Council of the City of Destin deemed it necessary and appropriate to conduct intensive planning initiatives in 2015 and 2017 to significantly improve its approach to future growth and development; and

Whereas, the City Council of the City of Destin retained a planning consultant for the purpose of recommending changes to the City's Comprehensive Plan; and

Whereas, the result of the intensive planning initiatives are certain amendments to Chapter 1-Future Land Use, Chapter 2 - Transportation, Chapter 12 - Administration, and Chapter 13 - Glossary of Comprehensive Plan: 2020 to, among other things, eliminate the Tier System and replace same with appropriate densities, intensities and building height limitations, impose site development design guidelines and criteria universally, require pedestrian friendly site design, and enhance multimodal functionality; and

Whereas, the City Council has determined that it is necessary to adopt this ordinance in order to promote safety for the general welfare of City residents, as well as prevent hazards to persons, property, and vehicles traveling the City's highways, roads and streets; and

Whereas, the City's beaches attract people and families who travel from near and far to enjoy the coastal environment, breathe the fresh air, exercise, play or relax on the sand or in the water, and engage in other recreational activities; and

Whereas, tourism is a major contributor to the economic health of the City overall and the City desires to support the tourism industry while also seeking to improve the quality of life of City residents; and

Whereas, tourists and residents alike enjoy the City's pristine beaches, fertile fishing areas, and critical environmental habitats; and

Whereas, the City Council recognizes the continued need to protect areas designated for public uses in particular locations; and

Whereas, in recent years, the City Council has received many verbal and written public comments from its citizens at public meetings expressing that the City has experienced overcrowding, congested roadways, insufficient parking, overburdened infrastructure, and associated negative impacts on private property and decreases in the quality of life of its citizens; and

Whereas, the City Council desires to lessen congestion in City streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air, to prevent overcrowding; to avoid undue concentration of population; and

Whereas, the City Council seeks to make the City of Destin a livable, healthy, economically robust community with safe, convenient access to roadways and parking; and

Whereas, the City Council, to ensure the City's orderly growth and development, finds it prudent to amend its Comprehensive Plan to respond to the changing needs and conditions within the City; and

Whereas, the Comprehensive Plan affects the City as a whole, which affects the general health, natural beauty, public safety, smart growth, and the welfare and wellbeing of City residents; and

Whereas, the public hearings required to be held by Florida Statute were appropriately noticed and held by the Local Planning Agency and City Council; and

Whereas, the City has prepared a supporting document that has been reviewed and accepted by the Local Planning Agency and the City Council for these amendments; and

Whereas, the City Council of the City of Destin has determined that the proposed amendments to the Comprehensive Plan would best serve the health, safety and welfare of citizens of the City of Destin.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA that this Ordinance is hereby adopted in conformance with Chapter 163, *Florida Statutes* and provides an effective date and repeals all provisions of Ordinances or Resolutions in conflict herewith.

SECTION 3: TITLE.

These comprehensive plan amendments are referred to as "Chapter 1 - Future Land Use Element, Chapter 2 - Transportation Element, Chapter 12 - Administration and Chapter 13 - Glossary of the City of Destin's Comprehensive Plan - Goals, Objectives and Policies: 2020".

SECTION 4: JURISDICTION.

The lands subject to this Ordinance shall include all areas within the corporate limits of the City of Destin, Florida.

SECTION 5: INTENT.

The intent of this Ordinance is to provide orderly growth management for the City of Destin. This Ordinance provides public policy mechanisms for growth management in order to serve the visitors, residents and property owners of Destin and maintain and improve the quality of life for all citizens of the City. The City Council of Destin finds that the goals, objectives, policies and regulations attached hereto and made part of by reference as Exhibit "1" are a necessary and proper means for planning and regulating the development and use of land in the City and for otherwise protecting and promoting the public health, safety, and general welfare of its citizens. This Ordinance shall be construed broadly to accomplish its stated purposes and objectives.

SECTION 6. ADOPTION OF THE AMENDMENTS TO THE FUTURE LAND USE ELEMENT, TRANSPORTATION ELEMENT, ADMINISTRATION AND GLOSSARY:

The Destin City Council hereby adopts the amended "Chapter 1 - Future Land Use Element, Chapter 2 – Transportation Element, Chapter 12 - Administration and Chapter 13 - Glossary of the City of Destin's Comprehensive Plan – Goals, Objectives and Policies: 2020", a copy being attached hereto as Exhibit "1" and made a part hereof by reference, in conformance with Chapter 163, *Florida Statutes*.

SECTION 7: TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY.

The City Manager or her designee is hereby designated to sign a letter transmitting the adopted comprehensive plan amendment to the State Planning Agency, in accordance with the Community Planning Act.

SECTION 8: INCORPORATION INTO COMPREHENSIVE PLAN.

Upon the effective date of the comprehensive plan amendment adopted by this Ordinance, said amendment shall be incorporated into the City of Destin Comprehensive Plan and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

All prior inconsistent ordinances and resolutions adopted by the City of Destin City Council, or parts of ordinances or resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

SECTION 9: 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.

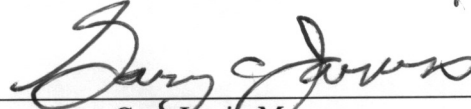
SECTION 10: EFFECTIVE DATE.

The comprehensive plan amendment shall not become effective until 31 days after the State Planning agency notifies the City that the plan amendment package transmitted by the City is complete, except

however, if the plan amendment is timely challenged, this Ordinance shall not become effective until the date a final order is issued by the State Land Planning Agency, or the date that the Administration Commission enters a final order determining the adopted plan amendment is in compliance. No development orders, development permits, or land use dependent on this amendment may be issued or commenced before it has become effective. After and from the effective date of this amendment, the comprehensive plan amendment set forth herein shall amend the City of Destin's Comprehensive Plan and shall become a part of that plan and the amendment shall have the legal status of the City of Destin's Comprehensive Plan, as amended.

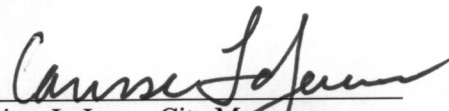
ADOPTED THIS 2ND DAY OF APRIL 2018,

BY:



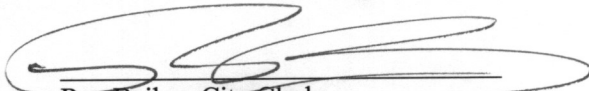
Gary Jarvis, Mayor

ATTEST:

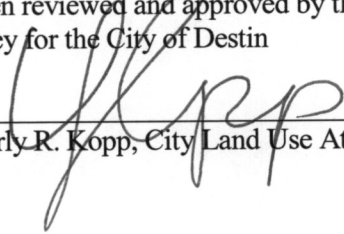


Carisse LeJeune, City Manager

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



Rey Bailey, City Clerk



Kimberly R. Kopp, City Land Use Attorney

First Reading: November 6, 2017

Second Reading: April 2, 2018

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CHAPTER 1: - FUTURE LAND USE ELEMENT

SECTION 1-1: FUTURE LAND USE GOALS, OBJECTIVES AND POLICIES.

Policy: 1-1.1.1 Urban Design Standards and Design Criteria

2. **Design Criteria for Sites.** Within one year from Plan Adoption, the LDC shall be amended to enhance site design criteria that promote multimodal connectivity, maximize functional open space, and promote harmony with existing structures. The following are design standards that shall be applicable to all development, with the exception of industrial uses, and single-family and duplex residences, that front on a street in the Mixed Use Districts.
 - a. **Building Siting.** Buildings shall be sited in order to maximize functional open space and, meet LDC design standards to provide frontage on existing and proposed public and publicly accessible streets.

Policy 1-1.2.1: Protect Residential Areas. The LDC shall implement design standards to protect existing stable single-family residential areas and projected future single-family residential areas from adverse impacts by new development due to location, massing, intensity, scale, and height. These areas include all residential future land use designations and historically residential neighborhoods in mixed use designations delineated on the Future Land Use Map 1-1

Policy 1-1.2.4: Orderly Transition in Land Use. The type and density of new residential development shall be consistent with the Comprehensive Plan FLUM (Map 1-1), and adopted City redevelopment plans. Where the FLUM (Map 1-1) and/or Zoning Map denote transition in land use type, density, or intensity, the LDC shall provide criteria for ensuring that any new development or redevelopment provides a smooth transition in land use. Residential development shall be consistent with the concurrency management system and be approved only where available infrastructure capacity exists concurrent with the impacts of such development.

