



**AGENDA
LOCA PLANNING AGENCY
THURSDAY, FEBRUARY 27, 2020
5:30 PM
DESTIN CITY HALL BOARDROOM**

- 1. CALL TO ORDER**
- 2. ROLL CALL/PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MINUTES**
 - A. January 16, 2020 Local Planning Agency Minutes**
- 4. NEW BUSINESS**
 - A. Ordinance No. 20-15-LC**
 - B. Ordinance No. 20-06-LC - Continued to a later date**
 - C. Ordinance No. 20-09-PC**
 - D. Ordinance No. 20-10-PC**
 - E. Ordinance No. 20-11-PC**
 - F. Ordinance No. 20-12-PC**
 - G. Ordinance No. 20-13-PC**
 - H. Ordinance No. 20-16-LC**
 - I. Ordinance No. 20-17-CC**
 - J. Ordinance No. 20-18-LC - Continued to a later date**
- 5. DIRECTOR'S REPORT**
- 6. NEXT MEETING DATE:**
 - A. March 19, 2020**
- 7. ADJOURNMENT**

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the City Clerk at (850) 837-4242 at least 48 hours prior to the hearing. If a person decides to appeal any decision made with respect to any matter

considered at such meeting, such person will need a record of the proceeding and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. (Sec. 286.0105, Florida Statutes)

DRAFT

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;

DRAFT

DRAFT

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

DRAFT

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

DRAFT

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:

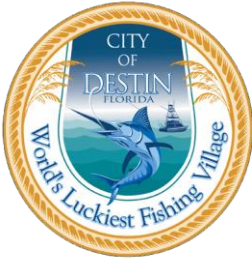
Having no further discussion at this time, the meeting adjourned at 6:05 p.m.

Adopted and approved this _____ day of _____ 2020.

James Wood, Jr. Chairman

Kim Montgomery, Destin City Clerk

DRAFT



COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ITEM

LOCAL PLANNING MEETING DATE: February 27, 2020

TYPE OF AGENDA ITEM: Agenda Item

TO: Local Planning Agency

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

FROM: Traci Goodhart, Planner
Sam Brisolara, Planner

DATE: February 24, 2020

SUBJECT: Ordinance 20-15-LC: Establishment of Outdoor Dining and Seating Area Parking Standards

BACKGROUND: At the August 19, 2019 staff requested direction from City Council regarding outdoor dining parking requirements. Staff provided two parking ratio options to City Council for direction:

Opt. 1: Outdoor dining parking ratio may be determined by the type of dining establishment. (This varies from 1 per 75 sq. ft., to 1 per 150 sq. ft.). (These parking standards are already adopted in **Table 8-6: Number of Vehicle and Bicycle Parking Spaces Required.**, of the Land Development Code.)

Opt 2: Establishes a new minimum parking requirement of 1 parking space for every 200 square feet of outdoor dining space. (Outdoor dining areas less than 200 square feet are not required to provide parking spaces.)

City Council directed staff to prepare an Ordinance outlining parking requirements for outdoor dining using Option 2 due to the simplicity of the formula and ease of application.

DISCUSSION: The following is a proposed definition to be included in the Land Development Code:

An extension of an existing use and contiguous to a legally established restaurant or other eating or drinking establishment. Outdoor dining and seating areas may be covered or uncovered patios or balconies, or other ground surfaces on the site not included in the gross floor area.

In addition to the definition, the proposed ordinance establishes minimum parking requirements of **1 space for every 200 square feet of outdoor dining or seating space**. (Outdoor dining and sitting areas less than 200 square feet are not required to provide parking spaces). The proposed ordinance provides a citywide standard that will provide uniform implementation during development review, as all outdoor dining and sitting areas will be required to meet the same standard. The extension of the adjacent established use, whether dining or sitting, will be required to meet the minimum parking standards set forth in the proposed ordinance.

The proposed ordinance also establishes locational criteria to ensure the health, safety, and welfare of patrons utilizing outdoor seating:

1. Outdoor seating areas shall be measured from the structure to the furthest point of the outdoor seating area, and around the perimeter of any table or seating.
2. For outdoor seating areas fronting U.S. Highway 98, outdoor seating areas must provide the following:
 - a. Outdoor seating areas must be a minimum of 10 feet from the right of way
 - b. Fence/barrier between 2 to 4 feet in height.
3. Prohibited outdoor seating areas include (but are not limited to) the following:
 - a. Accessways or driveways
 - b. Pedestrian pathways (sidewalks and interior pathways)
 - c. Obstructing customer circulation paths
 - d. Required parking spaces
4. These parking standards apply to all outdoor dining areas permitted after the date of adoption.
5. Parking standards for outdoor dining areas are not held to the same standards as established in the MMTD.

