

**REGULAR MEETING
DESTIN CITY COUNCIL
FEBRUARY 3, 2020
ANNEX COUNCIL CHAMBERS
6:00 PM**

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

CALL TO ORDER

INVOCATION (Pastor Steve Farris - First Baptist Church)

PLEDGE OF ALLEGIANCE

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

1. APPROVAL OF MINUTES

A. Approval of minutes of November 18, 2019 Regular City Council Meeting

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

3. PUBLIC COMMENTS ON AGENDA ITEMS THAT ARE NOT PUBLIC HEARINGS AND ANY OTHER MATTERS NOT ON THE AGENDA (All agenda items other than those under Number 5)

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

4. CITY MANAGER REPORTS

A. Labor Attorney Retainer

B. Coleman Lake Pool Elevation Report

C. Airport Road Update, Speed Detection Signage

D. Gulf Shore Drive Re-striping, Authorization for Payment

E. Future Land Use Map and Zoning Map Alignment Update

F. Development Review System Software - Update

G. Announcements

5. PUBLIC HEARINGS

A. First reading of Ordinance 20-02-LC, 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.

B. First reading of Ordinance 20-03-LC, amending Article 2 of the Land Development Code, amending procedures for lot splits and lot line adjustments.

6. ***CONSENT AGENDA** (No public comments)

- A. Draft Minutes of Standing Committee/Board Meetings
- B. Request for use of city streets - Payne Chiropractic Annual Run for Health 5k

7. **COMMENTS/PRESENTATIONS FROM MAYOR, COUNCIL, LAND USE ATTORNEY AND CITY ATTORNEY** (No public comments)

- A. Councilmember Braden
- B. Councilmember Ramswell
- C. Councilmember Menchel
 - 1) Additional funding from Okaloosa County TDC for the Sheriff's contract - Discussion
- D. Councilmember Overdier
- E. Councilmember Marler
- F. Councilmember Destin
- G. Councilmember Morgan
- H. Mayor Gary Jarvis
- I. Land Use Attorney
- J. City Attorney
 - 1) Dredging Update

8. **PUBLIC COMMENTS**

9. **ADJOURNMENT**

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

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

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

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she may need a record of the proceedings, and for such purpose, he/she may need to ensure that

verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. FS 286.0105.

Persons with disabilities who require assistance to participate in City meetings are requested to notify the City Clerk's Office at (850) 837-4242 in advance. Hearing Impaired: TTY: 711. Assistance also available through Human Resources, Title VI Coordinator, at (850) 837-4242.

Personas con discapacidades que necesitan asistencia o personas que necesiten ayuda con un idioma para participar en las reuniones de la ciudad, deberán notificar la oficina de la Secretaria Municipal al (850) 837-4242 antes de la reunión. Discapacidad auditiva: TTY: 711 (Solicitar Espanol CA). La ayuda tambien está disponible por Recursos Humanos, Coordinador del Título VI, al (850) 837-4242.

Note: *Persons who wish to provide public comments on agenda items are requested to fill out a blue speaker card and submit it to the City Clerk at the start of the meeting.*

Persons who wish to provide public comments on any other matters not on the agenda are requested to fill out a yellow speaker card and submit it to the City Clerk at the start of the meeting.

All regularly scheduled city council meetings will be streamed live via the city's YouTube channel, www.youtube.com/CityofDestin. Past council meetings can also be viewed here.

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**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
NOVEMBER 18, 2019
CITY HALL ANNEX COUNCIL CHAMBERS
6:00 PM**

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

Destin City Council

Mayor Gary Jarvis
Councilmember Steven Menchel
Councilmember Cyron Marler
Councilmember Parker Destin

Councilmember Prebble Ramswell
Councilmember Skip Overdier
Councilmember Rodney Braden
Councilmember Chatham Morgan

Destin City Staff

City Manager Lance Johnson
Public Info Manager Catherine Card
Code Compliance Manager Joey Forgione
Community Dev Director Louis Zunguze
Public Services Director Michael Burgess
City Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey
Deputy City Manager Webb Warren
Finance Director Bragg Farmer
Parks/Recreation Director Lisa Firth
City Attorney Kyle Bauman

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Gary Jarvis called the meeting to order at 6:00 PM; followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Motion by Councilmember Destin, seconded by Councilmember Marler, to approve the agenda passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

1. APPROVAL OF MINUTES

A. Approval of minutes of November 8, 2019 Special City Council Meeting

Councilmember Marler moved for approval of minutes of November 8, 2019 Special City Council Meeting; seconded by Councilmember Destin. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

2. PUBLIC COMMENTS ON AGENDA ITEMS THAT ARE NOT PUBLIC HEARINGS AND ANY OTHER MATTERS NOT ON THE AGENDA

Mr. Brian Daresta, a Destin resident, noted that short-term rental is prohibited in low density residential; however, it is being allowed on Holiday Isle but not in any other low-density residential. He stated that if short-term rental is allowed on Holiday Isle, it should be allowed everywhere else as long as they are registered with the City. He continued he could rent part of his house while still living in it; and make sure the people stay in the guestroom and park in his driveway and not create a huge mess and hold massive parties.

3. PROCLAMATIONS / RECOGNITIONS / **SPECIAL PRESENTATIONS / ANNOUNCEMENTS

4. CITY MANAGER REPORTS

A. FY2019 Year End Budget Amendment

Finance Director Bragg Farmer explained this is the final budget amendment for Fiscal Year 2019. It is used as a housekeeping tool to ensure that revenues and expenditures are balanced at year-end allowing the City to close out the fiscal Year 2019 budget.

Councilmember Overdier moved for approval of Resolution 19-26; seconded by Councilmember Ramswell.

Councilmember Menchel noted there was an entry in the report for additional money for PAWS. He asked what the money was for since they just approved the contract with PAWS.

Mr. Farmer explained that PAWS charges the City a standard fixed amount for their regular services during the week; however, there is a \$70 or \$75 fee per trip to the City on weekends which could exceed their normal budget. He added they normally budget additional dollars for the weekend fees, but it exceeded what they budgeted this fiscal year.

The Mayor called for a vote on the motion, which passes 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

B. Contract Management

The City Manager announced that executive staff has been conducting an internal review of existing protocols and procedures associated with efficiently managing City contracts for goods and/or services. This review has identified opportunities for improvement within the organization that will help ensure services are being performed and invoiced in compliance with the terms of the contracts and are fulfilling the original intent for soliciting the goods and/or services. Updates will include internal processes to verify contactor compliance with all terms and expectation as well as routine reviews being completed by the Finance Department.

C. Comprehensive Plan Evaluation and Appraisal Report (EAR) Update

Community Development Director Louis Zunguze provided the following update on the Comprehensive Plan Evaluation and Appraisal Report (EAR) pursuant to Florida Statute requirements:

- The City of Destin is required to amend the Coastal Management Element, per requirements of Section 163.3178, Florida Statute, to include:
 - ❖ A review and appraisal of the current Coastal Management Element
 - ❖ Update the current Coastal Management Element based on new Florida Statutes
 - ❖ Adopted amendments to be submitted to the State by February 19, 2020
- Timeline
 - ❖ February 14, 2019 – City submitted a Letter of Notification to the State Department of Economic Opportunity
 - ❖ September – November 2019 – City staff commenced review of current Coastal Management Element
- December 12, 2019 – Staff to present recommendations to the LPA
- January 6, 2020 – LPA approved recommendations to be presented to the City council for public hearing (first reading)
- February 2020 – Adopted changes sent to the State Department of Economic Opportunity (DEO) for review (60 days)
- Second reading – To be determined pending State review

D. Announcements:

The City Manager made the following announcements:

- City facilities will be closed on November 28 and 29 in observance of the Thanksgiving holiday
- 33rd Annual Christmas Tree Lighting will be held at the Destin Community Center on Thursday, December 5, 2019, at 6 pm.
- 35th Annual Christmas Parade will be held on Saturday, December 14, 2019, at 10 am. This year's theme is "Santa's Workshop." Applications will be accepted until Friday, December 6, 2019
- Boat Parade will be held on December 15, 2019, at 6 pm, in the Destin Harbor
- Shifting the Engineering Division under Community Development Department will physically take place the week of December 2, 2019
- To get committee information to Council in a timelier manner staff will start placing draft committee meeting minutes on the Council's consent agenda for informational purposes.

5. PUBLIC HEARINGS

A. Second reading of Ordinance 19-32-LC - Relating to changes to the Zoning Map, which changes the zoning of two parcels from Institutional (INST) and Medium Density

Residential Village (MDR-V) to Residential, Office Institutional Village Residential (ROI--VR).

The City Attorney ready proposed Ordinance 19-32-LC by title, and then presented it to the City Council on second reading.

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

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor closed the public hearing and turned the matter over to the City Council for their discussion and consideration.

Motion by Councilmember Overdier, seconded by Councilmember Braden, to approve proposed Ordinance 19-32-LC on second reading passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

B. Second reading of Ordinance 19-33-LC - Relating to changes in the Zoning Map, which changes the zoning of one parcel from Residential, Office, Institutional General Development (ROI-GD) and Medium Density Residential Village (MDR-V) to Residential, Office Institutional Village Residential (ROI-VR).

The City Attorney read proposed Ordinance 19-33-LC by title, and then presented it to the City Council on second reading.

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

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor closed the public hearing and turned the matter over to the City Council for their discussion and consideration.

Councilmember Ramswell moved for approval of proposed Ordinance 19-33-LC on second reading; seconded by Councilmember Marler. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

C. First reading of Ordinance 19-31-LC - Relating to changes to the Zoning Map, which changes the zoning district of one parcel to match the land use designation assigned in the Future Land Use Map of the Comprehensive Plan.

The City Attorney read proposed Ordinance 19-31-LC by title, and then presented it to the City Council on second reading.

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

The City Attorney sworn in the following individuals for testimony:

Louis Zunguze
Trey Goodwin
Ken Metcalf

According to the Land Use Attorney, the Community Development Department received an application for a Zoning Map amendment from Guidry Properties on August 14, 2019. The property is located on south of Emerald Coast Parkway East of Kel-Wen Circle and West of Regatta Bay Blvd. The applicant has submitted the application to align the properties' zoning designation of Residential, Office, Institutional – Tourist Development (ROI-TD) to the Future Land Use Map designation of Commercial General (CG). If the zoning request for the subject property is approved, any future development on the subject property or other property within the zoning district would be held to the standards set forth by Ordinance 19-25-LC, which provides increased buffering for properties adjacent to existing residential uses or residential zoning districts.

Mr. Trey Goodwin, representing Guidry Properties, LLC, stated that this application would bring the parcel's zoning into conformance with its Future Land Use CG designation. He continued that the City staff and Council have worked hard on revamping procedures for handling commercial zoning and future commercial zoning development orders. This would allow the City to have

additional control and provide protection for adjacent parcels such as increased buffering. They also understand they would be subject to these requirements if their application is approved.

Councilmember Ramswell asked if there were any development plans in place associated with this application.

Mr. Goodwin noted that the property is actively marketed for sale; and that based on market research, the owner believes that it is more valuable with a Commercial-General zoning than it is with its current zoning. The owner elected to move forward for this reason.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance.

Ms. Carrie Harbarger, a Destin resident, pointed out that Mr. Goodwin is also a County Commissioner, and whether it is appropriate for him to represent clients to develop.

The City Attorney noted that Mr. Goodwin is also an attorney.

Having no further comments from the public, the Mayor closed the public hearing and turned the matter over to the City Council for their discussion and consideration.

Councilmember Braden moved for approval of proposed Ordinance 19-31-LC on second reading; seconded by Councilmember Ramswell.

Councilmember Marler announced he would abstain from voting as he is employed by the company owned by the applicant.

Motion passed 6-0 (Council members Morgan, Destin, Overdier, Menchel, Ramswell and Braden voted “yes”; Councilmember Marler abstained from voting).

D. Innerlight Engineering, on behalf of Dunavant Gulf, LLC is requesting approval of a Major Subdivision and Major Deviation to a Major Development Order identified as “Henderson Beach Resort 7th Amendment.” The proposed development consists of condominium units, townhomes, restaurant space, office space, workforce housing, conference center, office space for the existing hotel expansion, wooden deck added to the existing Henderson Lofts, maintenance facility, a boutique area, event lawn, and pool amenity. The proposed project is generally located West of Matthew Blvd, North of Scenic Hwy 98 and South of Emerald Coast Parkway. The total site area is 14.40 acres, more or less

The City Attorney sworn in the following individuals for testimony:

Louis Zunguze
Stephen Tatum
David Smith

Mr. David Smith from Innerlight Engineering Corporation representing the property owner, Dunavant Gulf, LLC, provided a brief overview of the application. He stated that Henderson Beach Resort was approved as a tier 1 development on June 3, 2014. There have been two buildings that have been constructed since that time – a 171 room hotel and a 54-unit condominium. There have also been 6 amendments to the development order for Henderson Beach Resort, and they are proposing a 7th amendment tonight. Referencing a copy of a site plan, Mr. Smith provided a brief overview of the approved 6th amendment to the development order as well as the proposed 7th amendment. He pointed out that the 7th amendment proposes 52 less units and 6,772 less square feet of commercial use than the approved 6th amendment.

Councilmember Morgan asked if the units on the west side of the property are going to be long-term residential units.

Mr. Smith replied they would all be short-term residential units.

Councilmember Braden noted that the perimeter of the building located on the Gulf side is not changing; it would just be an interior change. He asked what has to be done internally.

Mr. Smith stated it would be conversion from residential units to hotel rooms, plus additional parking.

Councilmember Ramswell asked if Dunavant Gulf LLC own the piece of property located on the south side of the US Hwy 98 and Matthew Blvd. intersection, adding there might have been a hotel at that location at one point.

Mr. Smith replied that Dunavant Gulf LLC does not own that parcel.

Councilmember Ramswell noted that the report did not include the 5th and 6th amendment for the resort for the Council to review.

Mr. Zunguze would provide copies of the amendments to the Council.

The Mayor opened a public hearing to receive comments for or against the proposed amendment to the development order. Having none, the Mayor closed the public hearing and turned the matter over to the City Council for their discussion and consideration.

Councilmember Ramswell moved for approval of the Major Deviation to an existing development order and Major Subdivision identified as “Henderson Beach Resort Amendment 7”; seconded by Councilmember Braden. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

6. CONSENT AGENDA

- A. Airport Road Update
- B. Development Review System Software Update

Councilmember Menchel asked that Consent Agenda item 6A be pulled for discussion.

Motion by Councilmember Marler, seconded by Councilmember Overdier, to approve Consent Agenda item 6B and pull Consent Agenda item 6A for discussion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

Councilmember Menchel moved for approval of Consent Agenda item 6A; seconded by Councilmember Ramswell.

Councilmember Menchel inquired as to the status of the guardrail system for Airport Road.

The City Manager noted that at the December 2, 2019 meeting, the Public Services Director Michael Burgess will bring forward a recommendation for Council’s approval to have one of the City’s continuing services engineers to look at the design and build the guardrail system. He continued they were not prepared to do it tonight as they do not have a contract in hand.

Councilmember Ramswell asked what the next step is to get a more permanent or long term, and a better system to increase the safety level on Airport Road.

The City Manager noted that the high friction surfacing is the number one deterrent the FDOT plans to use when they start their work on the Airport Road project, along with some additional signage.

Mr. Burgess stated that a few meetings ago, Council authorized the Mayor to send a letter to FDOT requesting termination of the LAP agreement for Airport Road, and that they received confirmation from FDOT that the program has been terminated. Since the project is no longer under a LAP type program, it has been transferred over to the Safety Engineering Office at District 3. He will get in touch with the project manager and provide substantive updates to the City Council on the project every two weeks.

Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

7. COMMENTS/PRESENTATIONS FROM MAYOR, COUNCIL, LAND USE ATTORNEY AND CITY ATTORNEY

A. Councilmember Braden

Councilmember Braden announced the passing of Mr. Maurice Shackelford, a long-time resident of Destin.

Councilmember Braden asked for an update on landscaping and sprinkler systems on the medians located between Airport Road and the Marler Bridge.

Mr. Burgess noted that most of the irrigation system is down; either the items have been removed or damaged. He stated they have not received any plans, emails or anything to that effect from District 3; however, they have contacted their landscape project manager and he would notify the Council once they receive new information.

Councilmember Braden announced he has spoken with the landscape project manager with FDOT and learned that the landscaping project is not going to start until the year 2021. There are no plans to redo all the landscaping, but only to enhance what is already in existence; and so, the City needs to preserve existing landscaping. He also stated that the Okaloosa County project manager has previously instructed CW Roberts to contact the City and let them know they could turn the sprinklers back on since the asphalt work has already been completed to try to preserve the landscaping

The City Manager would investigate conflicting information the City previously received from FDOT that once construction commences, FDOT contractors will take over maintenance of all the medians to include irrigation, mowing and trash.

Mr. Burgess will obtain status on the \$1.16 million identified in the TPO's Transportation Improvement Program for landscaping improvements.

Councilmember Braden requested an update on the hiring of a grant writer.