Policy 1-1.3.2: Location Considerations. Commercial and Mixed Use development shall be concentrated in strategically located areas having characteristics that best accommodate their specific land, site, public facilities, and market location requirements. These criteria have informed the location of commercial and mixed use designations on the Future Land Use Map (Map 1-1). The strategically located areas shall promote efficient flow of traffic along major thoroughfares, achieve orderly development, and minimize adverse impact on residential quality.

Commercial infill and redevelopment shall be regulated by the LDC in order to:

1. Promote multimodal access and efficient flow of traffic.

2. Achieve orderly development.
3. Avoid negative impacts on established residential neighborhoods.
4. Encourage appropriately scaled and designed neighborhood commercial development within easy walking distance of residences.
5. Prevent adverse impacts on the fragile coastal eco-system.
6. Direct mixed use development to the Town Center, the North and South Harbor Planning Areas, and other strategically located areas identified on the (Map 1-1a).
7. Prevent the proliferation of strip commercial development with few pedestrian amenities.

SECTION 1-2: FUTURE LAND USE MAP.

Policy 1-2.1.3: Areas Ineligible to Accommodate Development. No habitable buildings or non-water dependent structures, aside from essential public facilities and services, shall be located on land classified as un-developable environmentally sensitive lands, including wetlands, transitional wetlands, salt marsh, tidal waters, beaches, beach berms and dunes, and the natural shoreline. However, the LDC shall provide regulatory measures to ensure that land in private ownership is provided reasonable use. For instance, the LDC shall provide for transfer of density and intensity from privately owned environmentally fragile land to directly abutting uplands under common ownership as may be required to avoid a "taking," or a denial of vested right or beneficial use. The intent is to sustain demonstrated private property rights while preserving the public interest, welfare, health, and safety.

Policy 1-2.1.4: Method of Measuring Building Height.

Building height shall be measured from the highest point of the crown of the road, average grade of the subject property if it is not in an area that has a Federal Emergency Management Agency (FEMA) Minimum Based Flood Elevation, or FEMA Minimum Base Flood Elevation, whichever is higher, to the cornice line of the building (except the building height for the Harbor Waterfront, as defined herein). The highest point of the crown of the road shall be established by topographic survey that has been signed and sealed by a Florida Registered surveyor. Within the "Harbor Waterfront" area, as defined herein, building height shall be measured via the Average Grade Method. Single-family residential dwelling units may include non-habitable architectural roof embellishments (e.g. spires, watch towers, crows' nests, cupolas, chimneys, and similar architectural embellishments), or appurtenant structural systems (e.g. machinery rooms, elevator shafts, stairwells, and similar ancillary facilities) up to a maximum of six (6) feet above the allowable maximum height of roof structure. Non-residential and mixed-use buildings may include non-habitable architectural roof embellishments (e.g. spires, watch towers, crows' nests, cupolas, chimneys, and similar architectural embellishments), or appurtenant structural systems (e.g. machinery rooms, elevator shafts, stairwells, and similar ancillary facilities) up to a maximum of ten (10) feet above the allowable maximum height of the roof structure.

Fully pitched roofs are required to cover not less than 60 percent of the roof surface on all buildings. A minimum pitch of 5:12 and a maximum pitch of 12:12 are required for the fully pitched roof above the cornice line.

*Cornice Line: Cornice line as used herein means the horizontal line on the exterior of a building at which the roof system intersects the exterior wall.

Policy 1-2.1.5: Grandfather Clause. Existing land uses that were lawfully conforming uses prior to the effective date of the Comprehensive Plan, shall continue as lawful uses and shall be regulated through administrative remedies for vested rights issues that shall be included in the LDC. Building heights, density and/or intensity which (a) are actual, present and which lawfully existed prior to the effective date of the Comprehensive Plan, or (b) were authorized pursuant to a development order, which development order remained unexpired as of the effective date of the Comprehensive Plan, shall continue to be legal building heights, density and or intensity (as applicable) after adoption of the Comprehensive Plan. All duly approved and recorded lots, subdivision and condominium plats of record, which existed as legal lots, subdivision and condominium plats of record prior to the adoption of this Comprehensive Plan shall continue to be legal lots, subdivision and condominium plats of record after adoption of the Comprehensive Plan. This grandfather status may only be relinquished voluntarily by the vested entity. All new lots, subdivisions, condominium plats and all replats shall comply with the Comprehensive Plan objectives and Policies, including maximum density provisions. Similarly, all new development shall comply with the Comprehensive Plan and LDC unless the development is found to have a vested right in a land use, building height, density or intensity that is in conflict with the Comprehensive Plan and LDC. Under such condition the grandfather clause shall be applicable unless voluntarily relinquished by the vested entity. The intent is to sustain demonstrated private property rights while preserving the public interest, welfare, health, and safety. Notwithstanding, any single-family home that is subject to redevelopment shall be allowed to reconstruct, providing adopted building and construction codes as well as this ordinance and the size and dimension criteria of the LDC are met.

Policy 1-2.1.7: Density and Intensity of Development. The maximum range of density and/or intensity stated in the Comprehensive Plan and in the LDC may be further constrained by quantitative and qualitative criteria included in the Comprehensive Plan and LDC, including but not limited to requirements for minimum open space; concurrency management and level of service standards for transportation, stormwater and other public facilities and services; off-street parking and internal circulation; landscaping; impacts on schools; and on-site and off-site improvements and design amenities required to achieve land use compatibility. In addition, natural constraints such as the shape and natural features of a site may present obstacles to achieving maximum density and/or intensity shown on the adopted Comprehensive Plan FLUM. Where a zone permits both density and intensity, that density and intensity shall not be applied to the same acreage. A developer may separate a portion of the property to be calculated as density (generally for single-family or multi-family development) and a different portion of the property to be calculated as intensity. Density and intensity shall be calculated using the amount of "gross land area" as defined in the glossary.

Policy 1-2.1.9: Intensity Defined. Floor Area Ratio (FAR), as defined in the Glossary, describes the square footage of uses on a development site. The specific FLUM designations shall identify the maximum FAR for land use designations.

FAR shall not be applied to publicly owned parking garages or to areas of parking garages dedicated to the City when part of a public-private development partnership.

Policy 1-2.1.10: Density Defined. Density, as defined in the Glossary, may be used to determine the maximum number of residential units allowed on a development site.

Residential uses include long-term and short-term residences. Non-residential uses are not regulated by density. The specific FLUM designations shall identify the maximum density for residential uses.

OBJECTIVE 1-2.2: ESTABLISH RESIDENTIAL LAND USE DESIGNATIONS. The residential FLUM designations shall be established as defined herein. Supportive community facilities and accessory land uses may be located within areas designated for any type of residential land uses. The LDC shall provide regulations for managing such community facilities and accessory land uses. This objective shall be measured through implementation of the following Policies.