CONCLUSION: The proposed Ordinance is consistent with Council's directive to prepare an Ordinance creating parking requirements using Option 2 and locational criteria for outdoor dining/seating.

STAFF RECOMMENDATION: Staff recommends the LPA recommend approval of proposed Ordinance 20-15-LC.

RECOMMENDED MOTION: I recommend the LPA recommend approval of proposed Ordinance 20-15-LC.

ORDINANCE NO. 20-15-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING THE LAND DEVELOPMENT CODE TO ESTABLISH MINIMUM PARKING REQUIREMENTS FOR ALL OUTDOOR DINING AND SEATING AREAS IN THE CITY OF DESTIN; PROVIDING FOR AMENDMENTS TO ARTICLE 8 OF THE LAND DEVELOPMENT CODE; PROVIDING FOR AUTHORITY; 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 Article 8, of the Land Development Code to establish locational criteria for parking spaces in outdoor dining and seating areas; 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 ARTICLE 8 OF THE LAND DEVELOPMENT CODE.

Article 8 of the Land Development Code is hereby amended as follows:

8.06.00. - Vehicle and bicycle parking standards.

TABLE 8-6: NUMBER OF VEHICLE AND BICYCLE PARKING SPACES REQUIRED			
	722110 Full-service restaurants (quality or high turnover sit-down)	1 space for every 100 square feet of gross floor area	10%
	722211 Limited-service restaurants (delivery/carry-out/drive-in)	1 space for every 150 square feet of gross floor area	5%
	722211 Limited-service restaurants (fast-food)	1 space for every 75 square feet of gross floor area	10%
	7224 Drinking places, alcoholic beverages (cocktail lounges)	1 space for every 75 (85) square feet of gross floor area	5%
	<u>722 Outdoor Dining Spaces (Outdoor seating areas for drinking establishments and food service places and restaurants)</u>	<u>1 space for every 200 square feet of seating area</u>	<u>5%</u>

8.06.11. *Computation of required number of vehicle and bicycle parking space.*

- A. *Number of vehicle parking spaces.* When determination of the number of vehicle parking spaces required by this Code results in a fractional space, the fraction of one-half or less may be disregarded, and a fraction in excess of one-half shall be counted as one parking space.
- B. *Places of public assembly.*
 1. *Benches and pews.* In stadiums, sports arenas, churches and other places of assembly in which those in attendance occupy benches, pews or other similar seating facilities, each 20 inches of the seating facilities shall be counted as one seat.
 2. *Fixed seats and assembly seats.* In cases where a place of assembly has both fixed and open assembly area, requirements shall be computed separately for each type and added together.
- C. *Number of bicycle parking spaces.* Minimum requirements for bicycle parking are calculated as a percentage of the number of spaces required for vehicle parking for each land use indicated in Table 8-6: Number of vehicle and bicycle parking spaces required. When determination of the number of bicycle parking spaces required by this code results in a fractional space, the fraction of one-half or less may be disregarded, and a fraction in excess of one-half shall be counted as

one bicycle parking space. In all cases where bicycle parking is required, no fewer than two spaces shall be required.

D. Outdoor seating areas shall be defined as “An extension of an existing use and contiguous to a legally established restaurant or other eating or drinking establishment. Outdoor dining and seating areas may be covered or uncovered patios or balconies, or other ground surfaces on the site not included in the gross floor area.”

Outdoor seating areas established on or after [insert effective date of ordinance] for drinking establishments and food service places and restaurants are subject to the following parking requirements:

1. Outdoor seating areas shall be measured from the structure to the furthest point of the outdoor seating area, and around the perimeter of any table or seating.
2. For outdoor seating areas fronting U.S. Highway 98, outdoor seating areas must provide the following:
 - a. Outdoor seating areas must be a minimum of 10 feet from the right of way
 - b. Fence/barrier between 2 to 4 feet in height.
3. Prohibited outdoor seating areas include (but are not limited to) the following:
 - a. Accessways or driveways
 - b. Pedestrian pathways (sidewalks and interior pathways)
 - c. Obstructing customer circulation paths
 - d. Required parking spaces
4. These parking standards apply to all outdoor dining areas permitted after the date of adoption.
5. Parking standards for outdoor dining areas are not held to the same standards as established in the MMTD.

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.

Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: _____
Second Reading: _____

ORDINANCE NO. 20-09-PC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE FUTURE LAND USE MAP AS REFERENCED IN CHAPTER 1 OF THE COMPREHENSIVE PLAN TO INCLUDE A CHANGE IN THE FUTURE LAND USE DESIGNATIONS OF THE PARCEL DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM RESIDENTIAL, OFFICE, INSTITUTIONAL (ROI), RECREATION (REC), AND INSTITUTIONAL (INST) TO INSTITUTIONAL (INST); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; 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 applicant desires to change the future land use designation from Residential, Office, Institutional (ROI); Recreation (REC); and Institutional (INST) to Institutional (INST) for future land use category in the City's Comprehensive Plan on a parcel of land set forth in Exhibit A, lying within the corporate limits of the City; and

WHEREAS, after due public notice, a public hearing was conducted by the Local Planning Agency on March 21, 2019, and its recommendations reported to the City Council; and

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

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

SECTION 3. ADOPTION OF THE AMENDMENT TO THE FUTURE LAND USE MAP:

The City of Destin's Future Land Use Map is hereby amended by changing the future land use category from Residential, Office, Institutional (ROI); Recreation (REC); and Institutional (INST) to Institutional (INST) for the specific area of land of approximately 51.7 acres, which area of land is legally described and depicted on Exhibit A, attached hereto and fully incorporated herein by this reference.

SECTION 4. TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY:

The City Manager or his 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 5. 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's Comprehensive Plan and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 6. CONFLICTING PROVISIONS. All prior inconsistent ordinances and resolutions adopted by the City Council, or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed by this ordinance to the extent of such conflict.

SECTION 7. SEVERABILITY. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

SECTION 8. 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 the Administration Commission enters a final order determining that 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 becomes 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 6TH DAY OF _____ 2020.

BY: _____
Gary Jarvis, Mayor

ATTEST:

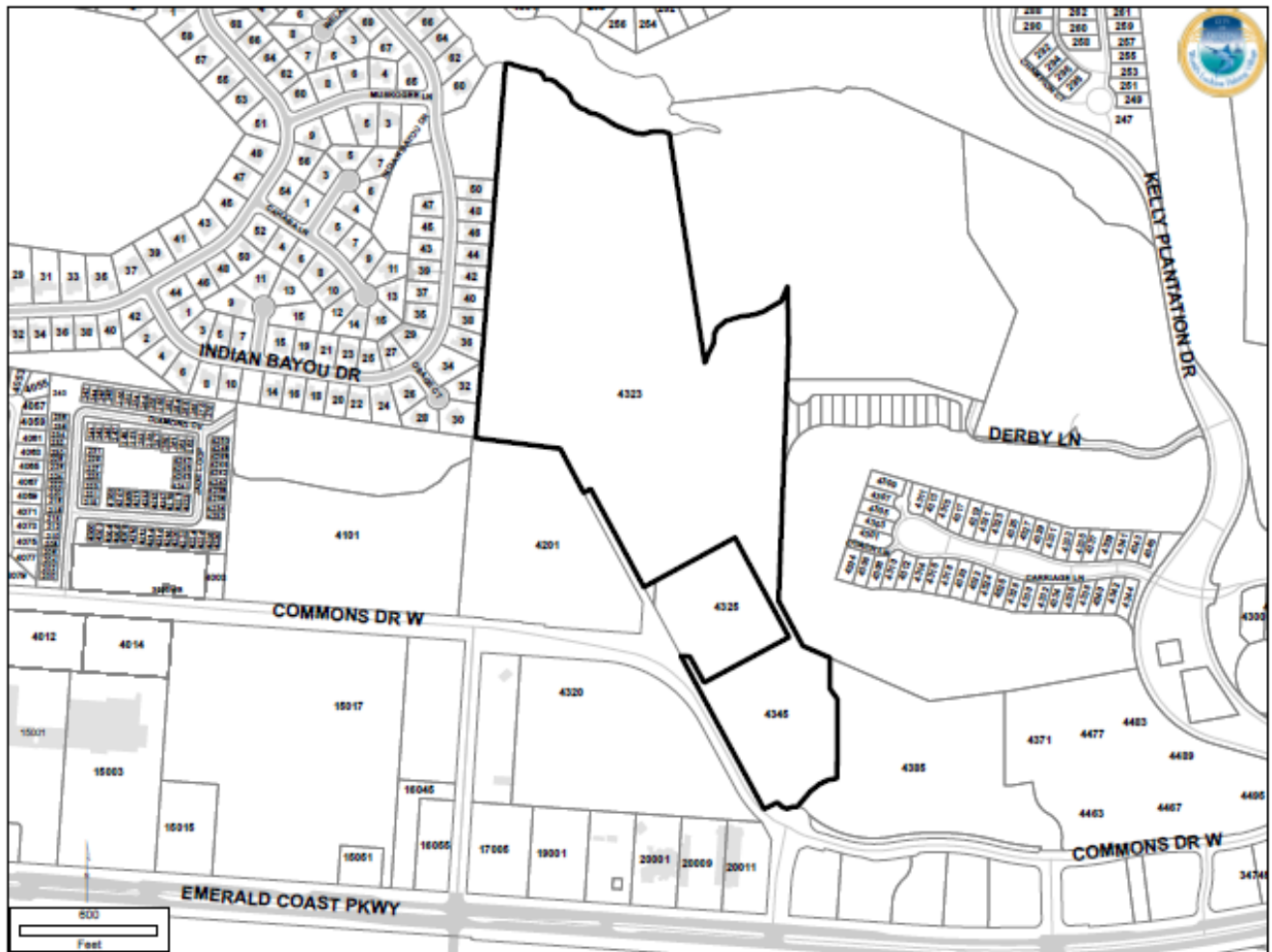
The form and legal sufficiency of the foregoing has been reviewed and approved by the City Land Use Attorney, for the City of Destin, only.

Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: _____
Second Reading: _____

EXHIBIT A



Parcel ID: 00-2S-22-0000-0001-B17F

PARCEL 1

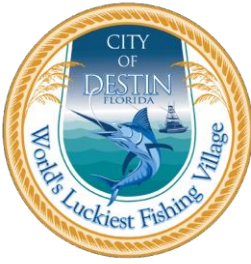
A PARCEL OF LAND SITUATED IN UN-SECTIONALIZED TOWNSHIP 2 SOUTH, RANGE 22 WEST, OKALOOSA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING PERMANENT CONCRETE REFERENCE MONUMENT (LAND SURVEYING BUSINESS NO. 3501) MARKING THE SOUTHWEST CORNER OF CARRIAGE PLACE AT KELLY PLANTATION ACCORDING TO THE RECORD PLAT THEREOF RECORDED IN PLAT BOOK 17 AT PAGES 83 AND 84 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE RUN S25°41'42"W FOR 326.95 FEET TO THE POINT OF BEGINNING; THENCE PROCEED THE FOLLOWING COURSES: S28°21'57"E FOR 94.76 FEET; S35°28'49"E FOR 126.22 FEET; N00°00'39"W FOR 134.57 FEET; N66°25'40"W FOR 129.03 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 8,697.669 SQUARE FEET OR 0.200 ACRES MORE OR LESS.

PARCEL 2

A PARCEL OF LAND SITUATED IN UN-SECTIONALIZED TOWNSHIP 3 SOUTH, RANGE 22 WEST, OKALOOSA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING PERMANENT CONCRETE REFERENCE MONUMENT (LAND SURVEYING BUSINESS NO. 3501) MARKING THE SOUTHWEST CORNER OF CARRIAGE PLACE AT KELLY PLANTATION ACCORDING TO THE RECORD PLAT THEREOF RECORDED IN PLAT BOOK 17 AT PAGES 83 AND 84 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE PROCEED THE FOLLOWING COURSES: S25°41'42"W FOR 326.95 FEET; S28°21'57"E FOR 94.76 FEET; S35°28'49"E FOR 182.75 FEET; S00°00'39"E FOR 301.88 FEET TO THE POINT OF BEGINNING; THENCE RUN S61°36'44"W FOR 306.56 FEET TO A POINT ON A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 500.00 FEET AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF COMMONS DRIVE WEST (EXISTING RIGHT-OF-WAY, WIDTH VARIES); THENCE RUN SOUTHEASTERLY ALONG SAID CURVE AND NORTHEASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 05°46'15" AN ARC DISTANCE OF 50.36 FEET (CHORD = 50.34 FEET, CHORD BEARING = S51°00'29"E) TO THE POINT OF REVERSED CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 84.00 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CURVE AND NORTHEASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 25°35'12" AN ARC DISTANCE OF 37.51 FEET (CHORD = 37.20 FEET, CHORD BEARING = N86°34'20"E) TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE DEPARTING SAID NORTHEASTERLY RIGHT-OF-WAY LINE RUN NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 62°23'58" AN ARC DISTANCE OF 27.23 FEET (CHORD = 25.90 FEET, CHORD BEARING = N68°09'57"E) TO THE POINT OF TANGENCY; THENCE RUN N36°57'57"E FOR 55.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 209.50 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 44°25'57" AN ARC DISTANCE OF 162.47 FEET (CHORD = 158.43 FEET, CHORD BEARING = N59°10'56"E) TO A POINT; THENCE DEPARTING SAID CURVE RUN N00°00'39"W FOR 40.09 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 11,449.681 SQUARE FEET OR 0.263 ACRES MORE OR LESS.



COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ITEM

LOCAL PLANNING AGENCY MEETING DATE: February 27, 2020

TYPE OF AGENDA ITEM: Staff Report and Recommendation

TO: Local Planning Agency

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

FROM: Samantha Brisolara, Planner
Traci Goodhart, Planner

DATE: February 21, 2020

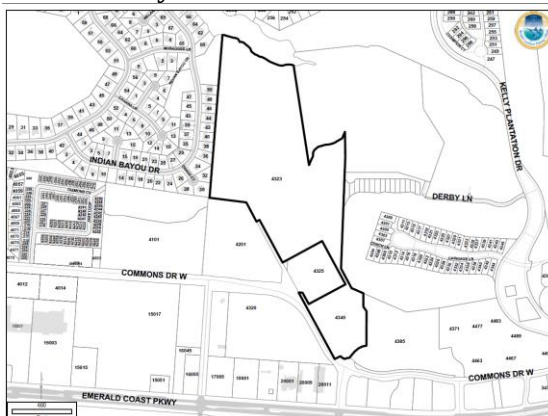
SUBJECT: Proposed Ordinances Amending the Future Land Use Map (FLUM): 20-09-PC - Mattie Kelly Arts Foundation; 20-10-PC - City Parking Lots; 20-11-PC – Sugarloaf Apartments; 20-12-PC - Cemex Plant; 20-13-PC - Destin United Methodist Church

BACKGROUND: Over the past year, Staff has worked to eliminate inconsistencies between Zoning Map and Future Land Use Map. During this endeavor, staff also rezoned four (4) split-zoned parcels and the City Owned Parking Lots (3 parcels) to create consistency of land uses within the affected parcels.

ISSUE: The seven (7) parcels which were corrected through City-initiated Zoning Amendments are now inconsistent with the Future Land Use Map, and require Future Land Use Map (FLUM) Amendments. As such, an amendment to the FLUM is now necessary.

DISCUSSION: The seven (7) parcels requiring Future Land Use Amendments are as follows:

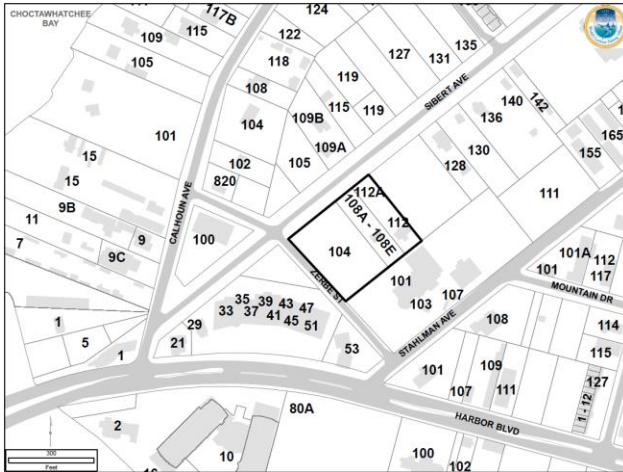
- **Mattie Kelly Arts Foundation Parcel – PID: 00-2S-22-0000-0001-B17F**



ITEM #

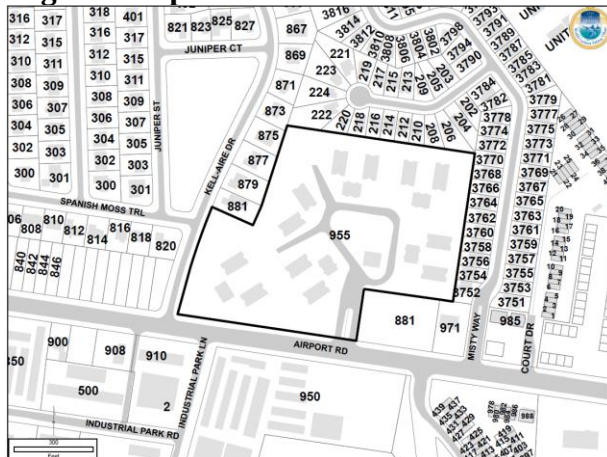
Current Zoning	Current Future Land Use	Proposed Future Land Use
Institutional (INST)	Institutional (INST), Residential, Office, Institutional (ROI), and Recreation (REC)	Institutional (INST)

- **City Parking Lots – PIDs: 00-2S-22-0310-000D-3760, 00-2S-22-0310-000D-3780, 00-2S-22-0310-000D-3790**



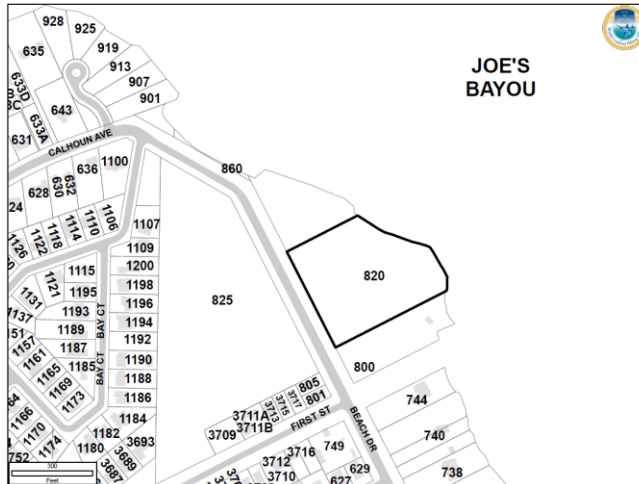
Current Zoning	Current Future Land Use	Proposed Future Land Use
Institutional (INST)	North Harbor Mixed Use (NHMU), Residential, Office, Institutional (ROI)	Institutional (INST)