The City Manager stated the position had been advertised. They have received 4 applicants so far, and that he is in the process of reviewing the applications and start scheduling interviews.

B. Councilmember Ramswell

According to Councilmember Ramswell, he was informed by a member of the Public Works and Safety Committee that the committee has requested to be placed on tonight's agenda to present the half-cent sales tax findings but never heard anything back from the committee liaison. She requests this item be placed on the next meeting agenda.

Councilmember Menchel suggests they instruct each committee chair that going forward, to contact the City Clerk anytime they want to be placed on the City Council agenda.

Councilmember Ramswell requests they hold a special session or an executive session to discuss litigation expenses regarding public records.

After a brief discussion, the Council reached a consensus for the following to be announced at the December 2nd Council meeting:

“Special Executive Session of the City Council in the case of Pointe Mezzanine, LLC vs. City of Destin, Case # 2019-CA-003733 F in Okaloosa County Circuit Court will be held on Monday, December 9, 2019, at 5:30 pm, in the City Hall Annex Council Chambers.”

C. Councilmember Menchel

1) APT Contract

Councilmember Menchel read the following written statement for the record.

Over the past several months, I have numerous people accused me of showboating, hotdogging, grandstanding simply due to the fact that I ask questions, and don't just rubber stamp materials put before me. Trust me, if that's what you think after tonight, I'll probably get an academy award. One of my favorite saying is don't let the facts get in the way of a good story. So, here's a fact: after I'm finished with this presentation, when someone asks what got him so worked up, or why he's mad, the simple fact is, I'm not mad at all. I'm doing the job I was elected to do and also setting the record straight. It's that simple. It's very important for all of us to understand that the purpose for any investigation is to prove or disprove an allegation. It is just important to prove a person innocent as it is to find him guilty. All of us sitting up here have our own skill set. Most of you know for 38 years I was a federal agent. My job was to conduct investigations, and when necessary, make arrests and seizures. Twenty four of those 38 years I served as a senior manager with responsibilities far greater in number and scope than the City of Destin. Although we all face many challenges, trust me, if we work together as a team, we can and will move this great city forward. At some point in time, I hope some of you finally understand that when I make a definitive statement, I have the facts to back it up. Over the years sitting out in the audience, know sitting up here, I've heard statements evolving around making decisions base on political reasons. If I vote for this or that, it will hurt me politically, etc. I don't vote or make decisions based on politics, and if you are not happy with what I do, then at the next election vote me out. Over the years sitting in the audience, and now up here, I've also repeatedly heard Council members provide information and have watched the staff, in some cases, have disrespected that, paid or little or no attention, and/or totally dismissed the information that was provided by the Council members. As a recent example, numerous times this year, Dr. Ramswell has provided information from State documents, PD&Es, studies and various other documents that clearly state 4 lanes associated with the crosstown connector. But, as previously stated, her information was dismissed and ridiculed by many. I stated earlier this year that I asked the City Clerk for countless documents to educate myself on the crosstown connector so that I could make an informed decision. And due to the lies that some gave me, was the sole reason I voted no against the project. My job here is to represent the people. To make sure we are good steward of the City's money, and to give the City Manager the tools he needs to do his job. I have sat here and listened as State officials lie directly to us. I've caught them later in lies and follow-up emails. I have had staff misrepresent the facts or lie, and these types of actions cannot and should not be tolerated. I have observed staff once a problem is identified work on future corrections but failed to fix the original problem. This is akin to shutting or

nailing a barn into a shut after the cattle got out to make sure it never takes place again but failing to go retrieve the cattle that escaped. Let me be very clear on this point. I know as a Council member I only have the authority to hire or fire a couple of staff members. But understand this loud and clear, if it ever got to the point the Council ever consider removing the City Manager, although I can't fire any other employee, I can certainly move forward to de-fund positions. It is plain and simple; it is time to work together as a team and get things done. I also strongly urge any staff member, again a big if, if anybody has any information regarding any irregularity, now is the time to bring this forward to the attention of the City Manager. After an audit or an investigation is completed, and if an issue is identified that involves a person, is the wrong time to come forward. Again, if anybody has any information now is the time to speak with the City Manager. We all want to move forward and we want the best for this City. But, I have said many times until we cleaned up the sins of the past, we will not be able to move forward, With that said, as I continue; and this is going to be the most important thing I'll say out of all these, It should be noted the mistakes, be they honest or otherwise, issues concerns raised herein are not directed toward the majority of our hard working City employees. Moving forward, even though some may this is giving the City another blackeye, our management team and this City Council are going to be judged on how we move forward to correct the issues that have already been identified, and any additional mistakes, issues and concerns discovered during this process. So, let's get started. As many of you know, 6 weeks ago, this Council was presented a bunch of continuing services contracts which based on several issues were pulled off the consent agenda for discussion. I asked the staff to provide me with documents regarding the APT contract and the following email was presented from one staff member to another. I'll also point out that tonight, item 4B is a step in the right direction for the future; but we have been asking specific questions about the APT contract since before Halloween and we have yet to get an answer. A staff member wrote this to another staff member: 'Attached is the most updated version of Mr. Menchel's request. Upon review of the last several years, APT has missed a few items included in the contract bid. First of all, all of these items in yellow are the items that were missed., and that is certainly more than a few. We have spoken with APT and the missed items are being corrected immediately. We need to amend the contract to clear up some of the verbiage and amend the requirements to some of the facilities. For example, the City Hall Annex does not have a sprinkler system and so it needs to be amended on the contract.' And it goes on. I asked City staff and you all have received an initial packet of information/ invoices. That original packet was 60 pages in depth. In the entire thing, all of the amounts and services were all redacted. Why was it redacted? Why would we get something like this that is useless? The first packet we got was 60 pages with everything being redacted. I turned around and said I'd like the un-redacted 60 pages. We turned around and got a second packet this week, and that packet was 58 paged, not 60, Of those 58 pages, 6 of them were duplicates. Of the 58 pages, 22 of them did not correspond. We didn't get packet for packet. So again, we have nothing to correspond with. Here are some questions, again, we may or may not have answers tonight. But we have been waiting since before Halloween for some simple answers and we haven't gotten them. I know we're going to move forward and correct it. City Manager

talked about that in item 4B. Again, that is taking care of future problem, but we still have not address the main issue. First of all, here's a partial list of questions. Who redacted the information? The multi-colored spread sheet we got in response to this is full of errors. It's error upon error, upon error. We can't keep producing information and provided to us that have so many errors. Apparently, nobody reviewed it or looked at this stuff going out. The contract that says 'changed contract no sprinkler backflow at City Hall Annex' and there are several other staff observations or errors that were discovered based on my series of questions, this speaks to a host of mistakes. Again, be they honest or otherwise, systematic failure and gross mismanagement of these contracts. They're not being reviewed. We have multiple years of services not being performed and nobody caught it. Again, moving forward, we've taken some corrective action, but I sat here tonight waiting to hear answers about APT and we got none. Moving forward, the City Manager is working on establishing a new policy and procedures to correct the issues and problems that we've discovered. We need to identify any other sins of the past that require corrective action. If this contract is chalked with these many errors, and let me make sure everybody understands this, you have not heard, and you will not hear me make any allegation of any type of criminal activity. I have not said that. I don't know what I don't know, and I'm not going to make that type of statement. It may be straight up laziness, it may be somebody being lackadaisical, or whatever it is, there's a host of problems here. Based on the information supplied by staff, that states in part, 'upon review of the last several years, APT has missed a few items.' Again, it's a lot more than a few. Based on the chart provided by staff, APT again, has missed more of those items. Second, as a result of the missed items over the years, it appears APT has violated the terms of their contract and should be held in default of that contract. We should immediately start the process of rebidding our security contract. We can't allow a company to have these many mistakes and nobody is taking any action. Simply put, we don't know what we don't know. Again, I'm going to emphasize, I'm not saying, haven't said and won't say, I'm not making any allegation about any criminal activity. It could be a simple sloppiness. The procedure that we didn't have in place we're going to put in place; but nobody has talked about the corrective action of this. That is what I wanted to hear, and we didn't hear it.

Councilmember Menchel noted that he has contacted the Auditor General of Florida, and they have expressed their willingness to perform an audit. He stated that the main purpose of an audit is not to prove guilt. It does not mean somebody has done anything wrong. But it could just as easily prove innocence. They have so many things wrong with one contract; and so, they just need to know if there were anything wrong with the others. He also noted that he has spoken with Representative Ponder about this issue. He learned that if they ask the Auditor General directly for the audit, it will cost the City money. However, if a State Representative requests it, the State absorbs the cost.

Councilmember Menchel moved to direct the City Manager to send a letter to Representative Ponder asking his assistance with the coordination with the Auditor General to conduct an audit of the City of Destin contracts and Finance Department as soon as it can be scheduled. Councilmember Ramswell provided a second to the motion.

Councilmember Overdier stated that an audit of the City is already being conducted annually.

According to the City Manager, State Statute requires the audit to be performed annually; and that the audit for Fiscal Year 2019 is scheduled to be conducted in December 2019.

Councilmember Overdier asked if the same auditors could investigate the issues Councilmember Menchel had brought up rather than asking the Auditor General to perform an audit.

Councilmember Morgan recommends conveying to the current auditors their areas of concern and asking them to investigate these issues even if it means re-negotiating the current contract due to an increase in scope of work rather than involving the State Auditor General.

The Mayor opined that having the State Audit General perform an audit of the City will not only look good for the City politically; but it would also affect the morale of the staff by not giving them the opportunity to address these concerns in an appropriate manner.

Councilmember Menchel stressed that the issues he brought up have been in existence at least since 2017 and no one is aware they were happening; adding that their checks and balances have failed. He continued that when these problems were initially identified, staff went back and performed some investigations and concluded there were lots of problems. He added they will all be judged on the action they take to correct these problems.

Councilmember Menchel asked why some of the information had been redacted from the first batch of invoices from Advanced Protective Technology (APT).

Mr. Burgess explained that the invoices in question were from the sub-contractors to APT. APT has been through several sub-contractors during the course of their contract with the City. When they spoke with APT about the redactions, they were told by APT that they did not want to reveal what they were paying their sub-contractors.

Councilmember Braden agrees with Councilmember Menchel that they need to resolve these issues; adding he does not think their regular auditor is mandated to perform this type of audit. He would prefer to have a separate entity perform the audit and provide a separate opinion.

The City Attorney stated that he and the Land Use Attorney are willing to exercise a certain degree of oversight over an internal audit of the City. They would be representing the City Council and put together a list of any issues from the City Council throughout the course of this audit and present their findings and recommendations to Council at the conclusion of the audit.

Councilmember Ramswell asked who created the chart the Council received a few weeks ago highlighting different information relative to these issues.

Mr. Burgess stated the chart was put together by Deputy Public Works Director Tim Pietenpol who is no longer employed by the City.

Councilmember Ramswell stated there have been multiple situations in the past in which there has been money expended or different questionable situations the City has had to correct; such as repayment of a FEMA benefit, issues with Heritage Park invoices, payment for a public benefit that was part of a development order that was done erroneously, and problems with Waste Management billing collection when it was done in-house. She added she is not putting the blame on anybody because a lot of their staff is new, but they need to correct these mistakes and having a separate audit is a good idea.

Councilmember Menchel noted that these problems have been identified several weeks ago and he has not received an answer to any of his questions, including whether staff knows if there have been any overpayments made to any of their continuing services contracts.

The City Manager noted that during his one-on-one conversation with Councilmember Menchel, they both agreed there have been some overpayments made to contractors, but they do not know how much at this point.

According to Councilmember Menchel, they all need to do their due diligence and take corrective actions to resolve these issues before moving forward with a policy that would avoid these types of problems from reoccurring.

Councilmember Morgan moved to instruct the Land Use Attorney and City Attorney to investigate the City's continuing services contracts for any irregularities and clarify the APT contract; seconded by Councilmember Marler.

Councilmember Destin suggests amending the motion to include the City's attorneys seeking out a third-party auditor.

Councilmember Morgan offered an amended motion to instruct the Land Use Attorney and City Attorney to investigate the City's continuing services contracts for any irregularities and clarify the APT contract; and to have the attorneys seek out a third-party auditor to conduct a forensic audit of the contracts. Councilmember Marler provided a second to the motion. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

D. Councilmember Overdier

E. Councilmember Marler

Councilmember Marler announced he will emcee the Tree Lighting Ceremony on December 5th; and that the annual Mattie Kelly "Sounds of the Season" will be held on December 6th at the Village Baptist Church beginning at 7 PM.

F. Councilmember Destin

G. Councilmember Morgan

Councilmember Morgan announced that Harbor Docks will be hosting their annual Thanksgiving Dinner. They will be feeding the public free of charge from 11:00 AM to 9:00 PM on Thanksgiving Day. They will accept donations for Habitat for Humanity.

H. Mayor Gary Jarvis

I. Land Use Attorney

The Land Use Attorney reported that staff has prepared the initial proposed final RFB package for the Capt. Royal Melvin Heritage Park. She would be reviewing it soon and then it would be forwarded to the Council as soon as it is finalized.

J. City Attorney

8. PUBLIC COMMENTS

Having no further business at this time, the meeting was adjourned at 8:07 PM.

ATTEST:

Gary Jarvis, Mayor

Rey Bailey, City Clerk

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 3, 2020**TYPE OF AGENDA ITEM:** City Manager Report

TO: City Council**THRU:** Lance Johnson, City Manager
Webb Warren, Deputy City Manager**FROM:** Karen Jankowski, HR Manager**DATE:** January 15, 2020**SUBJECT:** Labor Attorney Retainer

I. BACKGROUND: The City's Labor Attorney Mr. Rob Larkin, with the firm Allen, Norton & Blue P.A. has represented the City in labor and employment law for over twenty years.

II. DISCUSSION:

Allen, Norton & Blue, P.A. would like to continue the retainer relationship with updated rates which have not increased for a number of years. The new retainer fee would be \$2,500. (ATC 1). This retainer would include services such as: unlimited telephone conferences with you and or other members of management or human resources regarding matters within their area of practice where no specific case or research is involved, i.e. employment issues, equal employment, wage-hour matters, termination decisions, research and answer all correspondence on the above subjects, periodic newsletters and e-mail alerts on subjects of interest to management in the area of employment.

For work not covered by the retainer the hourly rate would be \$275.

A. Link to Strategic Goals / Objectives: FINANCIALLY SOUND CITY
PROVIDING SERVICE EXCELLENCE

B. Effect on Budget (EOB): Legal Services are estimated and budgeted for each fiscal year. We have a current budget of \$6,000.

Over a six year period our average costs have been \$4,112.20 annually.

C. Level of Service (LOS): Currently, the customer service and availability of the firm's staff has been excellent.

III. CONCLUSION: Mr. Rob Larkin, ESQ looks forward to continue representing the City. He is open to questions and comments regarding this proposal.

IV. RECOMMENDED MOTION: I move to authorize the City Manager to execute the agreement (ATC 1) with Mr. Rob Larkin of Allen, Norton & Blue, P.A. for labor and employment law representation.

Attachments:

1. (ATC 1)Labor Atty. Retainer Letter



ALLEN NORTON & BLUE

PROFESSIONAL ASSOCIATION

906 North Monroe Street • Tallahassee, Florida 32303
Telephone 850-561-3503 • Facsimile 850-561-0332

December 19, 2019

PERSONAL AND CONFIDENTIAL

VIA ELECTRONIC MAIL

(kjankowski@cityofdestin.com)

Karen Jankowski
HR/Risk Manager
City of Destin
4200 Indian Bayou Trail
Destin, FL 32541

Re: Annual Retainer

Dear Ms. Jankowski:

It was a pleasure speaking with you and thank you for considering my law firm to represent the City of Destin, Florida. As we discussed, I believe that the City of Destin would likely benefit from a retainer relationship with my firm. Therefore, I have set forth the terms of such a relationship for your review below.

As you know, Allen, Norton & Blue, P.A. is a labor and employment law firm that specializes in representing various size public and private entities in all employment related matters. These matters include advising employers on general employment issues, union matters, employment discrimination, wage and hour law, and revising and developing employment policies. We have offices in four cities: Miami, Tampa, Orlando, and Tallahassee. We have more than twenty-five (25) lawyers that devote all of their time to this practice who you are welcome to contact at any time in the event that I am unavailable.

One of my firm's unique services is the retainer relationship that we have with a number of our clients. Under this retainer relationship, in exchange for an annual fee of two thousand five hundred dollars (\$2,500.00), the City of Destin would be entitled to the following:

1. Unlimited telephone conferences with you and/or other members of your management or human resources department regarding matters within our area of practice where no specific case or research is involved, i.e., employment issues, equal employment, wage-hour matters, termination decisions, etc;

Miami • Orlando • Tallahassee • Tampa

December 19, 2019

Page 2

2. Review and answer all correspondence on the above subjects where there is no specific case or substantial research involved;

3. Periodic newsletters and e-mail alerts on subjects of interest to management in the area of employment.

For work not covered by the retainer, we could represent the City of Destin at our hourly rate of \$275.00 per hour for partners and \$225.00 for associates. Law clerk research time will be billed at \$100.00 per hour, plus associated costs (Westlaw usage fees, postage, copying, etc.). Obviously, prior to incurring any hourly charges (fees not covered by the retainer) you will be notified so that we can discuss the matter in detail.