Policy 1-2.2.1: Bay Estates (BE). Areas designated "BE" shall be developed, redeveloped and/or maintained and conserved as stable single-family (SF) long-term residential estates. The "BE" designation includes lots and parcels located in the Village Planning Area (VPA) adjacent to or near Choctawhatchee Bay, Joe's Bayou, Marler Bayou, or north of Indian Bayou. Land designated "BE" shall not include development or redevelopment of short-term residential or nonresidential uses. The "BE" designated land may be developed up to the following maximum development standards:

TABLE 1-1: GENERAL DEVELOPMENT STANDARDS FOR "BE" DESIGNATED LAND			
Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family Residential	35'3 stories	Up to 2.90	N/A

Policy 1-2.2.2: Low Density Residential (LDR). Areas designated "LDR" shall be developed, redeveloped and/or maintained and conserved as single-family (SF) long-term residential uses. Lots and parcels in the Village Planning Area (VPA) or the East Harbor Planning Area (EHPA) (Map 1-1a) that are designated "LDR" shall not be allowed to develop or redevelop short-term residential uses or nonresidential uses. However, lots and parcels designated "LDR" within the Holiday Isle Planning Area (HIPA) shall be allowed to develop and/or be maintained as short-term residential uses, but nonresidential uses shall be prohibited. The "LDR" designation includes lots and parcels that may be developed up to the following maximum development standards:

TABLE 1-2: GENERAL DEVELOPMENT STANDARDS FOR "LDR" DESIGNATED LAND			
Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family Residential	35'3 stories *	Up to 5.81	N/A

* Holiday Isle – 30'3 stories

Policy 1-2.2.3: Medium Density Residential (MDR). Areas designated "MDR" shall be developed, redeveloped and/or maintained and conserved as stable single-family (SF) or multiple-family (MF) long-term residential uses. Land designated "MDR" within the Village Planning Area (VPA) and the CRA, shall not be allowed to develop or redevelop short-term residential uses or nonresidential uses. However, lots and parcels designated "MDR" that are located within the Holiday Isle Planning Area (HIPA) shall be allowed to develop and/or maintain short-term residential uses, but not nonresidential uses. Based on established patterns of residential development within the Village, Holiday Isle, and the CRA (except the Town Center) Planning Areas, the following maximum development standards shall be applied to future development within "MDR" designated areas:

TABLE 1-3: GENERAL DEVELOPMENT STANDARDS FOR "MDR" DESIGNATED LAND			
Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family Residential	35'3 stories*	Up to 5.81	N/A
Multi-Family Residential	35'3 stories	Up to 9.90	N/A

* Holiday Isle – 30'3 stories

The zoning map designation shall delineate policy for allocating specific densities on land designated "MDR" based on established patterns of land development and based on adopted Comprehensive Plan goals, objectives, and policies. Review of specific densities of developments shall be directed toward preserving stability of established residential areas. Sites designated "MDR" should be located and developed in a manner that ensures a smooth transition between lower density residential areas and areas developed and/or designated for other more intense uses. Generally, medium density areas should be located between the perimeters of low density residential areas, high density residential areas, and/or commercial or mixed use designations.

Policy 1-2.2.4: High Density Residential (HDR). Areas designated "HDR" shall be developed, redeveloped and/or maintained and conserved as stable multiple-family (MF) and attached single-family (SF) long-term and short-term residential uses and shall prohibit nonresidential uses. The "HDR" designation includes lots and parcels that may be developed up to the following maximum development standards:

TABLE 1-4: GENERAL DEVELOPMENT STANDARDS FOR "HDR" DESIGNATED LAND			
Use	Max. Height (feet/stories)	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family Residential	30'3 stories	Up to 9.90	N/A

Multi-Family	50'/4	Up to 16.9	N/A
Residential	stories ¹		

¹This maximum height limitation is subject to future review and the HIPA Height Overlay Sub-Area may be extended to additional areas within the Holiday Isle Planning Area (Map 1-1a) by amendment to this policy in the event it is definitively established by order of a court of competent jurisdiction that a lower maximum height limitation imposed under private restrictive covenants applies to, and is legally binding upon, those properties.

The zoning map shall delineate policy for allocating specific densities for land designated "HDR" based on established development patterns and adopted Comprehensive Plan goals, objectives, and policies, including design principles for achieving a smooth land use transition. Review of specific densities of developments shall be directed toward preserving stability of established residential areas, particularly adjacent structures. The design and intensity of structures shall be reviewed based on criteria that shall require new development to provide a smooth transition in land use, intensity, and general appearance and design. Sites for high density residential developments should be located in a manner that provides a smooth transition in land use, density, and intensity of development. Generally, high density residential areas should be located between the perimeters of medium density residential areas and/or commercial or mixed use designations. High density residential development should be served by a major arterial or major collector street.

Policy 1-2.2.5: Crystal Beach Neighborhood (CBN). The "CBN" designation provides for regulated residential and very limited supportive nonresidential uses. Areas designated "CBN" shall have a predominately single-family detached residential character. Single-family residential development shall not exceed a maximum of six dwelling units per gross residential acre. Areas designated "CBN" may have single-family (SF) or multiple-family (MF) structures. The "CBN" designation is intended for long-term or short-term residential uses but only very limited supportive nonresidential uses. Additional restrictions on permitted supportive non-residential uses, such as maximum square footage, design or location requirements, may be specified in the LDC. Commercial hotels, motels, bed and breakfast establishments, or other commercial transient living accommodations shall not be allowed on any property designated "CBN." Based on established patterns of residential development within "CBN" designated areas the following maximum development standards shall be applied to future development within "CBN" designated areas:

TABLE 1-5: GENERAL DEVELOPMENT STANDARDS FOR "CBN" DESIGNATED LAND			
Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family Residential	30'/3 stories	Up to 6.00	N/A
Multi-Family Residential	50'/4 stories	Up to 6.00	N/A

Very Limited Supportive Non-Residential Uses	50'4 stories	N/A	0.5
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OBJECTIVE 1-2.3: ESTABLISH COMMERCIAL LAND USE DESIGNATIONS. The commercial FLUM designations shall be established as described herein. Supportive community facilities and accessory land uses may be located within areas designated for any type of commercial or residential land uses. The allocation of land for commercial use shall be compatible with goals, objectives, and policies identified in the Comprehensive Plan and shall be consistent with established pattern of legally established commercial land uses. The policies stated below provide an explanation of the purpose, intent, and character of the commercial land use designations. Notwithstanding other provisions of this chapter, single-story retail uses should not exceed thirty-five (35) feet in height or 0.5 FAR.

Policy 1-2.3.1: Commercial Limited (CL). The "CL" designation is intended to accommodate a mixture of short-term and long-term residential and commercial uses of a lesser intensity than is allowed in the mixed use development category. Small-scale community commercial uses such as medical related facilities, commercial hotels, motels, bed and breakfast establishments, other commercial transient living accommodations, offices, retail uses and ancillary recreation uses, including golf courses are allowed. Such sites may accommodate a shopping center with grocery stores, drug store/pharmacy, specialty shops, and similar tenants with no single business entity having more than 60,000 square feet. Such sites shall not include trades, warehousing, and large home improvement establishments. The nature and scale of uses allowed on properties designated "CL" shall provide a smooth transition between the more intense "CG" designated properties and adjacent residential development. "CL" designated areas shall be pedestrian-oriented, have sufficient landscape buffering and setbacks to protect residential uses, have architectural features to protect residential uses from obtrusive roof top mounted equipment, residential uses shall be adequately protected from vehicle service and parking areas, and these objectives shall be carried out by inclusion of design techniques as set forth in the LDC. The following maximum development standards shall be applied to future development within "CL" designated areas:

TABLE 1-6: GENERAL DEVELOPMENT STANDARDS FOR "CL" DESIGNATED LAND			
Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family Residential	30'3 stories	Up to 9.00	N/A
Multi-Family Residential	50'4 stories	Up to 12.00	N/A
All other permitted uses or mixes of uses as described in Policy 1-2.3.1	50'4 stories	N/A	0.5

Policy 1-2.3.2: Commercial General (CG). The "CG" FLUM designation is intended to accommodate general retail sales and services; highway oriented sales and services;

other general commercial activities defined in the LDC; customary accessory uses; and requisite community facilities. The areas designated "CG" are generally located along the Harbor Boulevard/Emerald Coast Parkway corridor and are intended to service the general commercial needs of permanent and seasonal residents. To sustain the existing and long-term market demands for commercial goods and services, properties designated "CG" are not intended to be used for long-term residential uses, manufacturing of goods, or other activities that may generate nuisance impacts, including glare, smoke or other air pollutants, noise, vibration or major fire hazards, or other impacts generally associated with more intensive industrial uses. The "CG" designation is intended to accommodate retail, service, and other commercial uses, commercial hotels, motels, bed and breakfast establishments, other commercial transient living accommodations, as well as multiple-family (MF) short-term residential uses. The LDC shall establish provisions regulating specific land uses. The following maximum development standards shall be applied to future development within "CG" designated areas:

TABLE 1-7: GENERAL DEVELOPMENT STANDARDS FOR "CG" DESIGNATED LAND			
Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio
Short-Term Multi-Family Residential	50'4 stories	Up to 16.90	N/A
All other permitted uses or mixes of uses as described in Policy 1-2.3.2	50'4 stories	N/A	1.3