- **Sugarloaf Apartments – PID: 00-2S-22-0000-0057-0010**



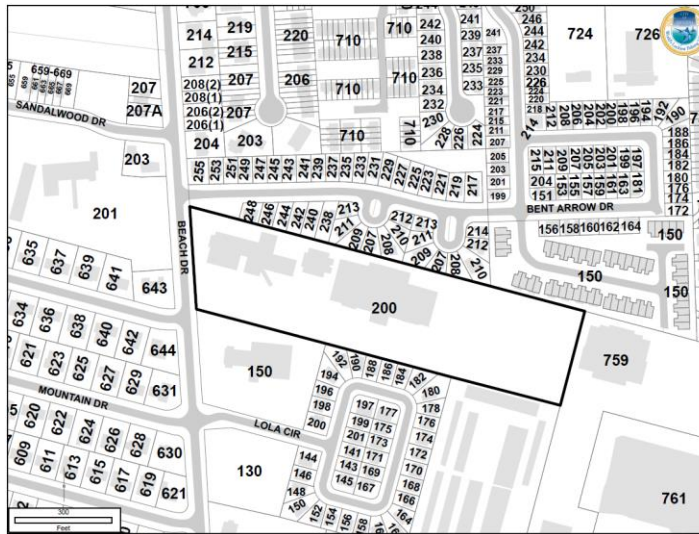
Current Zoning	Current Future Land Use	Proposed Future Land Use
Residential, Office, Institutional – Village (ROI-VR)	Residential, Office, Institutional (ROI), Medium Density Residential (MDR)	Residential, Office, Institutional (ROI)

- Cemex Plant – PID: 00-2S-22-1360-0020-0070**



Current Zoning	Current Future Land Use	Proposed Future Land Use
Recreation (REC)	Bay Estates (BE)	Recreation (REC)

- Destin United Methodist Church – PID: 00-2S-22-0000-0011-003A**



Current Zoning	Current Future Land Use	Proposed Future Land Use
Institutional (INST)	Institutional (INST), Town Center Mixed Use (TCMU)	Institutional (INST)

If approved, the Future Land Use of these parcels will be updated to be consistent with the current zoning.

The final step of the alignment of the Future Land Use Map and the Zoning Map will be to adopt and codify both maps into the City's Comprehensive Plan and Land Development Code, respectively. Two ordinances will be forwarded to the City Council, subject to LPA recommendation, to complete these actions.

CONCLUSION: The proposed ordinances are consistent with Council's directive to align the Future Land Use and Zoning Maps.

STAFF RECOMMENDATION: Staff recommends that the LPA recommend the following actions:

1. City Council Approval of proposed Ordinances: 20-09-PC, 20-10-PC, 20-11-PC, 20-12-PC, 20-13-PC.
2. City Council Approval of the adoption and codification of the Future Land Use Map.
3. City Council Approval of the adoption and codification of the Zoning Map.

RECOMMENDED MOTIONS:

1. I move that the City Council approve proposed Ordinances 20-09-PC, 20-10-PC, 20-11-PC, 20-12-PC, and 20-13-PC.
2. I move the City Council approve the adoption and codification of the Future Land Use Map.
3. I move the City Council approve the adoption and codification of the Zoning Map.

Attachments:

Ordinance 20-09-PC: Mattie Kelly
Ordinance 20-10-PC: City Parking Lot
Ordinance 20-11-PC: Sugarloaf Apartments
Ordinance 20-12-PC: Cemex Plant
Ordinance 20-13-PC: Destin UMC

ORDINANCE NO. 20-10-PC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE FUTURE LAND USE MAP AS REFERENCED IN CHAPTER 1 OF THE COMPREHENSIVE PLAN TO INCLUDE A CHANGE IN THE FUTURE LAND USE DESIGNATIONS OF THE PARCELS DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM NORTH HARBOR MIXED USE (NHMU) AND RESIDENTIAL, OFFICE, INSTITUTIONAL (ROI) TO INSTITUTIONAL (INST); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; 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 applicant desires to change the future land use designation from NORTH HARBOR MIXED USE (NHMU) AND RESIDENTIAL, OFFICE, INSTITUTIONAL (ROI) TO INSTITUTIONAL (INST); for future land use category in the City's Comprehensive Plan on a parcel of land set forth in Exhibit A, lying within the corporate limits of the City; and