As I am sure you can appreciate, we have found that many of our clients avoid costly and protracted litigation by calling on us with respect to an employment matter before it matures into an Equal Employment Opportunity Commission charge, litigation, etc. Clients are, of course, much more likely to call with a matter that they may consider to be trivial when the retainer covers the call.

I hope that you will find the above information to be an attractive option for the City of Destin. If you have any comments or questions regarding this proposal, please feel free to contact me, and I would be happy to discuss this with you in greater detail. If you would like to engage in this arrangement, please sign below and return this document at your convenience.

Sincerely,



Robert E. Larkin

Approved by:

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 3, 2020**TYPE OF AGENDA ITEM:** City Manager Report

TO: City Council**THRU:** Lance Johnson, City Manager
Webb Warren, Deputy City Manager**FROM:** Michael Burgess, Public Services Director**DATE:** 01/22/2020**SUBJECT:** Coleman Lake Pool Elevation Report

I. BACKGROUND: The principal spillway of Coleman Lake (east of Main Street) was reconstructed in early 2014. The previous configuration of this outlet was comprised of 3 corrugated standpipes (with attached conical wire screens that served as trash racks). The reconstructed design is comprised of sheet pile wall structures fitted with concrete caps. A weir (rectangular notch) has been provided in the southeastern wall and serves as the primary means of maintaining a water level during period of dry weather.

II. DISCUSSION: The existing conditions sheet on the attached plans (ATT1, pg. 2) includes three "top of pipe" elevations, values that would have set the "full pool" elevation of the lake. The average of the three measurements provided is 4.8 feet. The Site Plan also identifies 4.8 feet as the post-construction "full pool" elevation (ATT1, pg. 3).

After the lakeside residents expressed their concerns that the lake level had dropped and Council directed staff to bring back recommendations on raising the lake's full pool elevation, Michael Burgess (Public Works Director) contacted the Engineer of Record, Scott Jenkins, about his knowledge of the original project and get his thoughts on Council's request to consider raising the lake level to its perceived former elevation approximately 1 - 1.5 feet above its current level.

Mr. Jenkins then tasked his staff to visit the site and to take fresh "as-built" concrete cap and weir elevations, which he then communicated back to Mr. Burgess on 01/07/2020 via email.

It was determined that the actual concrete cap elevation of the lake is 4.62-4.67

feet. The weir elevation is 4.46 feet (See ATT2). The overall, "drop" in the lake's pool elevation pre- to post-construction is approximately 0.35 feet, or 4 - 4.5 inches. *Note: The cap and weir elevations were placed on a 2014 drawing per Mr. Jenkins.*

Concerning raising the lake elevation, in the same email dated, 01/07/2020, Mr. Jenkins states "Currently the crown of the road is a little below elevation 7. If you raise the lake level you will not have much freeboard between the lake level and roadway crest elevation. I would expect the road would go under water during most significant rain events under those conditions. The roadway did overtop during the 2014 monster storm in its current condition just for reference."

- A. **Link to Strategic Goals / Objectives:** Organizational Excellence, Public Safety
- B. **Effect on Budget (EOB):** No effect. Informational material only.
- C. **Level of Service (LOS):** No change.

III. CONCLUSION: The construction drawings for the Lake Coleman Spillway Reconstruction have been provided as well as current spillway cap and weir elevations. Based on the accumulated data, the change in the lake's "full pool" elevation is approximately 4 - 4.5 inches lower than its former level.

IV. RECOMMENDED MOTION: No motion is required as this material is informational only.

Attachments:

1. ATT1: Coleman Lake Combined Plans 2012
2. ATT2: Coleman Lake spillway as-built

COLEMAN LAKE OUTFALL IMPROVEMENTS

DESTIN, FLORIDA



1234 Airport Rd. Suite 126
Destin, FL 32541
(850) 837-3330

CERTIFICATE OF AUTH.
NO. 28341

M. SCOTT JENKINS, P.E.
FL. REG. NO. 58073

BY	DESCRIPTION	DATE	REV.

CITY OF DESTIN
DESTIN, FLORIDA

COLEMAN LAKE
OUTFALL IMPROVEMENTS

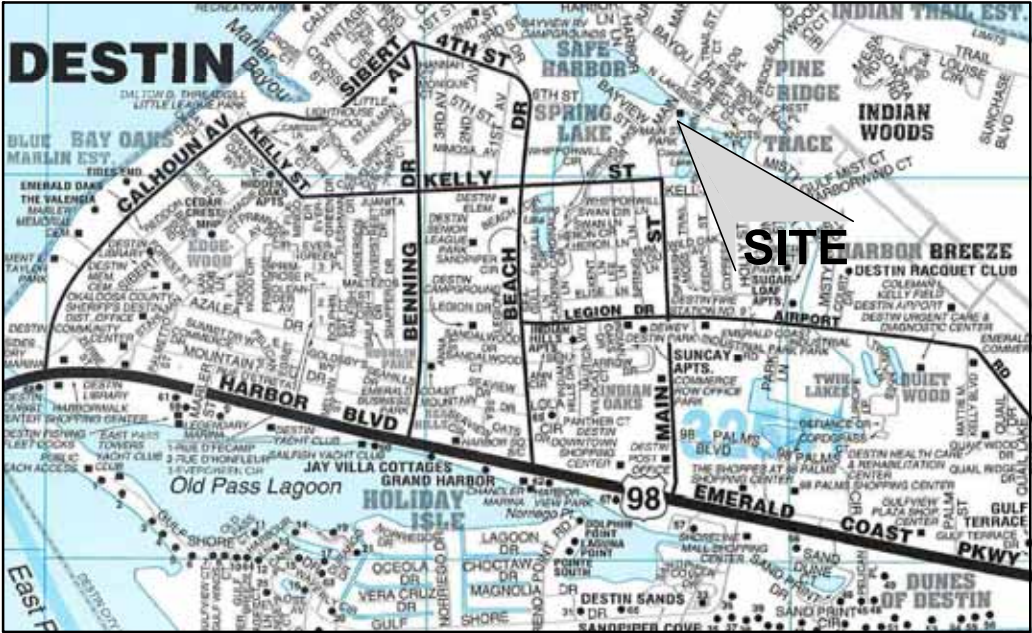
COVER SHEET

JOB NO.: 12112070
DATE: 05/04/2012
DESIGNED BY: MSJ
DRAWN BY: MPF

BAR IS ONE INCH ON
ORIGINAL DRAWING
0" = 1"
IF NOT ONE INCH ON
THIS SHEET, ADJUST
SCALES ACCORDINGLY.

DRAWING NUMBER
CLO_CVL_SITE.DWG

SHEET
NUMBER C-1



VICINITY MAP
NO SCALE

SHEET INDEX	
DRAWING	TITLE
1	COVER SHEET
2	EXISTING CONDITIONS
3	SITE PLAN
4	MISCELLANEOUS DETAILS

UTILITY CONTACT INFORMATION:

CONTRACTOR SHALL HAVE ALL EXISTING BURIED UTILITIES "LINE SPOTTED" BY CALLING 1-800-432-4770 "CALL SUNSHINE" OR BY CONTACTING LOCAL UTILITY COMPANIES.

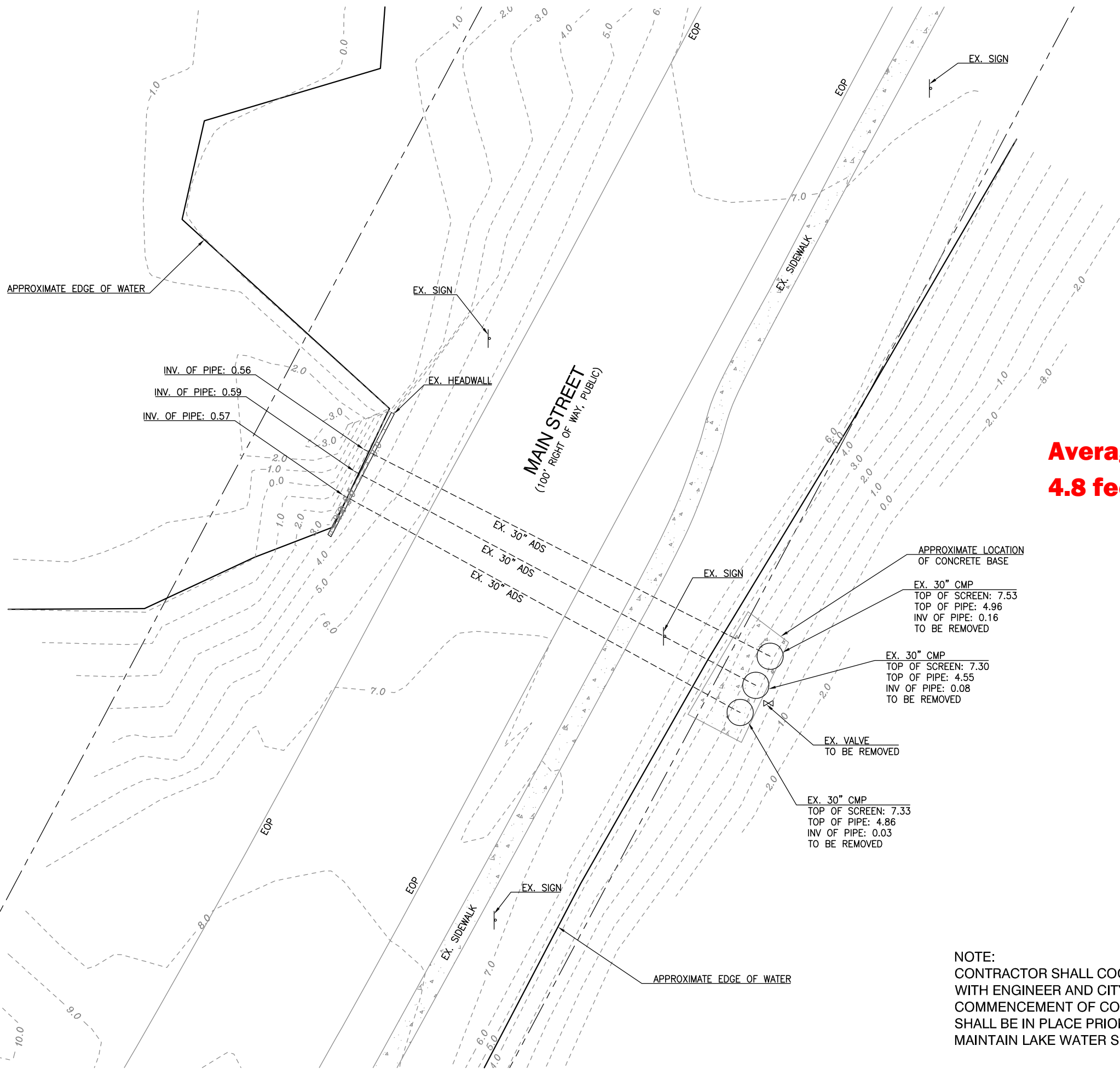
WATER AND SEWER: DESTIN WATER USERS 218 MAIN STREET DESTIN, FL 32541 (850) 837-6146	ELECTRICAL: GULF POWER ONE ENERGY PLACE PENSACOLA, FL 32520 1-800-225-5797	GAS: OKALOOSA GAS DISTRICT 367 VALPARAISO BLVD. VALPARAISO, FL 32580 (850) 729-4700
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GARVER PROJECT NO: 12112070
MAY 04, 2012



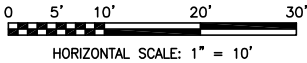
1234 Airport Rd. Suite 126
Destin, FL 32541
(850) 837-3330

G:\2012\12112070 Coleman Lake Outfall Imp\Drawings\design.dwg, May 08, 2012 - 10:46:19AM, msjenkins



**Average Top of Pipe Elevation:
4.8 feet**

NOTE:
CONTRACTOR SHALL COORDINATE DEMOLITION ACTIVITIES
WITH ENGINEER AND CITY PERSONNEL PRIOR TO
COMMENCEMENT OF CONSTRUCTION. SHEET PILE WALLS
SHALL BE IN PLACE PRIOR TO DEMOLITION ACITIVITIES TO
MAINTAIN LAKE WATER SURFACE ELEVATIONS.





1234 Airport Rd, Suite 126
Destin, FL 32541
(850) 837-3330

CERTIFICATE OF AUTH.
NO. 28341

M. SCOTT JENKINS, P.E.
FL. REG. NO. 58073

REV.	DATE	DESCRIPTION	BY

CITY OF DESTIN
DESTIN, FLORIDA

**COLEMAN LAKE
OUTFALL IMPROVEMENTS**

EXISTING
CONDITIONS

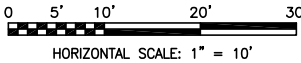
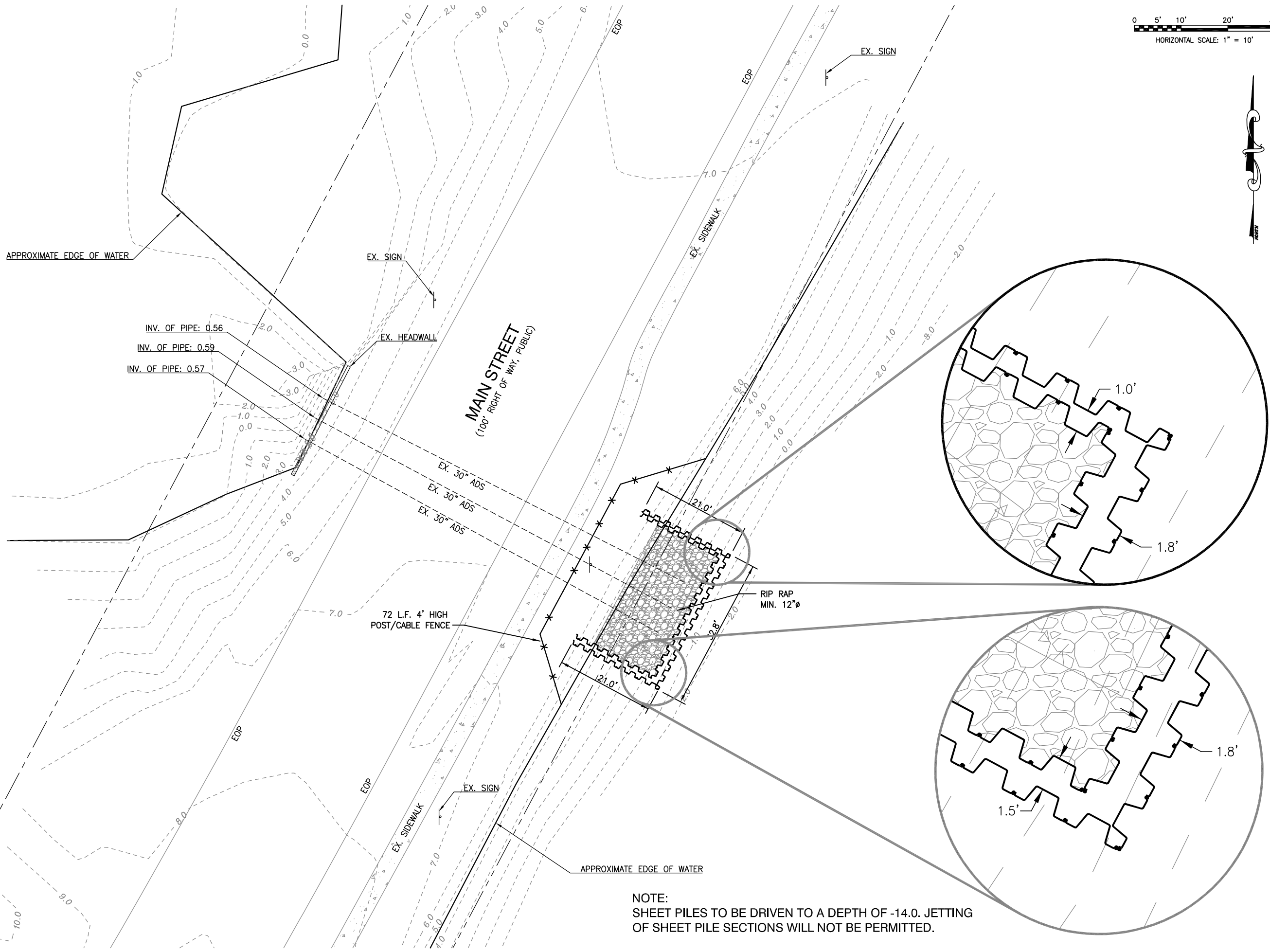
JOB NO.: 12112070
DATE: 05/04/2012
DESIGNED BY: MSJ
DRAWN BY: MPF

BAR IS ONE INCH ON
ORIGINAL DRAWING
0 1" IF NOT ONE INCH ON
THIS SHEET, ADJUST
SCALES ACCORDINGLY.