Policy 1-2.3.3: Commercial Trades and Services (CTS). The "CTS" designation is intended to accommodate small to moderate sized higher intensity commercial services related to the construction industry, machine and other power equipment, durable goods repair and service, warehousing, boat repair and service, vehicle service and repair, and similar commercial trades and services. These types of uses are generally concentrated in the western part of the City, along Mountain Drive as delineated on the FLUM. The "CTS" designation is not intended to accommodate any short-term or long-term residential land uses, commercial hotels, motels, bed and breakfast establishments, or other commercial transient living accommodations, manufacturing of goods or other activities that may generate nuisance impacts, including glare, smoke or other air pollutants, noise, vibration or major fire hazards, or other impacts generally associated with more intensive industrial uses. The following maximum development standards shall be applied to future development within "CTS" designated areas:

TABLE 1-8: GENERAL DEVELOPMENT STANDARDS FOR "CTS" DESIGNATED LAND			
Use	Max. Height	Max. Density (units/acre)	Max. Nonresidential Floor Area Ratio
Commercial trades and services as described in Policy 1-2.3.3 (No	35'3 stories	1.00 per development	1.30

residential uses allowed, except for custodian or night-watchman residence)			
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OBJECTIVE 1-2.4: ESTABLISH MIXED USE LAND USE DESIGNATIONS. The mixed use FLUM designations shall be established as defined herein. Supportive community facilities and accessory land uses may be located within areas designated for mixed use development. The allocation of land for mixed use development shall be compatible with goals, objectives, and policies identified in the Comprehensive Plan and shall be consistent with established pattern of legally established mixed use land uses. The following policies provide an explanation of the purpose, intent, and character of the mixed use and commercial land use designations.

Policy 1-2.4.1: Residential, Office, and Institutional (ROI). The "ROI" designation is designed to accommodate business and professional offices; as well as single-family (SF) and multiple-family (MF) long-term residential uses; and institutional uses listed in Policy 1-2.7.1. The "ROI" designated land shall only be allowed to develop as commercial hotel, motel, bed and breakfast establishments, other commercial transient living accommodations or short-term residential uses if the subject properties abut or are located south of Harbor Boulevard/Emerald Coast Parkway as delineated on the FLUM. The primary intent of such LDC standards and criteria shall be to preserve a smooth transition in development density and intensity. This land use Policy designation expressly excludes general retail sales and services (unless integrated as part of a PUD), warehousing, and outside storage. Furthermore, this Policy designation is intended for areas which:

1. Have access to a major thoroughfare and all required urban services.
2. Contain sufficient land area to accommodate good principles of urban design, including sufficient land area to provide adequate landscaping and buffers to separate existing as well as potential future adjacent land uses of differing intensity.
3. Accommodate limited residential uses as described herein as well as business and professional office buildings, including financial institutions, and medical facilities as regulated in the LDC.

The LDC shall include performance standards requiring appropriate perimeter landscaping and screening consisting of an upper story tree canopy and lower story hedge or shrubbery, and/or an aesthetic decorative fence or wall to ensure privacy and to promote compatibility among existing and anticipated future residential uses and office developments. Design techniques such as landscaping, screening and buffering shall be applied to ensure smooth transition in residential structure types and densities. The following maximum development standards shall be applied to future development within "ROI" designated areas:

TABLE 1-9: GENERAL DEVELOPMENT STANDARDS FOR "ROI" DESIGNATED LAND			
Use	Max. Height	Max. Density (units/acre)	Max. Nonresidential Floor Area Ratio
Single-Family	35'3 stories ²	Up to 9.00	N/A

Multi-Family Residential	50'4 stories	Up to 12.00	N/A
All other permitted uses or mixes of uses as described in Policy 1-2.4.1	35'3 stories ²	N/A	0.5

* ROI- TD – 30'3 stories

¹ Residential SF and MF short-term residential uses are only allowed on properties that abut or are located south of Harbor Boulevard/Emerald Coast Parkway.

² The maximum height by right shall be 35 feet and three stories, except properties with non-residential uses that abut Harbor Boulevard/Emerald Coast Parkway, in which case height may be extended to a maximum of 50 feet and four stories.

Policy 1-2.4.2: Crystal Beach Resort (CBR). The "CBR" designation provides for residential and limited nonresidential uses. Both permanent long-term and short-term residential uses are permitted. Commercial hotels, motels, bed and breakfast establishments, and other commercial transient living accommodations shall be allowed. Nonresidential uses shall include places of worship, community buildings, public facilities, schools, libraries, post offices, childcare centers, clubhouses, museums, visual and performance arts buildings, neighborhood retail commercial goods and services not exceeding 5,500 square feet designed primarily to serve the needs of the Crystal Beach resort area, offices, medical and dental clinics, laundries and dry cleaning drop off centers, banks, fitness centers, dinner clubs and restaurants. The following maximum development standards shall be applied to future development within "CBR" designated areas:

TABLE 1-10: GENERAL DEVELOPMENT STANDARDS FOR "CBR" DESIGNATED LAND			
Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family Residential	30'3 stories	Up to 6.00	N/A
Multi-Family Residential	50'4 Stories	Up to 12.00	N/A
All other permitted uses and mixes of uses as described in Policy 1-2.4.2	50'4 stories	N/A	0.7

Policy 1-2.4.3: Mixed Use (MU). The "MU" designation provides an intense mix of residential and nonresidential uses within the Town Center, Calhoun, North and South Harbor, Gulf Resort, Bay Resort, and a small area within the Holiday Isle Planning Areas. The intent of the "MU" designation is to promote innovative arrangements of development types in strategically located areas of the City that have or are planned to accommodate

a mixture of residential and commercial activities in close proximity to each other, achieve compact development, and reduce total trips on the roadway system.

The "MU" FLUM designation allows an intense mixture of residential and commercial activity. Residential uses shall include long-term and short-term residential uses. The LDC shall describe a comprehensive list of other allowable nonresidential uses, such as medical related facilities, retail establishments, general commercial uses, offices, commercial hotels, motels, bed and breakfast establishments, other commercial transient living accommodations, and recreational uses. The following policies shall apply to the respective mixed use areas identified below:

1. **Town Center Mixed Use (TCMU).** The "TCMU" shall be a focal point for reinvestment in a community mixed use center anchored by the Main Street Corridor. Objective I-3.3 and Policies 1-3.3.1 through 1-3.3.3 and 1-3.3.5 identify a planning and management framework for initiating new regulations and public investment strategies for the Town Center. Notwithstanding other provisions within this Plan, land within the Town Center shall not be allowed to include short-term residential uses unless the properties have direct or secondary access to Harbor Boulevard. Permitted uses are multi-family residential, high density single family (not less than 7 units per acre), retail, service, restaurant, office, commercial uses and civic uses. Locations where High Density Single Family Uses are not permitted shall be specified in the Town Center Master Redevelopment Plan. The following maximum development standards shall be applied to future development within Town Center Mixed Use area:

TABLE 1-11: GENERAL DEVELOPMENT STANDARDS FOR "TCMU" DESIGNATED LAND			
Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family Residential	35'/3 Stories	Up to 9.0	N/A
Multi-Family Residential	50'/4 Stories	Up to 24.0	N/A
All other permitted uses and mixes of uses as described in Policy 1-2.4.3 subsection 1	75'/6 stories	N/A	1.5

2. The **Calhoun** area is envisioned as a walkable, medium-scale resort-mixed use area. It also provides a transition between the South Harbor Mixed Use area and

U.S. 98 to the south, the "Old Destin Area" to the northeast, and Clement Taylor Park to the north. In the intermediate future, this area is intended to undergo redevelopment. Planned developments that increase pedestrian connectivity, east-west vehicular connectivity, and parks or open space shall be encouraged. The Calhoun area has an excellent tree canopy and before major new development occurs, it is important the tree preservation ordinance 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. Permitted nonresidential uses shall include neighborhood retail commercial goods and services not exceeding 5,500 square feet, offices, water dependent activities, restaurants, and similar activities as shall be defined in the LDC. This area also permits appropriately scaled institutional uses.

- a. **Calhoun Mixed Use (CMU).** The "CMU" area is bounded on the north by Clement Taylor Park, on the east by Calhoun Avenue, on the south by the north property line of parcel #00-2S-22-0630-0000-11A2; and on the west by the Bay. The following maximum development standards shall be applied to future development within the "CMU" area:

TABLE 1-12: GENERAL DEVELOPMENT STANDARDS FOR "CMU" DESIGNATED LAND			
Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family Residential	35'3 stories	Up to 6.00	N/A
Multi-Family Residential	50'4 stories	Up to 12.00	N/A
All other permitted uses and mixes of uses as described in Policy 1-2.4.3 subsection 2	50'4 stories	N/A	0.5

- b. **Calhoun Mixed Use - Village (CMUV).** The "CMUV" area is depicted on the FLUM (Map 1-1). The following maximum development standards shall be applied to future development within the "CMUV" area:

TABLE 1-12: GENERAL DEVELOPMENT STANDARDS FOR "CMUV" DESIGNATED LAND			
Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family Residential	35'3 stories	Up to 9.0	N/A
Multi-Family Residential	50'4 stories	Up to 12.00	N/A

All other permitted uses and mixes of uses as described in Policy 1-2.4.3 subsection 2*	50'/4 stories	N/A	0.5
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* May include Single Family as part of a Planned Unit Development.

3. **South Harbor Mixed Use (SHMU).** The "SHMU" area is that area extending along the north shoreline of the Harbor from the western boundary of the High Density Residential district, and heading west to the East Pass, together with that property bounded by Harbor Boulevard on the south, Calhoun Avenue on the east, the Bay on the west, and the southern boundary of the Calhoun Mixed Use district on the north. These boundaries are delineated on FLUM (Map 1-1). The "SHMU" area is intended to accommodate a festive mixed use market place. The City should encourage tourist commercial development designed to preserve waterfront views, preserve water dependent activity, foster a pedestrian-oriented environment, and promote convenient public access to the planned Harbor Boardwalk and charter fishing opportunities for the public. A major intent of the Comprehensive Plan is to preserve the "SHMU" area as a world-class fishing Village open to the public. Permitted uses include commercial transient living accommodations, retail, service, restaurant, office, similar commercial uses, and short-term residential uses.

Long-Term Residential uses shall be prohibited within the "SHMU" area, unless such residential developments incorporate a minimum of 4,500 square feet of "publicly leasable commercial space" (e.g. retail, office, restaurant, etc.). The term "publicly leasable commercial space" shall mean space that is open to the public to lease and use and not a space or use that is exclusively for the owners or guests of the residential development in question. The purpose of requiring this minimum publicly leasable commercial space is to foster and encourage access by the public to the development and the planned Harbor Boardwalk. Additionally, parcels having frontage on the Harbor shall provide in their development a commercial storefront equal to a minimum of 50 percent of the width of the property along the harbor front. Such commercial storefront may be distributed between the first three floors of the building facing the harbor and all three floors must be accessible by pedestrians from the Harbor side of the development. However, commercial hotel, motel, bed and breakfast establishments, other public lodging, and short-term residential uses are encouraged.

Within the "SHMU" area, there is hereby established a Harbor Residential sub-area (Map 1-1a). The Harbor Residential sub-area shall commence from the western property line of parcel #00-2S-22-0700-000D-0010 to the eastern property line of parcel #00-2S-22-0698-0000-0020. Properties within the Harbor Residential sub-area are not required to incorporate a minimum of 4,500 square feet of "publicly leasable commercial space" (e.g. retail, office, restaurant, etc.) when building a single-family detached residence. However, properties located in Harbor Residential sub-area that seek development approval for projects containing multifamily residential dwelling units shall be required to incorporate 3,000 sq. ft. of "publicly leasable commercial space" (e.g. retail, office, restaurant, etc.):

"SHMU" area LDC regulations shall implement urban design principles that achieve a harmonious general appearance. The LDC regulations shall address, but are not limited to, pedestrian amenities; perimeter landscape and landscaped buffers; fenestration (rooflines, windows, and dormers), and other design factors that reinforce land use compatibility and pedestrian-oriented activity. The regulatory

process should encourage that development reinforces public access to the waterfront. The LDC regulations for the "SHMU" area shall encourage opportunities for recreational, and commercial activities uses, protect property rights, protect the environment, and foster a festive market place. The following maximum development standards shall be applied to future development within the "SHMU" area:

TABLE 1-13: GENERAL DEVELOPMENT STANDARDS FOR "SHMU" DESIGNATED LAND¹			
Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio*
Single-Family Residential	30'/3 stories	9.0	N/A
Multi-Family Residential	50'/4 stories	24.0	N/A
All other permitted uses and mixes of uses as described in Policy 1-2.4.3 subsection 3	75'/6 stories ¹	N/A	1.5

¹ *Harbor Waterfront Building Height.* Notwithstanding Table 1-13, Buildings in SHMU within the "Harbor Waterfront" area, as defined in the Glossary, that have an elevation facing the waterfront must step back 20 feet after the fourth floor or 50 feet, whichever is lower. Building height within the "Harbor Waterfront" area shall be measured using the Average Grade Method as defined in the Glossary, herein.

4. **North Harbor Mixed Use.** The "NHMU" area is bounded on the south by Harbor Boulevard and on the west by Calhoun Avenue. The north boundary of the "NHMU" area is an irregular line that is generally formed by Zerbe Street, Palmetto Place, Mountain Drive, extending eastward to Benning Drive, and then extending southeasterly along the rear property lines of lots fronting on Sea View Circle, and then extending southeasterly along the rear property lines of lots fronting on the north side of Harbor Boulevard to Beach Drive. Beach Drive forms the eastern boundary of the "NHMU" area. These boundaries are delineated on FLUM (Map 1-1).

The "NHMU" area is intended to complement the "SHMU" festive market place and shall accommodate retail, service, restaurant, office, commercial uses, long-term residential uses as well as short-term residential uses, commercial hotels, motels, bed and breakfast establishments, and other commercial transient living accommodations. This area also permits appropriately scaled institutional uses.

Regulatory programs should ensure a pedestrian environment that is responsive to transit trolley system initiatives set forth in the Transportation Element, and require pedestrian accessways that safely link the areas north and south of Harbor Boulevard between the East Pass and Beach Drive. Finally, the regulations should consider requiring ground level commercial retail and service opportunities along the north side of Harbor Boulevard.

The following maximum development standards shall be applied to future development within the "NHMU" area:

TABLE 1-14: GENERAL DEVELOPMENT STANDARDS FOR "NHMU" DESIGNATED LAND			
Use	Max. Height*	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family Residential	35'/3 stories	Up to 9.0	N/A
Multi-Family Residential	50'/4 stories	Up to 24.0	N/A
All other permitted uses and mixes of uses as described in Policy 1-2.4.3 subsection 4	75'/6 stories	N/A	1.5

* An increase in maximum height up to 60 feet is available for non-residential properties that provide publicly accessible structured parking.

5. **Gulf Resort Mixed Use (GRMU).** The "GRMU" area is a major mixed use resort destination. This area is the City's most intensely developed area for commercial transient accommodations and short-term residential uses. Commercial hotels, motels, bed and breakfast establishments, other commercial transient living accommodations, retail, service, restaurant, office, and commercial uses long-term and short-term residential, are allowed uses in the "GRMU" area. The area is largely built out and in the future the area is anticipated to undergo infill and redevelopment. The following maximum development standards shall be applied to future development within the "GRMU" areas:

TABLE 1-15: GENERAL DEVELOPMENT STANDARDS FOR "GRMU" DESIGNATED LAND

Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family	50'/4 stories	Up to 9.0	N/A
Multi-Family Residential	50'/4 stories	24.0	N/A
All other permitted uses and mixes of uses as described in Policy 1-2.4.3 subsection 5	65'/5 stories	N/A	1.3

6. **Holiday Isle Mixed Use (HIMU).** The "HIMU" area is an intense mixed use resort area located on the east side of Holiday Isle. The area comprises the western edge of the high intensity mixed use resort area and is comprised of tourist accommodations and short-term residential uses. Commercial hotels, motels, bed and breakfast establishments, other commercial transient living accommodations, service, restaurant, office, and commercial uses, and long-term and short-term residential are allowed uses in the "HIMU" area. The area is largely built out and in the future the area is anticipated to undergo limited infill. The following maximum development standards shall be applied to future development within the "HIMU" areas:

TABLE 1-16: GENERAL DEVELOPMENT STANDARDS FOR "HIMU" DESIGNATED LAND

Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family	50'/4 stories	Up to 9.0	N/A
Multi-Family Residential	50'/4 stories	16.9	N/A
All other permitted uses and mixes of uses as described in Policy 1-2.4.3 subsection 6	50'/4 stories	N/A	1.3

7. **Bay Resort Mixed Use (BRMU).** The "BRMU" area is that area lying east of the Village and Town Center Planning Areas and North of the Gulf Resort and Crystal Beach Planning Areas. The "BRMU" area is intended to be applied to those properties annexed into the City from Okaloosa County that have a MU-1 or MU-2 future land use designation. The intent of "BRMU" designation is to accommodate a mixture of residential, retail, restaurant, service, hotels, motels, bed and breakfast establishments, other commercial transient living accommodations, office, commercial and recreational uses. The percentage distribution of residential

component of the "BRMU" designation shall be a minimum of 75 percent to a maximum of 95 percent of the total area designated as BRMU on the FLUM (Map 1-1). The percentage distribution of non-residential component of the "BRMU" designation shall be a minimum of 5 percent to a maximum of 25 percent of the total area designated as BRMU on the FLUM (Map 1-1). The following maximum development standards shall be applied to future development within the "BRMU" area:

TABLE 1-22: GENERAL DEVELOPMENT STANDARDS FOR "BRMU" DESIGNATED LAND			
Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family Residential	35'3 stories	Up to 9.0	N/A
Multi-Family Residential	50'4 stories	Up to 16.90	N/A
All other permitted uses and mixes of uses as described in Policy 1-2.4.3 subsection 7	50'4 stories	N/A	0.6

OBJECTIVE 1-2.5: ESTABLISH INDUSTRIAL LAND USE DESIGNATION. The FLUM (Map 1-1), shall delineate land for existing and anticipated future industrial needs and requisite support services.

Policy 1-2.5.1: Industrial (IN). The Industrial (IN) designation is designed to accommodate arrangements of industrial and limited commercial development types, with the intent to promote natural resource enhancement and to promote open spaces around buildings. Density is not provided within this FLUM designation, and therefore, residential uses are prohibited, including short-term residential uses. This provision shall not prohibit residences for night watchmen or custodians whose presence on industrial sites is necessary for security purposes. The industrial land use designation shall be allocated to industrial sites accessible to Airport facilities, and/or major thoroughfares. The sites shall be buffered from residential neighborhoods. The allocation of land use designations should provide a high priority to industry's frequent need for strategically located lands which are accessible to air and highway transport facilities, as well as labor markets and necessary urban services. The industrial (IN) designation is intended to provide strategically located sites principally within the southeast quadrant of Main Street and Airport Road. The City shall work with industrial interest groups to pursue selective industrial expansion as set forth herein in Policy 1-1.4.3.

Industrial uses include: Manufacturing, assembling and distribution activities; warehousing and storage activities; general commercial activities, and other similar land uses that shall be regulated through appropriate LDC procedures and substantive Policy. Potentially harmful environmental impacts shall be mitigated prior to development approval. These uses typically generate heavy truck traffic, require significant acreage, are difficult to screen and buffer from residential areas, and therefore, should be located in more sparsely developed unincorporated areas. The following maximum development standards shall be applied to future development within "IN" areas:

TABLE 1-17: GENERAL DEVELOPMENT STANDARDS FOR "IN" DESIGNATED LAND			
Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family and Multi-Family Residential (Prohibited)	N/A	N/A	N/A
Industrial Uses	35'/3 stories	N/A	1.30

OBJECTIVE 1-2.6: ESTABLISH AIRPORT LAND USE DESIGNATION. The FLUM (Map 1-1), shall delineate land for the existing Airport and including fixed base operations and other related Airport facilities and operations.

Policy 1-2.6.1: Airport (A). The Destin-Fort Walton Beach Airport shall be designated "A" on the FLUM (Map 1-1). The Airport is intended to accommodate Airport terminal, fixed base operators, Airport hangars, landing, take off or surface maneuvering of aircraft, including, but not limited to, requisite Airport infrastructure such as runways, taxiways, ramps and aprons. The Federal Aviation Administration (FAA) Regulations shall govern placement and specifications of structures within this area. The LDC shall establish the permitted uses and applicable restrictions within the air operations area to include buffering along the exterior perimeter of the Airport property. No LDC height regulations shall apply to the control tower. The following maximum development standards shall be applied to future development within "A" areas:

TABLE 1-18: GENERAL DEVELOPMENT STANDARDS FOR "A" DESIGNATED LAND			
Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family and Multi-Family Residential (Prohibited)	N/A	N/A	N/A
Airport Uses	35'/3 stories	N/A	1.30

Within one year from Plan adoption, Destin shall coordinate land use issues impacting the airport with the Federal Aviation Administration (FAA) and Okaloosa County, as appropriate, in order to accomplish the following objectives:

1. Foster use of Destin-Fort Walton Beach Airport in a manner that contributes to the development of the City's economic base through selective pursuit of industry consistent with Policy 1-1.3.3.
2. Promote safe operation of aircraft through:

- a. Efficient use of airspace in relation to the surrounding land use within the Airport environs (i.e., within the noise contours and clear zone).
 - b. Promote fire safety to protect surrounding land uses, especially nearby residential neighborhoods.
 - c. Ensure that airport improvements accommodate operationally compatible aircraft and do not cause increased safety risks due to resultant expansion of noise contours and flight patterns inconsistent with established and projected land use patterns, or increased risk of accidents.
 - d. Ensure that new development within noise zones includes sound insulation consistent with best management practices for noise attenuation as may be established by the FAA or the Standard Building Code.
3. Achieve compatible Airport and industrial development by adoption of an Airport Master Plan that ensures compatibility of Airport uses with surrounding land use, through:
- a. Proper control of land uses that protects airport operations, avoids encroachment into environmentally sensitive areas, and ensures compatibility with nearby residential land uses, and reduces noise impacts outside the Airport property.
 - b. Preservation of the ecologically unique terrestrial wetlands on the property and perimeter buffer areas around the entire Airport property.
 - c. Promotion of aviation activity compatible with community needs and characteristics.

OBJECTIVE 1-2.7: ESTABLISH INSTITUTIONAL LAND USE DESIGNATIONS. The FLUM (Map 1-1) shall allocate land resources for institutional facilities and services as specified in the Policies established below. The sites shall be compatible with adjacent land uses to the greatest practical extent. The sites shall also fulfill the unique site location requirements included in respective functional plans and shall be responsive to the needs identified in related demographic and supportive needs analysis.

Policy 1-2.7.1: Institutional (INST). The intent of the "INST" is to accommodate public and semi-public facilities and services, promote natural resource enhancement and promote open spaces around buildings. Typical uses accommodated within this FLUM designation include but are not limited to the following uses, together with customary accessory uses that are incidental and subordinate the principal use and comply with LDC regulations impacting accessory uses:

- 1. Essential public services/facilities and utilities.
- 2. Public and private/non-profit educational institutions.
- 3. Places of worship.
- 4. Public and semi-public open spaces.
- 5. Arts/cultural or civic facilities.
- 6. Hospital, nursing, convalescent, and related facilities.
- 7. Government administration buildings.
- 8. Public zoos and arboretums.
- 9. Public/non-profit parks/recreation areas.
- 10. Fire and emergency operation facilities.
- 11. Cemeteries.

12. Family, child, and adult day care facilities.
13. Other similar semi-public services identified in the LDC.

Lands designated for institutional services shall contain sufficient acreage and open space and be properly screened and buffered to minimize potential adverse impacts on adjacent land uses. The City shall monitor the need for increased land area for institutional uses as well as redevelopment needs. The City shall assure that the institutional land use designation on the FLUM (Map 1-1) is expanded to accommodate the development and redevelopment of public and semi-public facilities such as governmental administration buildings; fire, police and rescue services; educational institutions and similar public uses. Land uses such as places of worship, cultural or civic centers, and other similar public or private not-for-profit uses may be included within this land use designation or within other land use designations as provided for in the LDC. The following maximum development standards shall be applied to future development within "INST" areas:

TABLE 1-19: GENERAL DEVELOPMENT STANDARDS FOR "INST" DESIGNATED LAND			
Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family and Multi-Family Residential (Prohibited)	N/A	N/A	N/A
Institutional Uses	35'3 stories	N/A	0.50

Policy 1-2.7.2: Recreation (REC). The "REC" land use provides for publicly and privately owned property and facilities, with the intent to promote natural resource enhancement and to promote open spaces around buildings. No permanent or transient residential development is allowed within this FLUM designation. The LDC shall provide specific regulations for managing development of lands designated "REC."