DRAWING NUMBER
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SHEET
NUMBER **C-2**

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HORIZONTAL SCALE: 1" = 10'





1234 Airport Rd. Suite 126
Destin, FL 32541
(850) 837-3330

CERTIFICATE OF AUTH.
NO. 28341

M. SCOTT JENKINS, P.E.
FL. REG. NO. 58073

REV.	DATE	DESCRIPTION	BY

CITY OF DESTIN
DESTIN, FLORIDA

**COLEMAN LAKE
OUTFALL IMPROVEMENTS**

SITE PLAN

JOB NO.: 12112070
DATE: 05/04/2012
DESIGNED BY: MSJ
DRAWN BY: MPF

BAR IS ONE INCH ON ORIGINAL DRAWING
0 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

DRAWING NUMBER
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SHEET NUMBER
C-3

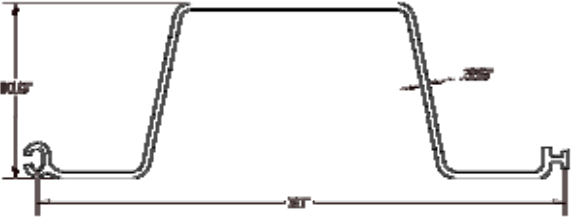
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SG-625

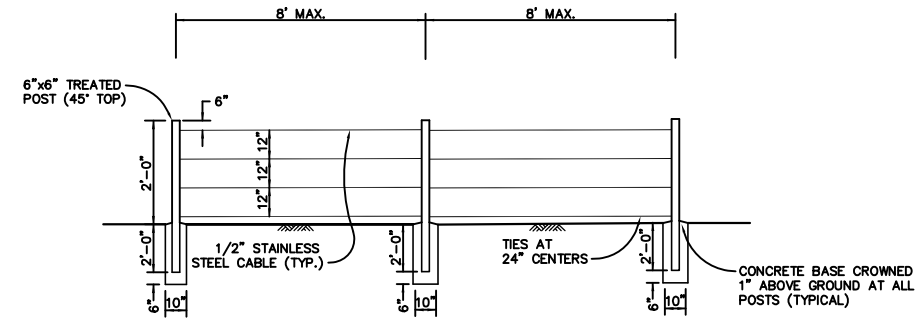


Allowable Moment (M)	6,507 ft-lb/ft	28.94 kN-m/m
Section Modulus (Z)	24.4 in ³ /ft	1,312 cm ³ /m
Moment of Inertia (I)	122 in ⁴ /ft	16,660 cm ⁴ /m
Impact Strength	15,000 in-lbs/in ²	2,625 N-mm/mm ²
Thickness (t)	0.385 in	9.8 mm
Section Depth	10.0 in	254 mm
Section Width	30 in	762 mm
Material	Weatherable Rigid Vinyl	
Standard Colors	Gray, Clay	
Technology	Box Profile, I Beam Lock, XLOCK™	
Standard Packaging	6 sheets/bundle	

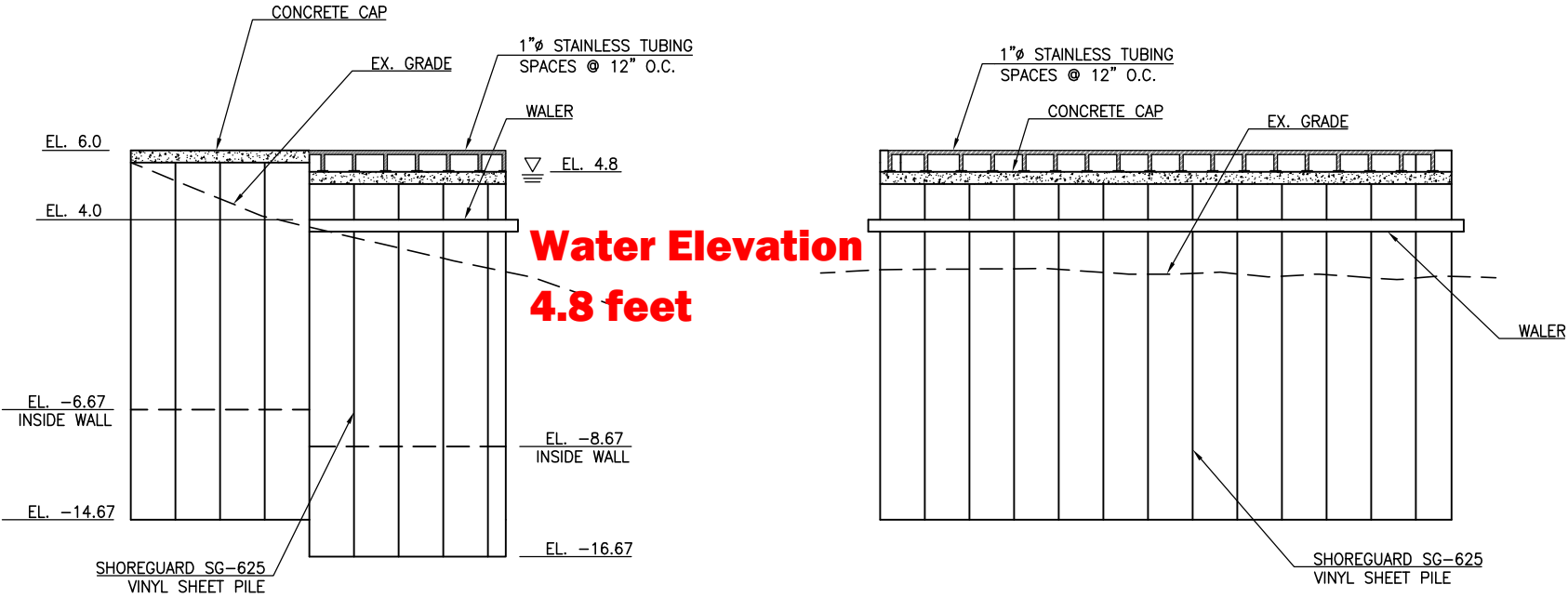


© 2011, Corbin Materials International
4001 Civic 72 Parkway, Suite E 2370, Atlanta, GA 30339 USA Phone 866 730 9210 INTL 001 770 933 8148 Fax 770 933 9363

- NOTES:
- VINYL SHEET PILE MATERIAL SHALL BE SHOREGUARD SG-625 OR APPROVED EQUAL. SHEETS SHALL BE 30" IN WIDTH AND 20' IN LENGTH.
 - INTERIOR WALL SECTION SHALL BE 30" WIDE AND 12 FOOT IN LENGTH.
 - CONTRACTOR SHALL PROVIDE ALL REQUIRED FITTINGS, CORNERS, HARDWARE AND MISCELLANEOUS APPURTENANCES NECESSARY FOR WALL CONSTRUCTION.

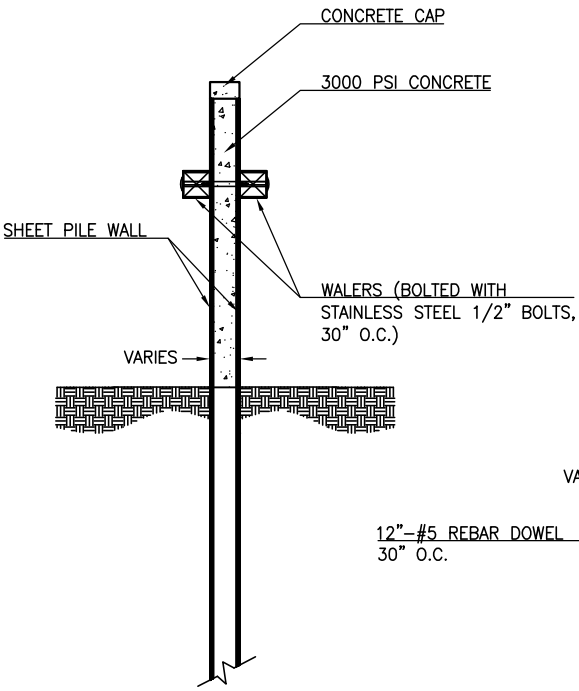


POST FENCE DETAIL

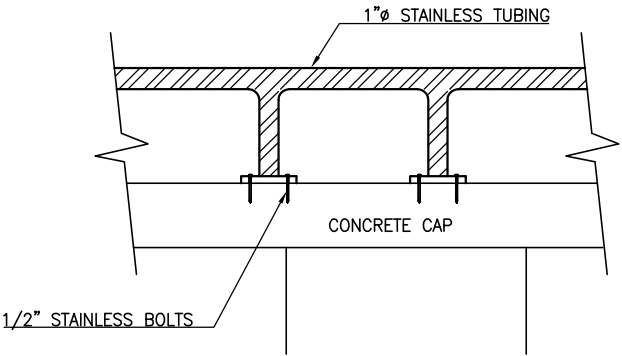


SIDE VIEW

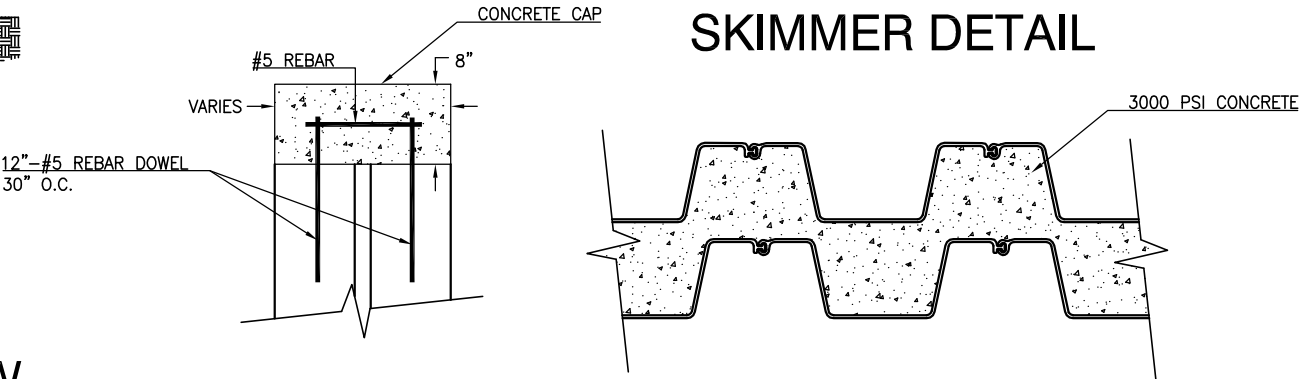
FRONT VIEW



SECTION VIEW



SKIMMER DETAIL



TOP VIEW



1234 Airport Rd. Suite 126
Destin, FL 32541
(850) 837-3330

CERTIFICATE OF AUTH.
NO. 28341

M. SCOTT JENKINS, P.E.
FL. REG. NO. 58073

REV.	DATE	DESCRIPTION

CITY OF DESTIN
DESTIN, FLORIDA
COLEMAN LAKE
OUTFALL IMPROVEMENTS

MISCELLANEOUS
DETAILS

JOB NO.: 12112070
DATE: 05/04/2012
DESIGNED BY: MSJ
DRAWN BY: MPF

BAR IS ONE INCH ON
ORIGINAL DRAWING
0 1" IF NOT ONE INCH ON
THIS SHEET, ADJUST
SCALES ACCORDINGLY.

DRAWING NUMBER
CLO_CVL_SITE.DWG

SHEET
NUMBER C-4

LEGEND

- EOP Edge of Pavement
BOC Back of Curb
 Air Conditioning Unit
 Property Marker
-x-x-x- Fence
N North
S South
E East
W West
(P) Plat Measurement(s)
(F) Field Measurement(s)
(D) Deed Measurement(s)
POC Point of Commencement
POB Point of Beginning
CMP Corrugated Metal Pipe
RCP Reinforced Concrete Pipe

General Notes

UNLESS OTHERWISE NOTED, ALL FOUND AND/OR SET CONCRETE MONUMENTS ARE 4"x4".

UNLESS OTHERWISE NOTED, ALL FOUND AND/OR SET IRON RODS ARE 1/2" DIAMETER.

BEARINGS AND STATE PLANE COORDINATES SHOWN HEREON ARE REFERENCED TO A LINE BETWEEN CONTROL POINT #1 AND CONTROL POINT #2 AS BEING SOUTH 85 DEGREES 18 MINUTES 00 SECONDS EAST, SAID LOCAL CONTROL POINTS BEING BASED ON NORTH AMERICA DATUM 1983, (NAD 83 (1990 ADJUSTMENT) AS REFERENCED TO FDOT BENCHMARK # 57-00-F01H.

ELEVATIONS ARE SHOWN HEREON ARE REFERENCED TO FDOT BENCHMARK # 57-00-F05V, HAVING AN ELEVATION OF 5.673' AND BEING BASED ON NORTH AMERICA VERTICAL DATUM 1988 (NAVD 88).

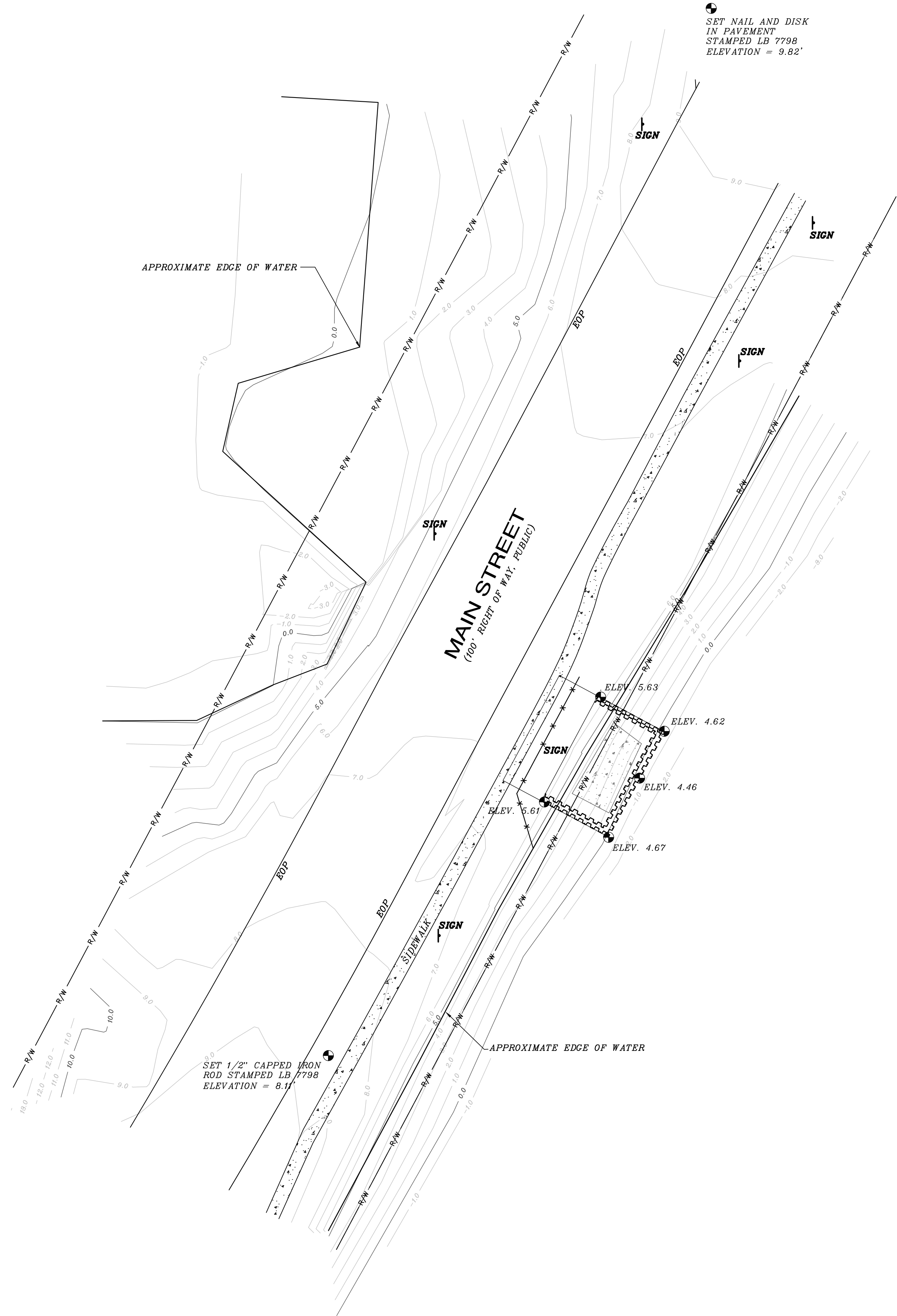
IMPROVEMENTS SUCH AS, BUT NOT LIMITED TO, UNDERGROUND UTILITIES, FOUNDATIONS, IRRIGATION EQUIPMENT AND LANDSCAPE FEATURES, ETC. HAVE NOT BEEN LOCATED EXCEPT AS SHOWN.

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

SYMBOLS HEREON MAY NOT BE DRAWN TO SCALE.