1. Active recreation areas include beach parks, boat launching facilities, parks, basketball courts, tennis courts, baseball and softball fields, meeting halls and the like. The intensity of development of such sites shall be limited to 75 percent of impervious surface for the site, and be consistent with all setbacks, parking, landscaping, and open space requirements as defined within the LDC. Also, buffering to prevent intrusive noise, light, glare, vibration or other nuisance factors shall be required on all newly developed recreation sites.
2. Passive recreation areas include open spaces, wilderness and wetlands preserves, scenic vistas, parks, and Clement Taylor Park.

3. Development of all locally-owned public recreation facilities within the City shall be reviewed and approved by the City Council prior to development of such site.

The following maximum development standards shall be applied to future development within "REC" areas:

TABLE 1-20: GENERAL DEVELOPMENT STANDARDS FOR "REC" DESIGNATED LAND			
Use	Max. Height	Max. Density (units/acre)	Max. Floor Area Ratio
Single-Family and Multi-Family Residential (Prohibited)	N/A	N/A	N/A
Recreation Uses	35'3 stories	N/A	.20

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

Policy 1-2.8.1: Conservation (CON). The FLUM shall designate lands that are natural and coastal resources as "CON." It is the intent of the "CON" land use designation to provide for the long-term protection and preservation of environmentally sensitive natural resource systems. The LDC shall be amended to ensure no development is permitted within "CON" designated areas, other than beach accessways, such as dune walkovers, parking, docks, restroom facilities, and passive recreation. The City shall have the option of obtaining a conservation easement from the property owner(s) to protect lands that are demonstrated to be environmentally sensitive. The following maximum development standards shall be applied to future development within "CON" areas:

TABLE 1-21: GENERAL DEVELOPMENT STANDARDS FOR "CON" DESIGNATED LAND				
Use	Max. Height	Max. Density (units/acre)	Minimum Open Space	Max. Floor Area Ratio
Single-Family and Multi-Family Residential (Prohibited)	N/A	N/A	N/A	N/A
Conservation Uses	15'1 story	N/A	80%	.05

Areas covered by a conservation easement shall be treated the same as areas designated as "CON" on the FLUM (Map 1-1). The developer of lands adjacent to areas

designated "CON" shall bear the burden of proof in determining that proposed development will not adversely impact conservation resources.

SECTION 1-3: FUTURE LAND USE ELEMENT IMPLEMENTATION.

Policy 1-3.2.3: Density/Intensity Standards. The City shall continue to enforce the LDC requirements mandating that residential density and nonresidential intensity is consistent with the Comprehensive Plan, including the FLUM, where applicable.

Policy 1-3.2.4: Performance Standards. The following performance standards incorporated in the LDC shall be updated and refined as needed to reflect accepted best management principles and practices. Application review functions shall be carried out by the City Manager or designee, using, as needed, other professionals with demonstrated expertise required to effectively analyze proposed development. Rezoning, Future Land Use Map amendments, Major Developments, and Master Developments Plan applications require final approval by City Council. The land development code shall include measures to implement the provisions of the Housing, Public Facility, Conservation and Coastal Management, and Capital Improvements Elements, including wetland protection, open space preservation, potable wellfield protection, stormwater management, control of sedimentation and soil erosion, and other applicable policies requiring implementation through the land development code.

OBJECTIVE 1-3.5: DISCOURAGE PROLIFERATION OF URBAN SPRAWL.

2. **Avoid Site Design Sprawl:** The main concern of the City relative to development of areas currently within the city boundaries is site-design sprawl. These are site designs which cumulatively inhibit transportation connectivity, particularly for pedestrians, creating unnecessary travel distances between residential or lodging uses and destinations such as businesses, institutions, shopping, and transit. Barriers such as dead-end streets or cul-de-sacs, walls, fences, and pond locations can greatly increase travel distances for pedestrians and bicyclists and require them to spend more time on less comfortable routes with higher car and truck volumes. To avoid site-design sprawl, new development should adhere to the following criteria:

OBJECTIVE 1-3.6: PREVENT INCONSISTENT LAND USE.

Policy 1-3.6.4: Identification of Land Use and Zoning Inconsistencies. The City shall continue to review properties within the corporate limits of the City for appropriate future land use and zoning and make recommendations to the LPA and to the City Council for amendments as needed based upon the following criteria:

1. **Undeveloped Lands.** Undeveloped lands located in a zoning district that are inconsistent with the approved FLUM designation for that property shall be rezoned to the least intensive district appropriate to that land use designation.

2. Developed Lands. Developed lands located in a zoning district that is inconsistent with the approved FLUM designation for that property, but having a use that is consistent with the FLUM designation shall be rezoned to an appropriate zoning with the same density or intensity of the existing use. If the use is inconsistent with the zoning and/or land use, then the City shall treat the use as nonconformity and follow the rezoning method cited above.

CHAPTER 2: - TRANSPORTATION ELEMENT

Policy 2-1.3.19: Pursue Parking Solutions and Funding Strategies. The City shall explore parking and parking garage site identification and acquisition through funding options such as tax increment financing, various bond options, and public-private partnerships.

Policy 2-1.3.20: Dedicate Funding to Multimodal Transportation Improvements. The City shall continue the transportation impact fee to enable the funding of multimodal transportation facilities and to support multimodal design standards.

Policy 2-1.3.21: Prioritize Projects. As revenues become available from the Community Redevelopment Area (CRA) tax increments, the City shall prioritize projects that help support the goals of the MMTD.

Policy 2-1.3.22: Monitor Multimodal Transportation District. The City shall continue to produce a MMTD Monitoring Report every two years to meet statutory review requirements. This report shall summarize the City's progress towards achieving the multimodal level of service (MMLOS) standards, and achieving the multimodal objectives and policies described herein.

Policy 2-1.3.23: Use Multimodal Transportation District Performance Measures. The City shall use multimodal performance measures to help evaluate the progress towards implementing the goals of the MMTD.

- A. On a system wide level, the City shall:
 - 1. Calculate the number of new developments and redevelopments that are completed and meet the design standards of the LDC, contributing towards the development of the multimodal transportation system and the creation of a thriving, functional focal point to the City.
 - 2. Calculate the number and length of new multimodal facilities that have been completed or planned.
 - 3. Calculate the transit ridership on all transit services within the City.
 - 4. Report progress on the implementation tasks identified in Objective 2-1.3.
- B. On a corridor level, multimodal performance measures shall include the factors used in the calculation of multimodal level of service: transportation facilities, urban form, accessibility, and connectivity. These include:
 - 1. The corridor multimodal level of service as applied through the ARTPLAN multimodal LOS analysis will be used to monitor the progress towards completing the multimodal network.
 - 2. Urban form shall be evaluated by measuring development use, density, diversity and design based on the MMTD design standards in Policy 2-1.3.3.
 - 3. MMTD accessibility shall be determined by identifying pedestrian barriers that limit access to pedestrian facilities and determining the proportion of population with access to multimodal facilities. The most currently available US Census data will be used for this analysis. MMTD accessibility will also be measured by identifying activity centers and determining the proportion of population with multimodal access to those activity centers.

4. Connectivity for bicycles shall be measured by dividing the number of links in the bicycle facility system by the number of link termini (intersections, cul-de-sacs, and dead-ends). Connectivity for pedestrians shall be measured by computing the number of termini per square mile in the pedestrian facility system. Connectivity for transit is based on the proportion of major activity centers served by fixed route bus service.

Policy 2-1.3.24: Document Existing Conditions. The City shall continue to document the existing conditions on all arterial and collector roads within the City in the Annual Transportation Concurrency Analysis. These data shall be used to monitor the operating conditions on Harbor Boulevard/Emerald Coast Parkway and the collector roads and shall be submitted to the Department of Economic Opportunity, FDOT and adjacent jurisdictions as an informational component of the MMTD monitoring requirements.