DISTANCES AND BEARINGS ARE THE SAME AS PLATTED OR DEEDED, UNLESS SHOWN OTHERWISE.

THIS SURVEY WAS PERFORMED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE PARTIES LISTED HEREIN AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER. LIKewise, ANY REUSE OF THIS SURVEY FOR ANY PURPOSE OTHER THAN WHICH IT WAS ORIGINALLY INTENDED, WITHOUT THE WRITTEN PERMISSION OF THE UNDERSIGNED SURVEYOR AND MAPPER, WILL BE DONE SO AT HE RISK OF THE REUSING PARTY AND WITHOUT ANY LIABILITY TO THE UNDERSIGNED SURVEYOR AND MAPPER.



CERTIFICATION OF SURVEY

I, THE UNDERSIGNED BEING A LICENSED SURVEYOR AND MAPPER IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT THE SURVEY AS SHOWN HEREON TO BE TRUE AND CORRECT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND IN MY PROFESSIONAL OPINION MEETS THE REQUIREMENTS OF THE MINIMUM TECHNICAL STANDARDS OF THE STATE OF FLORIDA AS STATED IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTER 472, FLORIDA STATUTES.

Chad M. Thurner, P.S.M. #6483

Certificate of Authorization: LB 7798



JOB NO.: 12112070	SURVEY DATE: 4-23-12
DRAWING DATE: 5-1-12	FIELD BOOK: 22
CHECKED BY: CMT	PAGE: 26
DRAWN BY: CMT	
SCALE: 1" = 20'	

GARVER, LLC
1234 Airport Road, Suite 126
Destin, Florida 32541
(850) 837-3330

Certificate of Authorization: LB 7798

CITY OF DESTIN
TOPOGRAPHIC SURVEY

LAKE COLEMAN - UNSECTIONALIZED TOWNSHIP 2 SOUTH, RANGE 22 WEST, CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA

SHEET NUMBER

1

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 3, 2020

TYPE OF AGENDA ITEM: City Manager Report

TO: City Council

THRU: Lance Johnson, City Manager
Bragg Farmer, Finance Director
Webb Warren, Deputy City Manager

FROM: Michael Burgess, Public Services Director

DATE: 01/24/2020

SUBJECT: Airport Road Update, Speed Detection Signage

I. BACKGROUND: During its January 14th meeting, the Public Works and Safety Committee passed a motion to recommend to City Council that Speed Detection Signs be placed at both approaches to the curve on Airport Road, in lieu of or in addition to guardrails.

Council, at its January 21st meeting, directed staff to investigate and present costs of these devices at a future Council meeting. Prices of various speed detection sign systems are provided.

II. DISCUSSION: Speed Detection Signs systems are available in a variety of display sizes, colors and power options. For the purposes of comparison, quotes for system with displays that are 15" in height, traffic yellow and are solar powered have been provided.

These systems will alert the driver if they have exceeded the programmed "limit" as well as logging vehicle speeds for downloading and analysis.

A photo depicting those models below are attached as ATT1, ATT2 & ATT3.

Vendors & Prices

1. Seton - TAPCO LED Radar Speed Sign SP650 (ATT1), variable message, 15" display, Solar - \$6301.24
2. Global Industrial - TAPCO LED Radar Speed Sign SP600 (ATT2) w/ flashing "Slow Down", 15" numerical display, Solar - \$6070.00

3. Global Industrial - TAPCO LED Radar Speed Sign SP700 (ATT3), 18" display, Solar - \$7752.15

NOTE: Final costs may or may not include shipping depending on the vendor and other incidentals required for installation.

A. **Link to Strategic Goals / Objectives:** Organizational Excellence, Public Safety

B. **Effect on Budget (EOB):** Price per pair range from \$12,140 to \$15,504. Other associated costs (freight, poles, hardware, concrete, etc.) are estimated between \$1,000 and \$2,000.

Funding for this project could come from the Transportation Impact Fees balance.

C. **Level of Service (LOS):** Installation of two Speed Detection Sign Systems has been suggested by the Public Works and Safety Committee as a Best Management Practice to reduce speeds on Airport Road thereby lowering the number of accidents.

III. **CONCLUSION:** Staff is requesting Council's direction. If approved, staff will be authorized to purchase and install two Speed Detection Signs Systems in the approaches of the Airport Road curve.

IV. **RECOMMENDED MOTION:** I move to authorize the City Manager to purchase and install two Speed Detection Sign Systems on Airport Road in an amount not to exceed \$17,500 and to make any necessary budget amendments.

OR

Council consensus to take no action at this time.

Attachments:

1. ATT1: TAPCO SP650
2. ATT2: TAPCO SP600
3. ATT3: TAPCO SP700



YOUR SPEED

45







CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 3, 2020

TYPE OF AGENDA ITEM: City Manager Report

TO: City Council

THRU: Lance Johnson, City Manager
Bragg Farmer, Finance Director
Webb Warren, Deputy City Manager

FROM: Michael Burgess, Public Services Director

DATE: 01/23/2020

SUBJECT: Gulf Shore Drive Re-striping, Authorization for Payment

I. BACKGROUND: Gulf Shore Drive was re-striped the first week of October 2019. In an effort to ensure public safety during this multi-day project, City staff requested that temporary traffic control paint be applied to the milled surface and then to the final asphalt in advance of the permanent thermoplastic's application.

The cost of the temporary safety paint was not included as part of the original purchase order. The temporary striping installed for public safety reasons could be viewed as a separate expense or part of an aggregate cost for the overall project. In an effort to maintain full transparency, staff is presenting this as an aggregate cost for Council's approval.

II. DISCUSSION: Both invoices, one for permanent thermoplastic and one for temporary paint and reflective pavement markers (RPMs) are provided as ATT1 & ATT2 respectively.

Temporary paint is not currently included in the City's Continuing Services contract with Emerald Coast Striping. To avoid instances like this in the future, Mr. Burgess has requested that Emerald Coast Striping develop and submit an extended menu of services (to include temporary paint, maintenance of traffic, etc.) for Council consideration, and if approved, incorporation into the existing contract as an addendum.

A. Link to Strategic Goals / Objectives: Organizational Excellence, Public Safety

B. Effect on Budget (EOB): Two invoices are attached. The first (ATT1) is for the thermoplastic application in the amount of \$11,379.55 and the second

(ATT2) is for temporary paint and reflective pavement markers for \$8,172.80.

The thermoplastic invoice will be paid from an existing FY19 purchase order (#19025, \$13,379.55). The temporary paint/RPM invoice will be paid from a combination of the remainder of the P.O. 19025 and the Public Works Road Striping budget line item for FY20 (Line item 0154160.534402).

C. **Level of Service (LOS)**: No effect.

III. CONCLUSION: Since all of the work performed was associated with one project, it would be more transparent to have a single P.O. for the entire project.

IV. RECOMMENDED MOTION: I move to approve payment of \$19,552.35 to Emerald Coast Striping for the temporary and permanent striping associated with the Gulf Shore Drive improvement project completed in October, 2019.

Attachments:

1. ATT1: Gulf Shore Drive
Thermoplastic Invoice
2. ATT2: Gulf Shore Drive Paint Invoice

EMERALD COAST STRIPING



1901 N East Avenue
Panama City, FL 32405

Invoice

Date	Invoice #
11/4/2019	5073

Bill To
City of Destin

Phone #	850-477-4484
Fax #	850-477-4481

Terms	Project
	Gulf Shores Drive

Item Code	Description	Price Each	Quantity	Amount	U/M
Striping	Striping (Thermoplastic)	11,379.55	0	0.00	
0711-11-211	0711-11-211 Thermoplastic Yellow Solid 6"	0.65	4,454	2,895.10	
0711-11-111	0711-11-111 Thermoplastic White Solid 6"	0.65	4,003	2,601.95	
0711-11-231	0711-11-231 Skip Traffic Stripe, 6", Thermo Yellow	0.55	2,118	1,164.90	
0711-11-131	0711-11-131 Thermoplastic White Skip 6"	0.55	3,552	1,953.60	
0711-11-123	0711-11-123 Thermoplastic Standard White Solid 12"	4.00	120	480.00	LF
0711-11-125	0711-11-125 Thermoplastic Std White Solid 24"	6.00	104	624.00	LF
0711-11-170	0711-11-170 Thermoplastic Std White Arrows	85.00	12	1,020.00	EA
0711-11-160	0711-11-160 Thermoplastic Std White Message	125.00	2	250.00	
Maintenance of ...	Maintenance of Traffic Fee	390.00	1	390.00	EA
Striping	Stopbars, crosswalk, temp	2,500.00	0	0.00	
			Total		
			\$11,379.55		
			Balance Due		
			\$11,379.55		

EMERALD COAST STRIPING



1901 N East Avenue
Panama City, FL 32405

Invoice

Date	Invoice #
10/8/2019	5015

Bill To
City of Destin

Phone #		850-477-4484	Terms		Project	
Fax #		850-477-4481			Gulf Shores Drive	
Item Code	Description		Price Each	Quantity	Amount	U/M
0710-11-111	10-7-19 0710-11-111 Painted Pav't Markings White Solid 6" (final)		0.40	1,668	667.20	
0710-11-131	0710-11-131 Painted Pav't Markings Std White Skip" 10-30 or 3-9 (final)		0.35	1,760	616.00	
0710-11-211	0710-11-211 Painted Pav't Markings Std Yellow Solid 6" (milled surface)		0.40	2,659	1,063.60	
0710-11-231	0710-11-231 Painted Pav't Markings Std Yellow Skip 6" 10-30 or 3-9 (milled surface)		0.35	2,332	816.20	
0102-78	RetroReflective Pav't Marker		5.00	47	235.00	
0710-11-111	10-8-19 0710-11-111 Painted Pav't Markings White Solid 6"		0.40	1,849	739.60	
0710-11-131	0710-11-131 Painted Pav't Markings Std White Skip" 10-30 or 3-9		0.35	1,600	560.00	
0710-11-211	0710-11-211 Painted Pav't Markings Std Yellow Solid 6"		0.40	4,438	1,775.20	
0710-11-231	0710-11-231 Painted Pav't Markings Std Yellow Skip 6" 10-30 or 3-9		0.35	1,800	630.00	
0102-78	RetroReflective Pav't Marker		5.00	214	1,070.00	
						
				Total \$8,172.80		
				Balance Due \$8,172.80		

OK TO PAY

RECEIVED: _____ BY: _____

APPROVED: _____ BY: _____

ACCOUNT: _____

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 3, 2020

TYPE OF AGENDA ITEM: City Manager Report

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney

DATE: January 24, 2020

SUBJECT: Future Land Use Map and Zoning Map Alignment Update

I. BACKGROUND: In February of 2019, at Council direction, City Staff began the effort of realigning the City's Future Land Use Map (FLUM) and the Zoning Map.

II. DISCUSSION: This effort included zoning amendments to 468 parcels of land in the City. As a result of this effort, the City's Zoning Map is now consistent with the FLUM. There are 5 remaining Future Land Use Map amendments that are required for the two maps (FLUM and Zoning Map) to be completely aligned. These amendments will be brought to the Local Planning Agency (LPA) in February 2020 and to City Council in March 2020.

A. Link to Strategic Goals / Objectives: Assist in implementing the City's Comprehensive Plan

B. Effect on Budget (EOB): None

C. Level of Service (LOS): Effort intended to improve the City's Development Review Process.

III. CONCLUSION: In order for the Zoning Map and Future Land Use Map to be completely aligned, the following parcels will require a FLUM amendment:

1. **00-2S-22-0000-0001-B17F** (Mattie Kelly Arts Foundation)
2. **00-2S-22-1360-0020-0070** (Cemex Plant)
3. **00-2S-22-0000-0011-003A** (East portion of United Methodist Church property)
4. **00-2S-22-0310-000D-3790; 00-2S-22-0310-000D-3780; 00-2S-22-0310-000D-3760** (Sibert Avenue Parking Lot)
5. **00-2S-22-0000-0057-0010** (Sugarloaf Apartments)

The future land use designations of these parcels will be amended through a Comprehensive Plan Amendment process, beginning in February. Once finished, the Zoning Map and Future Land Use Map will be entirely consistent, and the realignment effort successfully completed.

This report is provided to the Council to note the successful conclusion of the Future Land Use Map (FLUM) and Zoning Map Alignment.

IV. RECOMMENDED MOTION: None

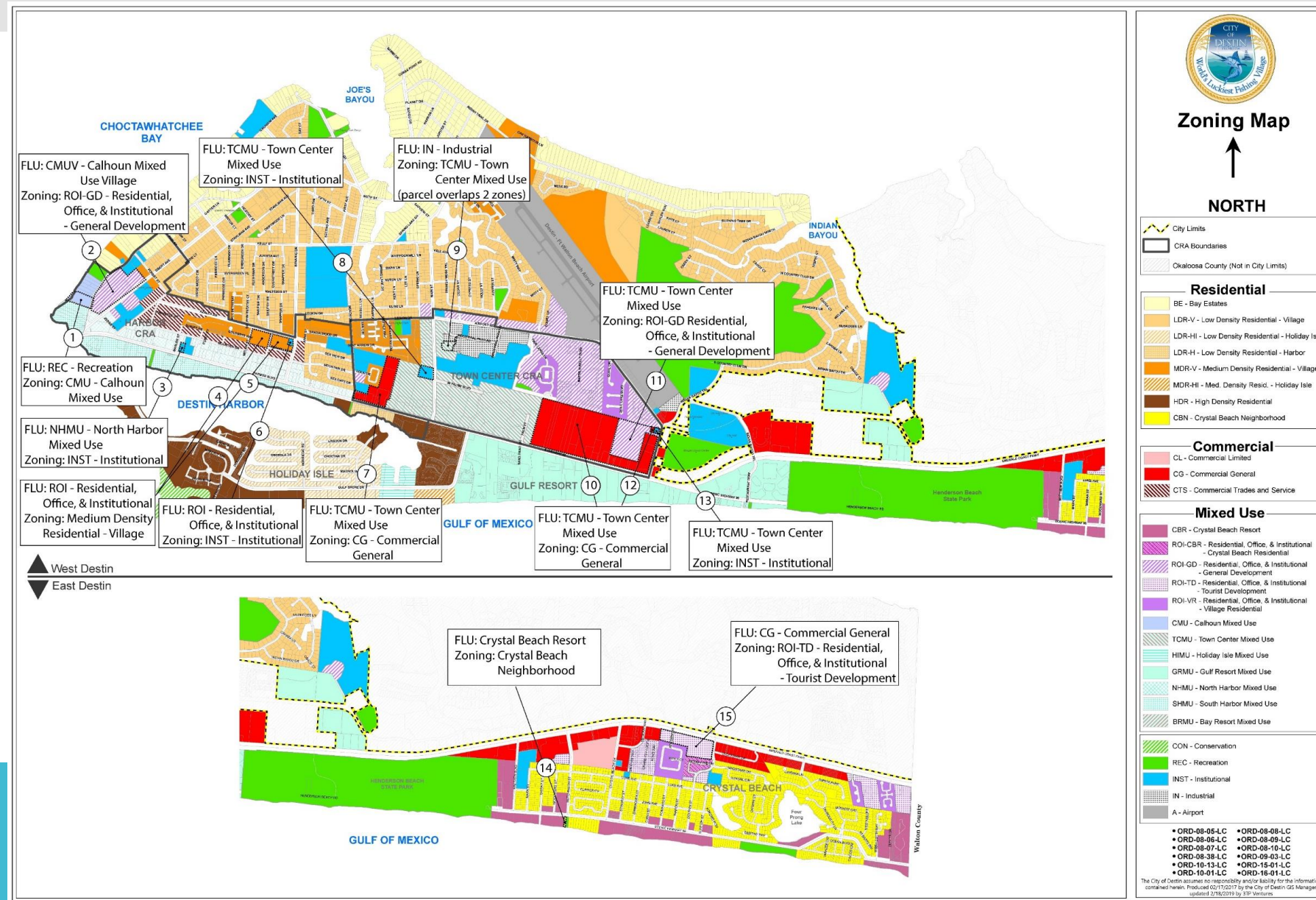
Attachments:

1. Zoning Map and FLUM Realignment Update

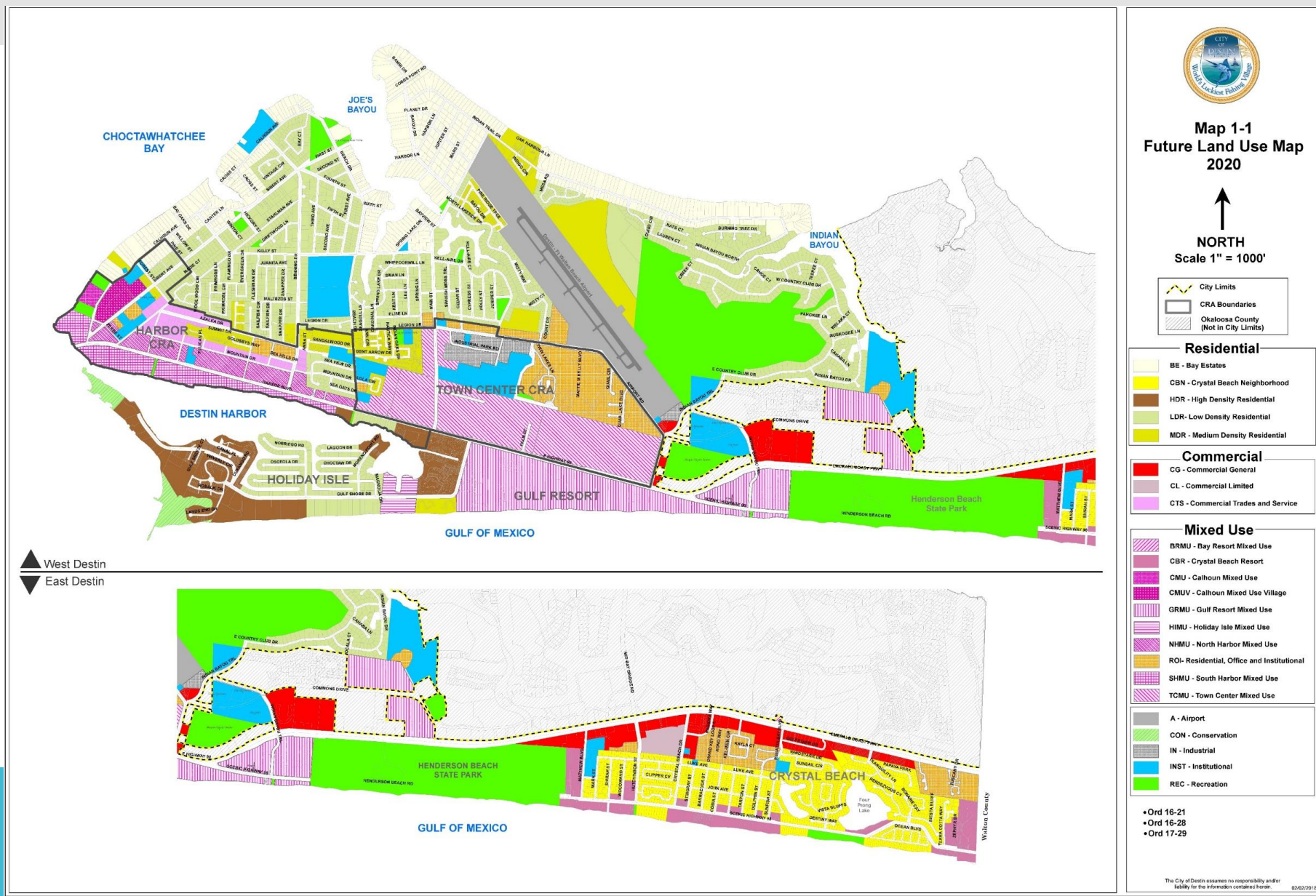
Zoning Map and Future Land Use Map (FLUM) Alignment Update

February 3, 2020

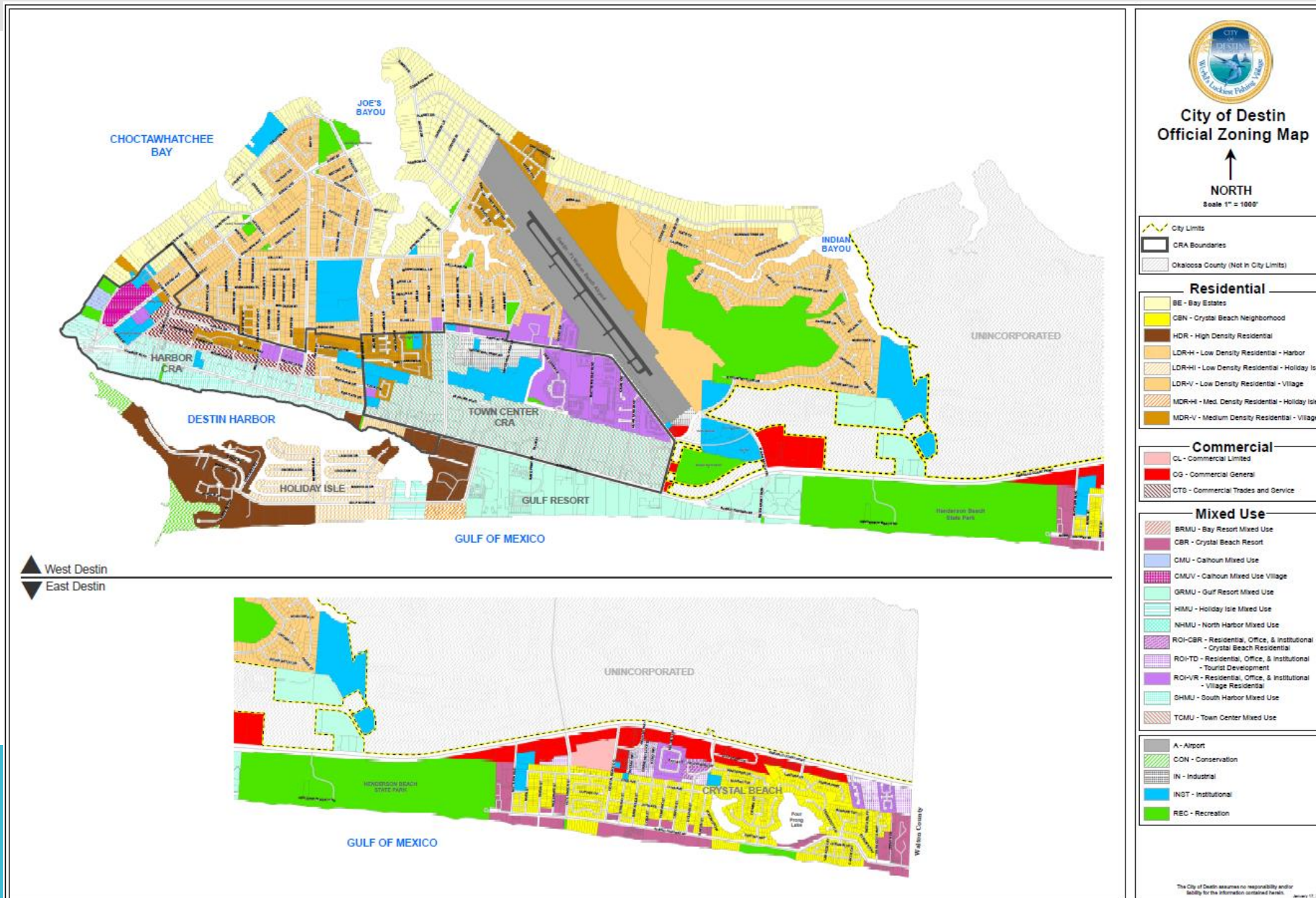




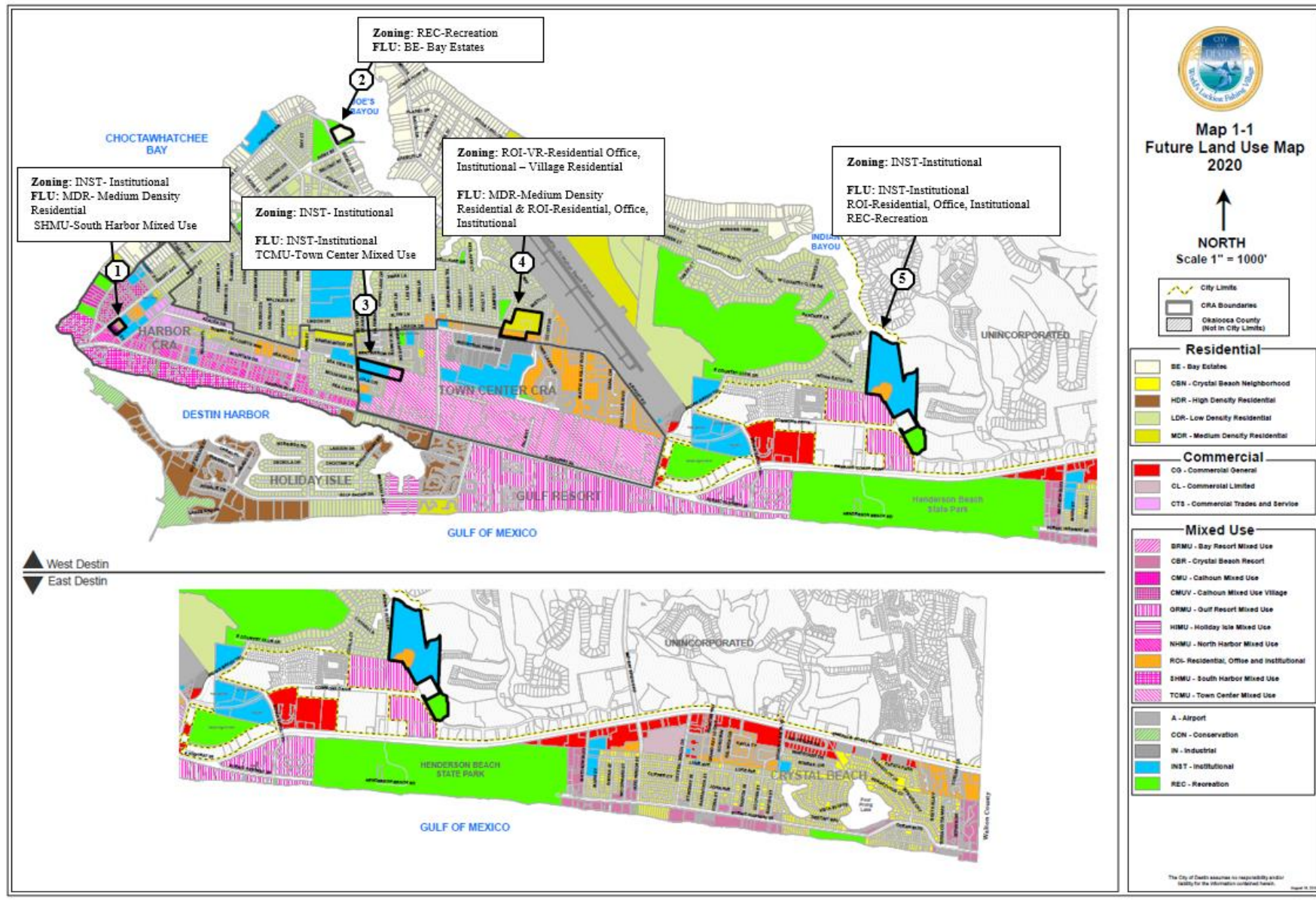
Zoning Map – February 2019



Future Land Use Map – February 2019



Zoning Map – February 2020



Future Land Use Map – February 2020

Next Steps

Amend

Amend remaining inconsistencies on FLUM

- LPA – February 27, 2020
- Adoption and Codification of Zoning Map and Future Land Use Map



Begin

Begin effort to amend the Land Development Code

- Report to City Council – February 18, 2020

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 3, 2020

TYPE OF AGENDA ITEM: City Manager Report

TO: City Council

THRU: Matthew Pace, IT Manager
Michael Burgess, Public Services Director
Joey Forgione, Code Compliance Manager
Louis Zunguze, Community Development Director
Lance Johnson, City Manager

FROM: Webb Warren, Deputy City Manager

DATE: 1/13/2019

SUBJECT: Development Review System Software - Update

I. BACKGROUND: On August 5th, 2019, Council requested that staff provide an update on the Municipal Software Project at each council meeting .

II. DISCUSSION: In January, the following items of significance have occurred.

1.) EnerGov Software Implementation Team

Upcoming implementation and training sessions are scheduled for February 11th - 13th and February 25th – 27th. These sessions will assist with the remaining process planning as well as provide hands-on training for subject matter experts. The system will continue to evolve as City staff and EnerGov consultants collaborate together to develop the system according to industry-wide best practices and existing processes within the City of Destin.

The departments continue to refine processes and work towards EnerGov milestones. All of the Community Development departments have exhibited great support and progress.

2.) Development Review Processes & Work Flow Critical Paths

The Interdepartmental Development Software Task Force Team comprised of Community Development, Code Compliance, Public Services, Clerk's Office and

I.T. answers to these questionnaires will provide the information necessary to create work processes within the future software package The EnerGov project team returned to the City of Destin on December 10th-12th and January 14th-16th for additional project sessions with staff.

Staff continues the effort of reviewing and streamlining all development review processes, application forms and work flow project critical paths, in preparation of the EnerGov Software implementation process. The task force team continues to meet weekly.

Staff is preparing to move forward on other additional software components that will assist in the development review process.

3.) Scanning

Staff continues to work with VRC in the digitization of scanned files. Staff is pleased with the work product and will work to incorporate the data into our operations.

- A. **Link to Strategic Goals / Objectives:** Service Excellence
- B. **Effect on Budget (EOB):** Items are budgeted for
- C. **Level of Service (LOS):** Increased Level of Service

III. CONCLUSION: City of Destin staff continues to work hard in preparation for the Energov Project. Staff had very productive sessions with Energov staff in the preceding months and will continue to provide updates to the Council as the project progresses. This will be a challenging project for staff. As with all major technology projects, there will be some unexpected challenges we will have to work through. Staff is prepared to move forward and have a target date for substantial completion of this phase of the community development portion of Energov in January 2021.

IV. RECOMMENDED MOTION: None needed

Attachments:
None

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 3, 2020

TYPE OF AGENDA ITEM: City Manager Report

TO: City Council

THRU:

FROM:

DATE:

SUBJECT: Announcements

I. BACKGROUND:

II. DISCUSSION:

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

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:
None

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 3, 2020

TYPE OF AGENDA ITEM: Public Hearing

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney

DATE: January 22, 2020

SUBJECT: First reading of Ordinance 20-02-LC, 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.

I. BACKGROUND: On April 2, 2018, City Council passed Ordinance 17-22-PC, amending Comprehensive Plan: 2020; removing the Tier System from the City's Comprehensive Plan, to be replaced with the Total Floor Area Ratio (T-FAR) planning tool. However, the remaining references to the Tier Land Use System in the Land Development Code were never subsequently removed. Proposed Ordinance 20-02-LC is a follow up to Ordinance 17-22-PC, removing the Tier System language from Article 6, Article 7, Article 8, Article 11, and Article 12 of the City's Land Development Code. These changes are necessary in order for the LDC to be consistent with the Comprehensive Plan, as required by state law.

II. DISCUSSION: As a result of the removal of the Tier Land Use System, all design requirements will now be required for all Major and Minor Development Orders and Development Order Amendments. Additionally, staff will also propose to remove minor Tier references, which still exist in the Comprehensive Plan, through a future Comprehensive Plan Amendment that will be brought to the City Council for consideration.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION: Proposed Ordinance 20-02-LC amends the City's Land Development Code by removing all Tier System language for consistency with the City's Comprehensive Plan.

During a Public Hearing held January 16, 2019, the LPA recommended that City Council approve proposed Ordinance 20-02-LC.

IV. RECOMMENDED MOTION: I move that the City Council approve proposed Ordinance 20-02-LC on first reading and direct staff to advertise for second reading.

Attachments:

1. Ordinance 17-22-PC
2. Ordinance 20-02-LC (Tier Removal)
3. Tier Removal Staff Report Council

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.

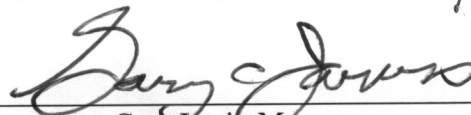
SECTION 10: EFFECTIVE DATE.

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.

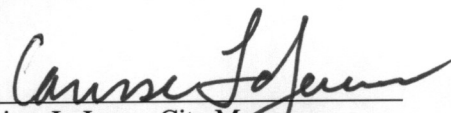
ADOPTED THIS 2ND DAY OF APRIL 2018,

BY:

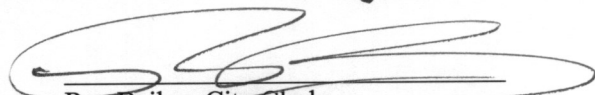


Gary Jarvis, Mayor

ATTEST:

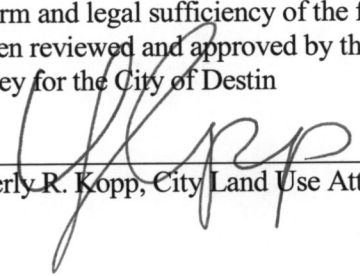


Carisse LeJeune, City Manager



Rey Bailey, City Clerk

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



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. 20-02-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	24.00	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	12.00/Q	N/A	N/A	N/A	N/A	N/A	30	N/A	N/A
CMU - one d.u.	7,500	70	100	35/3 stories	N/A	N/A	20	7½	10	12.00	N/A	16.00	N/A	N/A	N/A	25	N/A	30
CMU -V - one d.u.	5,000	50	100	35/3 stories	N/A	N/A	20	71/2	10	9.00	N/A	N/A	N/A	N/A	N/A	25	N/A	N/A
CMU -V - two or d.u.	None	No ne	No ne	50/4 stories	N/A	N/A	J	J	J	12.00	N/A	N/A	N/A	N/A	N/A	25	N/A	N/A
CMU -V - non d.u.	None	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	19.90/S	26.00/S	36.00	N/A	N/A	N/A	30	18	12

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 stories	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 stories	N/A	N/A	20	C/D	C/D	12.00/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 stories	130/12 stories	N/A	M	M	M	40.00	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 stories/F	130/12 stories/F	N/A	M	M	M	N/A	N/A	N/A	1.30	N/A	N/A	25	30	N/A
CTS	None	No ne	No ne	35/3 stories	N/A	N/A	N	N	N	U	N/A	N/A	1.30	N/A	N/A	25	N/A	N/A
ROI-VR/ROI-TD two or more d.u.	None	No ne	No ne	35/3 stories G	N/A	N/A	C/D	C/D	C/D	12.00/R	N/A	N/A	N/A	N/A	N/A	25	N/A	N/A
ROI-GD/ROI-TD	None	No ne	No ne	35/3 stories	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: _____

**COMMUNITY DEVELOPMENT DEPARTMENT****AGENDA ITEM****CITY COUNCIL MEETING DATE:** February 3, 2020**TYPE OF AGENDA ITEM:** Staff Report and Recommendation

TO: City Council**THRU:** Lance Johnson, City Manager**FROM:** Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney**DATE:** January 21, 2020**SUBJECT:** Proposed Ordinance 20-02-LC Removal of Tiers from the City's Land Development Code and Comprehensive Plan

I. BACKGROUND:

On April 2, 2018, City Council passed Ordinance 17-22-PC, amending Comprehensive Plan: 2020; removing the Tier System from the City's Comprehensive Plan, to be replaced with the Total Floor Area (T-FAR) planning tool. However, the remaining references to the Tier Land Use System in the Land Development Code were never subsequently removed.

Proposed Ordinance 20-02-LC is a follow up to Ordinance 17-22-PC, removing the Tier System language from Article 6, Article 7, Article 8, Article 11, and Article 12 of the City's Land Development Code.

II. DISCUSSION:

As a result of the removal of the Tier Land Use System, all design requirements will now be required for all Major and Minor Development Orders and Development Order Amendments. Additionally, minor Tier references which still exist in the Comprehensive Plan will be removed through a Comprehensive Plan Amendment.

III. CONCLUSION:

Proposed Ordinance 20-02-LC amends the City's Land Development Code by removing all Tier System language for consistency with the City's Comprehensive Plan.

IV. LPA RECOMMENDATION:

The LPA recommends City Council approve proposed Ordinance 20-02-LC.

V. **MOTION:**

I move to approve proposed ordinance 20-02-LC.

Attachments:

- a) Ordinance 17-22-PC
- b) Proposed Ordinance 20-02-LC

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 3, 2020

TYPE OF AGENDA ITEM: Public Hearing

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney

DATE: January 22, 2020

SUBJECT: First reading of Ordinance 20-03-LC, amending Article 2 of the Land Development Code, amending procedures for lot splits and lot line adjustments.

I. BACKGROUND: City Council has given staff a standing directive to clarify, simplify, and streamline the development review process. Related to this directive is the Minor Replat process-Lot line adjustment process. Lot line adjustments are often the result of encroachment of fencing, landscaping, and errors in land surveying. To address these encroachments a lot line adjustment is required to go through the Minor Replat Process. The Minor Replat process, just like the Minor Subdivision process, is time consuming for both staff and the applicant and is also expensive for the applicant.

II. DISCUSSION: Consistent with Council directive, staff proposes an amendment to clarify, simplify, and streamline the Minor Replat Process by including a lot line adjustment process within the previously adopted Lot Split Ordinance 19-36-LC. This modification will allow these types of applications to be reviewed by Staff and approved by the Community Development Director. The proposed recommendations are consistent with Council's directive regarding the development review process.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION: During a Public Hearing held January 16, 2020, the LPA recommended that the City Council approve Ordinance 20-03-LC.

IV. RECOMMENDED MOTION: I move that the City Council approve proposed ordinance 20-03-LC on first reading and direct staff to advertise for second

reading.

Attachments:

1. 20-03-LC_Lot Split Ordinance
2. 20-03-LC_Lot Line Adj. Staff Report-Council
3. Ordinance 19-36-LC Procedures for Lot Splits

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: _____



COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ITEM

CITY COUNCIL MEETING DATE: January 21, 2020

TYPE OF AGENDA ITEM: Staff Report and Recommendation

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Kimberly Kopp, City Land Use Attorney

DATE: January 21, 2020

SUBJECT: Proposed Ordinance 20-03-LC: Lot Split

BACKGROUND: City Council has given staff a standing directive to clarify, simplify, and streamline the development review process. Related to this directive is the Minor Replat process.

ISSUE: Lot line adjustments are often the result of encroachment of fencing, landscaping, and errors in land surveying. To address these encroachments a lot line adjustment is required to go through the Minor Replat process. The Minor Replat Process, just like the Minor Subdivision process, is time consuming for both staff and the applicant and is also expensive for the applicant.

DISCUSSION: Consistent with Council directive, staff proposes an amendment to clarify, simplify, and streamline the Minor Replat Process by including it as a process within the previously adopted Lot Split Ordinance 19-36-LC. This modification will allow these types of applications to be reviewed by Staff and approved by the Community Development Director.

CONCLUSION: The proposed recommendations are consistent with Council's directive regarding the development review process.

LPA RECOMMENDATION: The LPA recommends City Council approve proposed Ordinance 20-03-LC.

RECOMMENDED MOTIONS: I move to approve proposed ordinance 20-03-LC.

Attachments:

Ordinance 20-03-LC: Lot Split

Ordinance 19-36-LC: Lot Split

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 re-subdivision 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 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 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) Three (3) 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 determination of the Community Development Director, the determination 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.

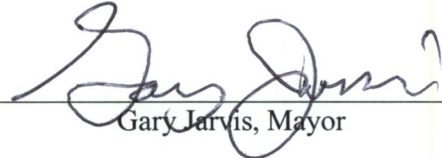
SECTION 4. INCORPORATION INTO LAND DEVELOPMENT CODE. This ordinance shall be incorporated into the City of Destin's Land Development Code and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

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.

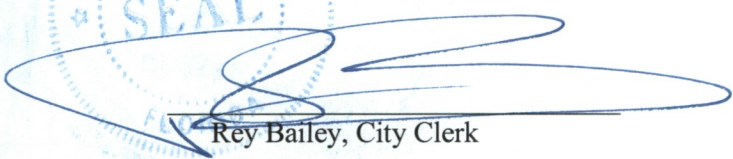
SECTION 6. SEVERABILITY. If any section, phase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity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

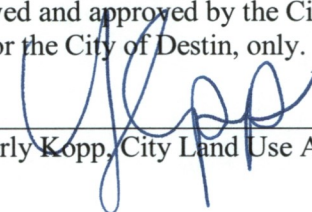
ADOPTED THIS 16TH DAY OF DECEMBER 2019

BY: 
Gary Jarvis, Mayor

ATTEST:


Rey Bailey, City Clerk

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.


Kimberly Kopp, City Land Use Attorney

First Reading: December 2, 2019
Second Reading: December 16, 2019

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LOCAL PLANNING AGENCY MEETING MINUTES JANUARY 16, 2020 - 5:30 P.M. DESTIN CITY HALL BOARDROOM

1. CALL TO ORDER:

Chairman Wood called the Local Planning Agency Special meeting to order on Thursday, January 16, 2020 at 5:30 p.m., in the Destin City Hall Boardroom; with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Members Present

James T. Wood, Jr.
Darryl Shelton
Don David
Corey Ledbetter
Kevin Schmidt
Jason Klosterman in at 5:35 p.m.

Member Absent

Staff Members Present

Kim Montgomery, Deputy City Clerk
Lauren Witt, Planning Manager
Traci Goodhart, Planner
Samantha Brisolara, Planner
Louis Zunguze, Community Dev. Director
Kyle Bauman, City Attorney

3. APPROVAL OF MINUTES:

December 12, 2019

Motion by Chairman Wood, seconded by Agency member Ledbetter to approve the December 12, 2019 minutes as written, passed with a vote of 5-0. Agency member Klosterman was not present for the vote.

4. NEW BUSINESS:

A. A public hearing regarding Ordinance No. 20-02-LC deleting all references to the Tiered Land Use System in the Land Development Code. The proposed Ordinance title is as follows:

The City Attorney read the title of the ordinance into the record.

ORDINANCE NO. 20-02-LC

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;

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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.

Immediately following the reading of the title of the ordinance into the record by the City Attorney, the Land Use Attorney (LUA) briefly explained this ordinance is basically a clean up for the Land Development Code (LDC) by deleting all references to the Tier System; thus making the LDC consistent with the Comprehensive Plan.

Chairman Wood opened the public portion of the hearing to the public. With no one coming forward with comment, he closed the public and instructed the Agency members to provide comment or a motion.

Agency member Shelton made the motion to approve Ordinance 20-02-LC with Agency member Ledbetter providing the second; the motion passed with a vote of 5-0. Agency member Klosterman was not present for the vote.

B. A public hearing regarding Ordinance No. 20-03-LC relating to procedures for Lot Splits and Lot Line Adjustments. The proposed Ordinance title is as follows:

The City Attorney read the title of the ordinance into the record.

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.

According to Mrs. Brisolara the purpose of this ordinance is to make minor lot line adjustments easier for property owners or developers looking to go through the lot split process. Reminding the members, they previously reviewed and recommended adoption of the lot split Ordinance 19-36-LC.

Agency member David asked exactly what a minor lot line adjustment is. According to the LUA, if a property owner is wanting to move their property line over in either direction, this

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allows for them to be able to do so without having to go through the replat process, adding this will make that process a lot more efficient for the property owner.

Mr. Zunguze added that this is like the lot split process and explained that both property owners have to be in agreement to the process as well as both would have to fill out and go through the application process and meet all the dimensional requirements of the Code.

Chairman Wood opened the public portion of the hearing to the public. With no one coming forward with comment, he closed the public and instructed the Agency members to provide comment or a motion.

With no comments provided by the Agency members, *Chairman Shelton made the motion to recommend City Council approve Ordinance 20-03-LC with Agency member Ledbetter providing the second; the motion passed with a vote of 5-0. Agency member Klosterman was not present for the vote.*

C. A public hearing regarding Ordinance No. 20-04-LC relating to changes to the definitions and parking regulations for marine vessels. The proposed Ordinance title is as follows:

The City Attorney read the title of the ordinance into the record.

ORDINANCE 20-04-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLE 3 OF THE LAND DEVELOPMENT CODE; PROVIDING DEFINITIONS RELATING TO MARINE VESSELS; AMENDING ARTICLE 8 OF THE LAND DEVELOPMENT CODE; AMENDING PARKING REGULATIONS FOR MARINAS; 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.

Agency member Klosterman entered the meeting at approximately 5:40 p.m.

The LUA instructed the members that after some input from the livery vessel business owner's and citizens of the city, staff has scheduled a Stakeholders Meeting for January 17th at 1:00 p.m. at the City Hall Annex Chambers to hear their voice. So with that, staff is requesting this ordinance to be continued to a date certain of February 27, 2020; adding that staff has pushed the date of their February meeting from the 20th to the 27th.

Chairman Wood made the motion to continue Ordinance 20-04-LC to a date certain of February 27, 2020 at 5:30 p.m. with Agency member Shelton providing the second. Chairman Wood opened the public portion of the hearing to the public. With no one coming forward with comment, he closed the public and instructed the Agency members to provide any additional questions or comments. With nothing further to discuss, *the motion passed with a roll call vote of 6-0.*

D. A public hearing regarding Ordinance No. 20-05-CC relating to changes to the definitions for marine vessels, and changes to the regulations, standards and permit application requirements for livery vessel rentals. The proposed Ordinance title is as follows:

The City Attorney read the ordinance by title into the record.

ORDINANCE NO. 20-05-CC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLE 13 OF THE CODE OF ORDINANCES; PROVIDING DEFINITIONS RELATING TO MARINE VESSELS; AMENDING GENERAL REGULATIONS/STANDARDS FOR LIVERY VESSEL RENTALS; AMENDING PERMIT APPLICATION REQUIREMENTS FOR LIVERY VESSEL RENTALS; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The LUA briefly explained staff is requesting this ordinance be continued to their February 27th meeting.

Chairman Wood opened the public portion of the hearing to the public. With no one coming forward with comment, he closed the public and instructed the Agency members to provide comment or a motion.

Agency member Ledbetter asked if Livery businesses must register with the City. The LUA stated that they do.

Motion to continue Ordinance 20-05-CC to a date certain of February 27, 2020 at 5:30 p.m. was made by Chairman Wood with Agency member Shelton providing the second. The motion passed with a roll call vote of 6-0.

E. A public hearing regarding Ordinance No. 20-06-LC relating to changes regarding the regulations for Marina Siting. The proposed Ordinance title is as follows:

The City Attorney read the ordinance by title into the record.

ORDINANCE NO. 20-06-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING SECTION 11.05.00 OF THE LAND DEVELOPMENT CODE; AMENDING REGULATIONS FOR MARINA SITING; 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.

The LUA briefly explained staff is requesting this ordinance be continued to their February 27th meeting. Chairman Wood asked what the reason is for the continuance. According to the LUA the ordinance not complete and staff needs more time to work on it.

Chairman Wood opened the public portion of the hearing to the public. With no one coming forward with comment, he closed the public and instructed the Agency members to provide comment or a motion.

Agency member David asked why this ordinance was placed on the agenda. According to the LUA, after the ordinance was drafted and advertised, staff realized additional items needed to be addressed however, it had to be read into the record since it was advertised for this meeting. Adding that by continuing it to a date certain, it doesn't have to be advertised again.

Motion to continue Ordinance 20-06-LC to a date certain of February 27, 2020 at 5:30 p.m. was made by Chairman Wood and seconded by Agency member Shelton. The motion passed with a roll call vote of 6-0.

4. DIRECTOR'S REPORT:

Mr. Zunguze informed the members that starting in March, with their new duties to review Conditional Use requests, there will be two meetings scheduled per month. He also informed the members that the EAR will have it's first reading by City Council on the 21st and then it will be transmitted to the State for their 60-day review and input before coming back to the city for its 2nd and final reading and adoption. He also spoke of displaying the Future Land

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Use Map and Zoning Map as well as inquiring how Council would like to proceed with the LDC updates at their next meeting on January 21st.

Mr. Zunguze also reminded the members that their next meeting date is January 23, 2020.

5. ADJOURNMENT:

Having no further discussion at this time, the meeting adjourned at 6:05 p.m.

Adopted and approved this _____ day of _____ 2020.

James Wood, Jr. Chairman

Kim Montgomery, Destin City Clerk

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CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 3, 2020

TYPE OF AGENDA ITEM: Consent Agenda

TO: City Council

THRU: Rey Bailey, City Clerk

FROM: Kim Montgomery, Deputy City Clerk

DATE: January 10, 2020

SUBJECT: Request for use of city streets - Payne Chiropractic Annual Run for Health 5k

I. BACKGROUND: Northwest Florida Track Club's Chiropractic Run for Health is requesting use of city streets to hold their annual 5k run on March 7, 2020. The Okaloosa County Sheriff's Posse will control the traffic where needed and the race sponsors will maintain control elsewhere.

II. DISCUSSION:

A. Link to Strategic Goals / Objectives: I. Enhance Quality of Life

I.E. Enhance the City's Recreational Services

B. Effect on Budget (EOB): There is no staff requirement for this event.

C. Level of Service (LOS): The City of Destin shall not incur any expense or revenue as a result of this event.

III. CONCLUSION: All required documentations have been submitted and approved by the City Attorney and the Risk Manager. Staff recommends approval for this request.

IV. RECOMMENDED MOTION: I move to approve the Northwest Florida Track Club's Chiropractic Run for Health request for use of city streets for their annual 5k run event on March 7, 2020.

Attachments:

1. Chiropractic Run for Health - 3-7-20
2. Legal Suffic



CHECKLIST FOR USE OF PUBLIC FACILITIES OR PROPERTY:

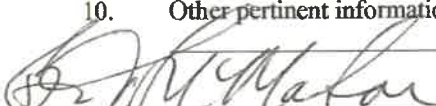
Name of Organization: Northwest Florida Track Club, Inc.