Policy 2-1.3.25: Compare Current Traffic Volumes with Baseline Conditions. The City, in coordination with the Department of Transportation, documented the baseline conditions for the three segments of Harbor Boulevard/Emerald Coast Parkway. The baseline conditions were calculated using the average annual daily traffic volume plus committed trips as documented in the 2005 Annual Transportation Concurrency Analysis. Table 2-3 presents the baseline conditions for the roadway segments within the MMTD and the conditions at the time of the most recent Biennial Transportation Concurrency Report (2011). If the data demonstrate that the average annual daily traffic volume plus committed trips on Harbor Boulevard/Emerald Coast Parkway/U.S. Highway 98 is approaching 115% of the baseline condition, the City shall initiate meetings with the DOE, the FDOT, the TPO, and adjacent jurisdictions to evaluate progress and discuss regional solutions to address traffic conditions on Harbor Boulevard/Emerald Coast Parkway.

Policy 2-1.3.26: Study and Initiate Steps to Create Additional Capacity. If the data demonstrates that the average annual daily traffic volume plus committed trips for a given road segment of a collector road has reached or exceeded level of service D, the City shall initiate steps to create additional capacity, or demonstrate that creation of additional capacity would be contrary to the success of the multi modal district.

Policy 2-1.3.27: Refine or Revise Methodology. The City may elect to refine or revise this methodology based on experience gleaned through implementation of these procedures.

CHAPTER 12 - ADMINISTRATION

Policy 12-4.1.8: Methodology for Determining Demands on Concurrency Facilities.

A. **Transportation.** In determining whether transportation concurrency is met the following criteria shall be used:

1. **For Development Inside the Multimodal Transportation District:**

All applicants seeking development approval for properties located within the Multimodal Transportation District (MMTD) shall be required to meet the MMTD development standards detailed in the LDC. Additionally, a Transportation Analysis shall be submitted, which shall include a map indicating the distribution of vehicle trips on the surrounding street network as specified in the Land Development Code. The traffic analysis will help the City in determining the overall success of the MMTD in accordance with State requirements.

CHAPTER 13: - GLOSSARY

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

Average Grade Method: This method for measuring building height within the SHMU designation. This method uses the existing grade of the parcel, generally identified as a line through the mid-point of the parcel from north to south creating a line connecting the high point to the low point. This line is then extended up to a height equal to the maximum building height permitted for the future land use designation. The building height shall be the distance measured to the cornice from a line formed by the 0.0 feet based on the National Geodetic Vertical Datum (NGVD) of 1929, the average existing grade, and the highest point of the crown of the road. The cornice line of any portion of the structure(s) shall not extend above the maximum height line. This method is illustrated in Figure 13-1, below.

[insert Figure 13-1 here]

Building height:

Building height shall be measured from the highest point of the crown of the road, average grade of the subject property if it is not in an area that has a Federal Emergency Management Agency (FEMA) Minimum Based Flood Elevation, or FEMA Minimum Base Flood Elevation, whichever is higher, to the cornice line of the building (except the building height for the Harbor Waterfront, as defined herein). The highest point of the crown of the road shall be established by topographic survey that has been signed and sealed by a Florida Registered surveyor. Within the "Harbor Waterfront" area, as defined

herein, building height shall be measured via the Average Grade Method. Single-family residential dwelling units may include non-habitable architectural roof embellishments (e.g. spires, watch towers, crows' nests, cupolas, chimneys, and similar architectural embellishments), or appurtenant structural systems (e.g. machinery rooms, elevator shafts, stairwells, and similar ancillary facilities) up to a maximum of six (6) feet above the allowable maximum height of roof structure. Non-residential and mixed-use buildings may include non-habitable architectural roof embellishments (e.g. spires, watch towers, crows' nests, cupolas, chimneys, and similar architectural embellishments), or appurtenant structural systems (e.g. machinery rooms, elevator shafts, stairwells, and similar ancillary facilities) up to a maximum of ten (10) feet above the allowable maximum height of the roof structure.

Fully pitched roofs are required to cover not less than 60 percent of the roof surface on all buildings. A minimum pitch of 5:12 and a maximum pitch of 12:12 are required for the fully pitched roof above the cornice line.

Dormer: A window set vertically in a structure projecting through a sloping roof or the roofed structure containing such a window.

Floor area ratio (FAR): A ratio describing the intensity of development obtained by dividing the floor area of buildings or structures on a development site by the land area of the site with both values in the same unit of measure (typically square feet).

Floor area ratio, Nonresidential: The gross floor area of all non-residential buildings and related structures on a development site divided by the gross land area of the site.

ORDINANCE NO. 20-03-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLE 2 OF THE LAND DEVELOPMENT CODE; AMENDING PROCEDURES FOR LOT SPLITS AND LOT LINE ADJUSTMENTS; 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 procedures for the subdivision or resubdivision of land in order to provide procedures for lot splits; 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 2.19.00.

Section 2.19.00 of the Land Development Code is hereby amended as follows:

2.19.04. *Minor replats/minor subdivisions.* Where development involves a minor replat or minor subdivision as defined in Article 3, the City may issue a construction permit without requiring a final development order. However, City approval of the minor replat or minor subdivision is required prior to the issuance of a construction permit. Minor replats or minor subdivisions do not follow the procedures outlined in Sections 2.19.02 or 2.19.03, but rather follow the procedures outlined in this subsection only.

C. In the case of minor replats/minor subdivisions which involve a total of three or fewer lots, one single-family residential structure shall be permitted on each lot as a matter of right, provided the minimum lot size, dimension, and setback requirements of this Code are met.

2.19.05. *Lot splits.* The Community Development Director may grant waivers from the platting requirements of this chapter for divisions of land that constitute a lot split:

- A. For purposes of this section, the term "lot split" shall mean a division of a tract of land or lot that will result in either a lot line adjustment between two platted lots or tracts of land or the creation of exactly one (1) additional lot or tract of land provided the following conditions are met:
1. The lot or tract of land to be split is a previously platted lot or legal description of record.
 2. Each lot or tract of land created hereunder shall abut a public or approved private street, unless perpetual cross-access easements already exist on the lot to be split or are determined not to be necessary, or, if necessary, are provided by separate instrument.
 3. The lot split shall in every respect meet the criteria established elsewhere in this chapter and the City Land Development Code for the category of zoning and other relevant Codes under which the property is zoned.

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 _____, 2020.

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: _____

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.

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 procedures for the subdivision or resubdivision of land in order to provide procedures for lot splits; 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 2.19.00.

Section 2.19.00 of the Land Development Code is hereby amended as follows:

2.19.05. Lot splits. The city council may by resolution at a public hearing grant waivers from the platting requirements of this chapter for divisions of land that constitute a lot split:

- A. For purposes of this section, the term "lot split" shall mean a division of a tract of land or lot that will result in the creation of exactly one (1) additional lot or tract of land provided the following conditions are met:
 - 1. The lot or tract of land to be split is a previously platted lot or legal description of record.
 - 2. Each lot or tract of land created hereunder shall abut a public or approved private street, unless perpetual cross-access easements already exist on the lot to be split or are determined not to be necessary, or, if necessary, are provided by separate instrument.
 - 3. The lot split shall in every respect meet the criteria established elsewhere in this chapter and the City Land Development Code for the category of zoning and other relevant Codes under which the property is zoned.
- B. Every lot split shall be processed in the following manner:
 - 1. An application form provided by the community development department shall be completed and filed with the department, accompanied with the following:
 - a) An application fee approved by the city council by resolution;
 - b) Twelve (12) paper copies of the proposed lot split;
 - c) A statement indicating whether new streets, water, sewer, drainage structures, or other infrastructure are required off-site to provide sufficient access and services to the subject land; and
 - d) Legal descriptions and acreage of the two proposed lots or tracts of land and a scaled drawing showing the intended division shall be prepared by a duly licensed land surveyor registered in the state. If a lot or tract of land contains any principal or accessory structures, a survey showing the structures on the lot or tract of land shall accompany the application.
 - 2. Upon approval of 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.
- C. No further division of an approved lot split is permitted under this section, unless a plat is prepared and approved in accordance with this chapter.

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: _____