Type of Event: Payne Chiropractic Run for Health

Date(s) of Event: Mar 7, 2020

Location of Event: The Track, 1125 US 98, Destin, FL 32541

- 1.* Certificate of Insurance (Endorsement to the Policy & Acord is required.)
provided: _____ Yes: X *This is required.*
Date on which provided: 1/3/2020
- 2.* Hold Harmless (Signed Original) provided: _____ Yes: X *This is required.*
Date on which provided: 1/6/2020
- 3.** Permission granted from FDOT for use of State roadway (applicable only if
using and closing any portion of State Highway 98) Yes _____ No _____
Date written permission granted: N/A
- 4.** Local law enforcement services requested: _____ Yes X *This is required.*
Law enforcement officer contacted: Capt Watkins/Maj Brown
- 5.** Destin Fire Control District contacted: _____ Yes X *This is required.*
Person contacted: Matt Taylor
- 6.** Okaloosa County Emergency Medical Services contacted: _____
Person contacted: Patrick Maddux Yes X *This is required*
7. Describe steps being taken to ensure removal of all directional arrows and signage,
as well as trash left on City streets upon conclusion of the event: Marker material
will be used to mark the course and will wash away in rain and traffic. Volunteers
will pick up all trash from water stop.
8. City Park Permit needed Yes X No ~~___~~ If yes, please contact Lisa Firth at
Destin Community Center @ 850-654-5184 to make arrangements to reserve the
park.
- 9.* Please provide map of race route(s).
10. Other pertinent information: Florida Sunbiz.org Doc # N49948


(Requester's or Acting Agent's Signature)

* **Original Certificate of Insurance and signed Hold Harmless must be provided to the City of Destin to be presented to City Council prior to their approval of the event, as well as a map of the race route.**

** **Provide the City a written acknowledgement/concurrence from the agency.**



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/03/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Insurance Management Group 12730 Coldwater Rd Ste 103 Fort Wayne IN 46845	CONTACT NAME: Margaret Mayers PHONE (A/C, No, Ext): (260) 338-2925 FAX (A/C, No): (765) 664-0761 E-MAIL ADDRESS: mmayers@insmgt.com
INSURED Road Runners Club of America/2020 and its Member Clubs 1501 Lee Highway Suite 140 Arlington VA 22209	INSURER(S) AFFORDING COVERAGE INSURER A: National Casualty Company INSURER B: Nationwide Life Insurance Company INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES

CERTIFICATE NUMBER: 2020 \$2M A.I.

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR Legal Liability to Participant \$2,000,000 GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC ☒ OTHER: Per Event Basis		KRO0000008194200	12/31/2019	12/31/2020	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Abuse and Molestation \$ 500,000 COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	☐ AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY		KRO0000008194200	12/31/2019	12/31/2020	\$ \$ \$ \$
	☐ UMBRELLA LIAB ☐ EXCESS LIAB DED RETENTION \$ ☐ OCCUR ☐ CLAIMS-MADE					EACH OCCURRENCE \$ AGGREGATE \$ \$
	☐ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N N/A					PER STATUTE OTH-ER E.I. EACH ACCIDENT \$ E.I. DISEASE - EA EMPLOYEE \$ E.I. DISEASE - POLICY LIMIT \$
B	Excess Medical & Accident (\$250 Deductible/Claim)		BAX00000031001200	12/31/2019	12/31/2020	Excess Medical \$10,000 AD & Specific Loss \$2,500

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

City of Destin is NAMED AS AN ADDITIONAL INSURED AS RESPECTS THEIR INTEREST IN THE OPERATIONS OF THE NAMED INSURED. DATE OF EVENT(S): 3/07/20 Payne Chiropractic Run for Health INSURED RRCA CLUB/EVENT MEMBER: Northwest Florida Track Club, Attn: Brian McMahon, PO Box 911, Shallmar, FL 32579 Attached: KRGL56 Processed by VE

CERTIFICATE HOLDER

CANCELLATION

03/07/20 City of Destin 4200 Indian Bayou Trail Destin FL 32541	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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National Casualty Company

ENDORSEMENT
NO. _____

ATTACHED TO AND FORMING A PART OF POLICY NUMBER	ENDORSEMENT EFFECTIVE DATE (12:01 A.M. STANDARD TIME)	NAMED INSURED	AGENT NO.
KRO 81942-00	12/31/19	Road Runners Club of America and Its Member Clubs	

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSUREDS OWNERS AND/OR LESSORS OF PREMISES, SPONSORS OR CO-PROMOTERS

This insurance modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART LIQUOR LIABILITY COVERAGE PART

- A. SECTION II—WHO IS AN INSURED** is amended to include as an additional insured any person(s) or organization(s) of the types indicated by an "x" in any boxes shown below, but only with respect to liability for "bodily injury," "property damage" or "personal and advertising injury" caused, in whole, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

With respect to an additional insured owner and/or lessor of premises, this insurance does not apply to:

- a. An "occurrence" or offense which takes place while you are not a tenant in possession of the subject premises.
- b. "Bodily injury" or "property damage" arising out of:
 - (1) Structural alterations, new construction or demolition operations performed by or on behalf of the owner and/or lessor of premises;
 - (2) Any design defect or structural maintenance of the premises; or
 - (3) Any premises defect.

- B. With respect to the insurance afforded to these additional insureds, the following is added to SECTION III—LIMITS OF INSURANCE:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations; whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

Schedule of Additional Insureds:

- ☒ Owners and/or Lessors of the premises leased, rented or loaned to you
- ☒ Sponsors
- ☒ Co-Promoters
- ☒ Any individual person(s) or organization(s) listed below:

Coaches, Officials and Volunteers are Additional Insureds but only while acting within the scope of their duties of the insured (others by request and endorsement, subject to underwriting approval).



AUTHORIZED REPRESENTATIVE

DATE



HOLD HARMLESS AGREEMENT

The Northwest Florida Track Club, Inc. (NWFTC) agrees to indemnify and hold harmless the City of Destin from any and all liability, defense costs, including attorney fees and all other fees incidental to defense, loss or damage the City of Destin may suffer as a result of claims, demands, costs or judgments against it arising from the Payne Chiropractic Run for Health to be held on Mar 7, 2020.

In addition, the Northwest Florida Track Club, Inc. (NWFTC) agrees to provide the City of Destin a Certificate of Insurance naming the City as an Additional Insured reflecting general liability coverage of not less than \$1,000,000.00.

Northwest Florida Track Club, Inc.

(Corporate Name)

Brian T. McMahon
Signature of President

Brian T. McMahon, President
Print name with President next to name

STATE OF FLORIDA
COUNTY OF OKALOOSA

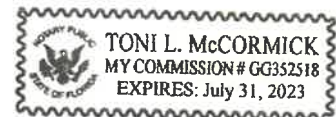
The foregoing instrument was acknowledged before me this 2ND day of Jan 2020 by

Brian T. McMahon

Toni L. McCormick
Signature of Person Taking Acknowledgement

Toni L. McCormick
Printed name of Person Taking Acknowledgement

(Seal)



Personally known ✓ or has produced identification N/A

Type of Identification produced N/A

From: Arnold Brown [mailto:abrown@sheriff-okaloosa.org]
Sent: Friday, December 20, 2019 2:10 PM
To: Brian M; terry601@aol.com; Mark Natalie
Cc: Charles A. Nix
Subject: RE: Upcoming Race in Destin

Sir, as it relates to this event, the Sheriff's Office has no objection as long as the Posse is available to assist with traffic control and safety. In the event the Posse is not available you will need to contract with our off-duty coordinator to hire deputies.

Major Arnold L. Brown
Investigations Bureau Chief
Okaloosa County Sheriff's Office
50 2nd Street
Shalimar, Florida 32579
Office: 850-609-3032



From: Brian M. [mailto:btexpress@cox.net]
Sent: Wednesday, December 18, 2019 9:58 AM
To: 'abrown@sheriff-okaloosa.org'
Subject: FW: Upcoming Runs in Destin

Maj Brown,
The Northwest Florida Track Club is hosting two races in Destin.
See dates and locations below.
Capt Watkins has agreed to support the runs with posse deputies.
I need your "Ok" as part of the permit process.
Please reply to this email or call me with questions.
Brian McMahon
850-5825-5273

From: terry601@aol.com [mailto:terry601@aol.com]
Sent: Friday, December 13, 2019 12:17 PM
To: btexpress@cox.net
Subject: Re: Upcoming Runs in Destin

Will do.
Terry

In a message dated 12/13/2019 12:12:21 PM Central Standard Time, btexpress@cox.net writes:

Thanks, can you let Maj Brown know. City of Destin will only accept his "Ok".
Brian

----- Original message -----

From: terry601@aol.com
Date: 12/13/19 11:50 AM

From: Matt Taylor [mailto:MTaylor@destinfire.com]
Sent: Thursday, December 5, 2019 3:28 PM
To: Brian M.
Cc: James Taylor; Jeff Anderson; Mark Hutchinson; Kevin Sasser
Subject: RE: Upcoming Runs in Destin

Brian,

Thank you for notifying the Destin Fire Control District of the Valentine's 8K on Feb 8, 2020 at 9am and the Chiropractic Run for Health on March 7, 2020 at 8am. The appropriate shift has been copied on this e-mail.

Please advise all participants to maintain an awareness for any responding emergency vehicle during all stages of the event and to immediately cede the right-of-way.

Have a great run and if you need any other assistance, please contact me.

This e-mail will serve as the Destin Fire Control District's acknowledgement of this event. Please forward it to the appropriate agencies.

Matt Taylor, Fire Marshal
Destin Fire Control District
850-837-8413

From: Brian M. <btexpress@cox.net>
Sent: Thursday, December 5, 2019 10:09 AM
To: Matt Taylor <MTaylor@destinfire.com>
Subject: Upcoming Runs in Destin

Matt,

The Northwest Florida Track Club will be hosting 2 runs in Destin.

The first is Valentine's 8K on Feb 08, 2020 at 9:00 a.m. starting and finishing at The Track, running through Indian Bayou subdivision.

The second is Chiropractic Run for Health on Mar 07, 2020 at 8:00 starting and finishing at Clement Taylor Park, running along Calhoun & Cross Streets.

There will be no road closures for either run, so no disruption in emergency services.

We will brief participants to yield to emergency vehicles.

If we have an emergency, we will call 911.

Your approval is required as part of the permit process for the City.

Please reply with approval or any questions.

Thank you in advance,

Brian McMahon
President, Northwest Florida Track Club

Disclaimer: Florida has a very broad public records law. As a result, any written communication created or received by the Destin Fire Control District will be made available to the public and media, upon request, unless otherwise exempt. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this office. Instead, contact our office by phone or in writing.

Disclaimer: Florida has a very broad public records law. As a result, any written communication created or received by the Destin Fire Control District will be made available to the public and media, upon request, unless otherwise exempt. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this office. Instead, contact our office by phone or in writing.

Brian, thank you for reaching out.
No concerns from Public Safety.

Stay Safe,

Patrick Maddox, LE CDR(R)
Director of Public Safety
Okaloosa County Board of County Commissioners
90 College Blvd E.
Niceville, Fl. 32578
(850) 651-7150
pmaddox@myokaloosa.com

From: Brian M. [<mailto:btxpress@cox.net>]
Sent: Wednesday, December 18, 2019 8:18 PM
To: 'Patrick Maddox'
Subject: Upcoming running events in Destin

Mr. Maddox,

The Northwest Florida Track Club will be hosting 2 runs in Destin.

The first is *Valentine's 8K* on Feb 08, 2020 at 9:00 a.m. starting and finishing at The Track, running through Indian Bayou subdivision.

The second is *Chiropractic Run for Health* on Mar 07, 2020 at 8:00 starting and finishing at Clement Taylor Park, running along Calhoun & Cross Streets.

There will be no road closures for either run, so no disruption in emergency services.

We will brief participants to yield to emergency vehicles.

If we have an emergency, we will call 911.

Your approval is required as part of the permit process for the City.

Please reply with approval or if you have any questions, please call me.

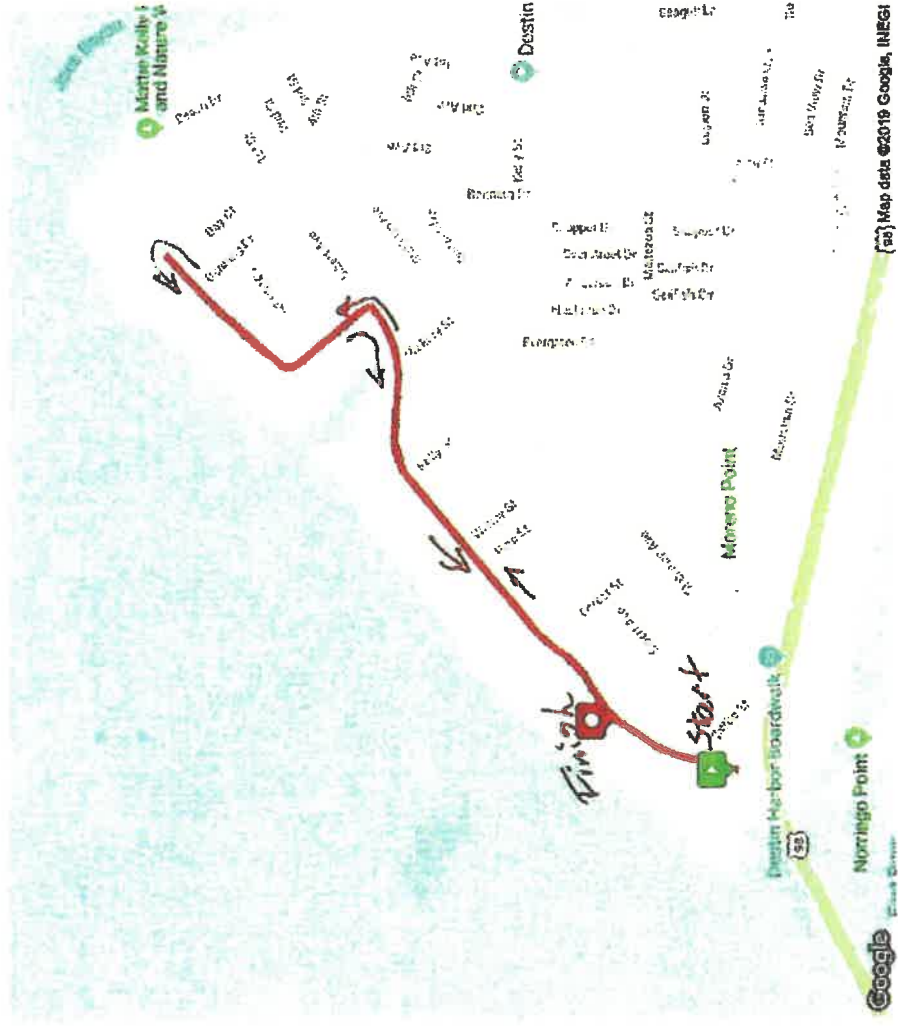
Thank you in advance,

Brian McMahon
President, Northwest Florida Track Club
850-582-5273

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Calhoun Ave 5K
Distance: 3.07 mi
Elevation Gain: 37 ft
Elevation Max: 41 ft

Notes



Kim Montgomery

From: Kyle Bauman <kbauman@asglegal.com>
Sent: Thursday, January 9, 2020 2:11 PM
To: Kim Montgomery; Karen Jankowski
Cc: Rey Bailey
Subject: RE: Payne Chiropractic Run for Health 3-20 ROW request

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Kim,

This one looks good.

Thanks,
Kyle

Kyle S. Bauman, Esq.

Anchors Smith Grimsley
a Professional Limited Company
Attorneys and Counselors at Law
[909 Mar Walt Drive, Ste. 1014](#)
Fort Walton Beach, Florida [32547](#)
(850) 863-4064
(850) 862-1138 (fax)
kbauman@asglegal.com

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From: Kim Montgomery <kmontgomery@cityofdestin.com>
Sent: Thursday, January 9, 2020 9:08 AM
To: Karen Jankowski <kjankowski@cityofdestin.com>; Kyle Bauman <kbauman@asglegal.com>
Cc: Rey Bailey <rbailey@cityofdestin.com>
Subject: Payne Chiropractic Run for Health 3-20 ROW request
Importance: High

Good morning,

Please see attached for ROW request for March 2020. Please review for legal sufficiency and reply.

Kim Montgomery

From: Karen Jankowski
Sent: Thursday, January 9, 2020 2:57 PM
To: Kim Montgomery; Kyle Bauman
Cc: Rey Bailey
Subject: RE: Payne Chiropractic Run for Health 3-20 ROW request

I concur, this appears to be in order.

Karen Jankowski
HR/Risk Mgr

From: Kim Montgomery <kmontgomery@cityofdestin.com>
Sent: Thursday, January 9, 2020 9:08 AM
To: Karen Jankowski <kjankowski@cityofdestin.com>; Kyle Bauman <kbauman@asglegal.com>
Cc: Rey Bailey <rbailey@cityofdestin.com>
Subject: Payne Chiropractic Run for Health 3-20 ROW request
Importance: High

Good morning,

Please see attached for ROW request for March 2020. Please review for legal sufficiency and reply.

Thanks and have a good day!

Kimberly I. Montgomery | Deputy City Clerk
City of Destin | 4200 Indian Bayou Trail
Destin, FL 32541 | (P) 850.837.4242



Please visit our web site at www.cityofdestin/cssurvey to complete a customer service survey. We appreciate your honest opinion and will take it into consideration to help us improve our services. Thank you for your feedback.

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.
****Please be aware, the associated cost for public records is \$.15 per page for one-sided copies, \$.20 for two-sided copies, and \$21.00 per hour after the first 15-minutes: for time spent on research.****