WHEREAS, after due public notice, a public hearing was conducted by the Local Planning Agency on March 21, 2019, and its recommendations reported to the City Council; and

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

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

SECTION 3. ADOPTION OF THE AMENDMENT TO THE FUTURE LAND USE MAP:

The City of Destin's Future Land Use Map is hereby amended by changing the future land use category from NORTH HARBOR MIXED USE (NHMU) AND RESIDENTIAL, OFFICE, INSTITUTIONAL (ROI) TO INSTITUTIONAL (INST); for the specific area of land of approximately 2.5 acres, which area of land is legally described and depicted on Exhibit A, attached hereto and fully incorporated herein by this reference.

SECTION 4. TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY:

The City Manager or his 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 5. 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's Comprehensive Plan and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 6. CONFLICTING PROVISIONS. All prior inconsistent ordinances and resolutions adopted by the City Council, or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed by this ordinance to the extent of such conflict.

SECTION 7. SEVERABILITY. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

SECTION 8. 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 the Administration Commission enters a final order determining that 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 becomes 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 6TH DAY OF _____ 2020.

BY: _____
Gary Jarvis, Mayor

ATTEST:

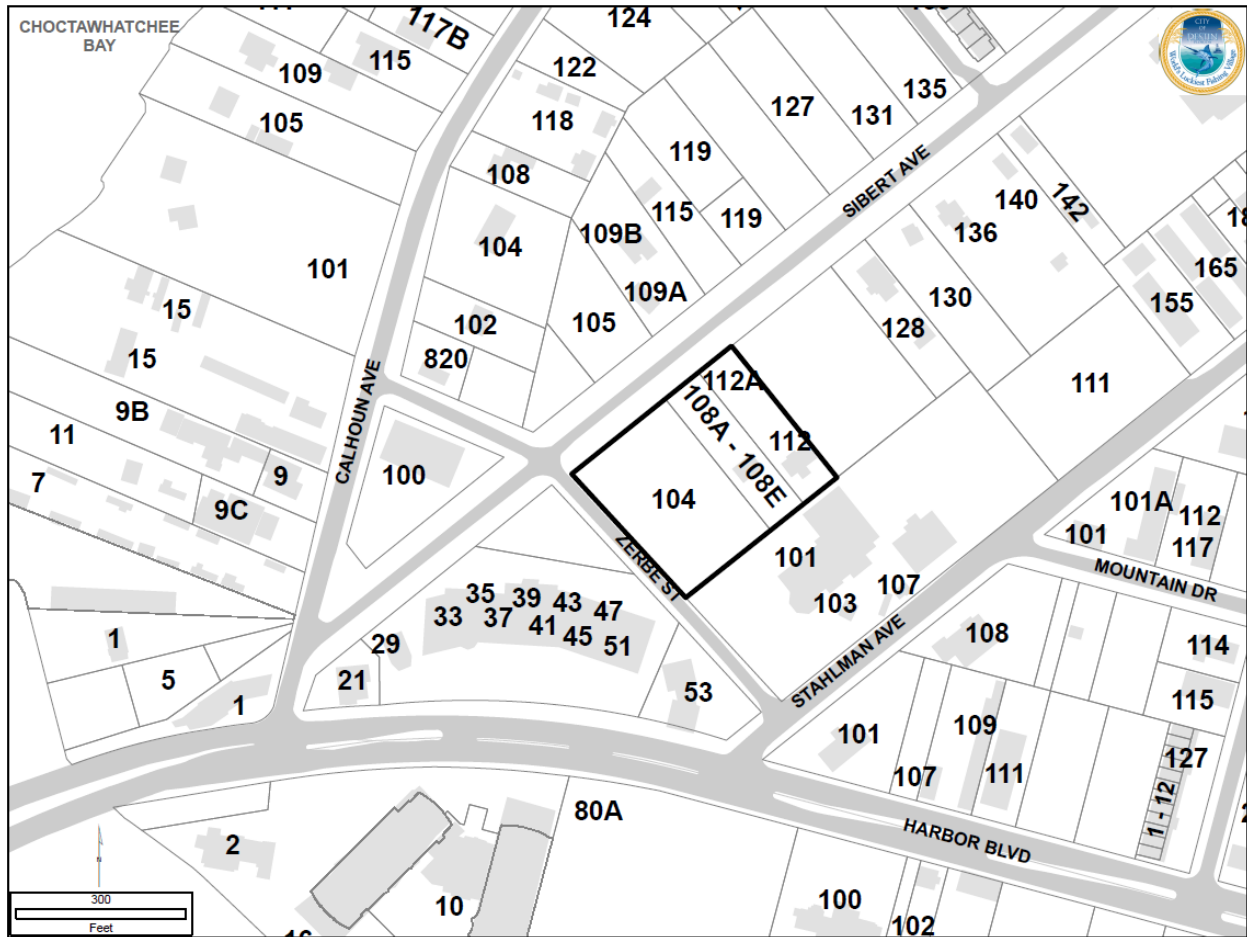
The form and legal sufficiency of the foregoing has been reviewed and approved by the City Land Use Attorney, for the City of Destin, only.

Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: _____
Second Reading: _____

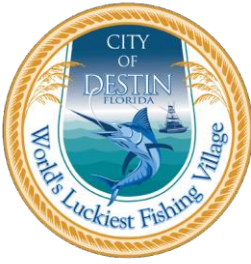
EXHIBIT A



Parcel ID: **00-2S-22-0310-000D-3760**
 Lots 376 and 37, Block D, Calhoun's Subdivision, Destin, Florida as per plat on file in
 the Office of the Clerk Circuit Court, Okaloosa County, Florida.

00-2S-22-0310-000D-3780
 Lot 378, Block D, SECOND REVISION OF CALHOUNS SUBDIVISION OF
 ADDITION TO TOWN OF DESTIN, according to the plat thereof as recorded in Plat
 Book 2, Page 43-A, Public Records of Okaloosa County, Florida.

00-2S-22-0310-000D-3790
 Lot 379, Block D, Calhoun's Subdivision of Addition to Town of Destin, Florida,
 according to the map or plat thereof as recorded in Plat Book 2, Page(s) 43-A, Public
 Records of Okaloosa County, Florida.



COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ITEM

LOCAL PLANNING AGENCY MEETING DATE: February 27, 2020

TYPE OF AGENDA ITEM: Staff Report and Recommendation

TO: Local Planning Agency

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

FROM: Samantha Brisolara, Planner
Traci Goodhart, Planner

DATE: February 21, 2020

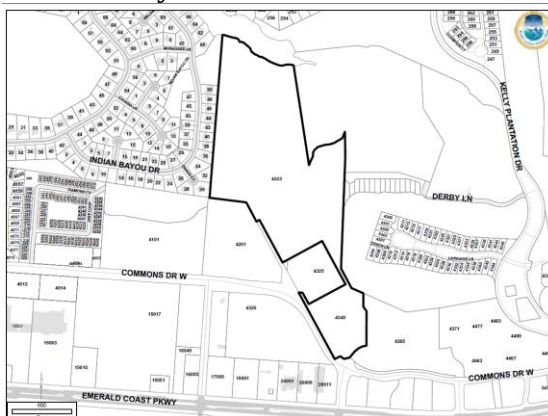
SUBJECT: Proposed Ordinances Amending the Future Land Use Map (FLUM): 20-09-PC - Mattie Kelly Arts Foundation; 20-10-PC - City Parking Lots; 20-11-PC – Sugarloaf Apartments; 20-12-PC - Cemex Plant; 20-13-PC - Destin United Methodist Church

BACKGROUND: Over the past year, Staff has worked to eliminate inconsistencies between Zoning Map and Future Land Use Map. During this endeavor, staff also rezoned four (4) split-zoned parcels and the City Owned Parking Lots (3 parcels) to create consistency of land uses within the affected parcels.

ISSUE: The seven (7) parcels which were corrected through City-initiated Zoning Amendments are now inconsistent with the Future Land Use Map, and require Future Land Use Map (FLUM) Amendments. As such, an amendment to the FLUM is now necessary.

DISCUSSION: The seven (7) parcels requiring Future Land Use Amendments are as follows:

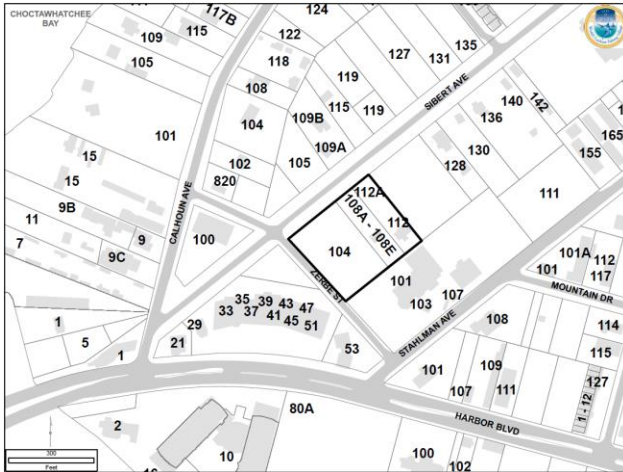
- **Mattie Kelly Arts Foundation Parcel – PID: 00-2S-22-0000-0001-B17F**



ITEM #

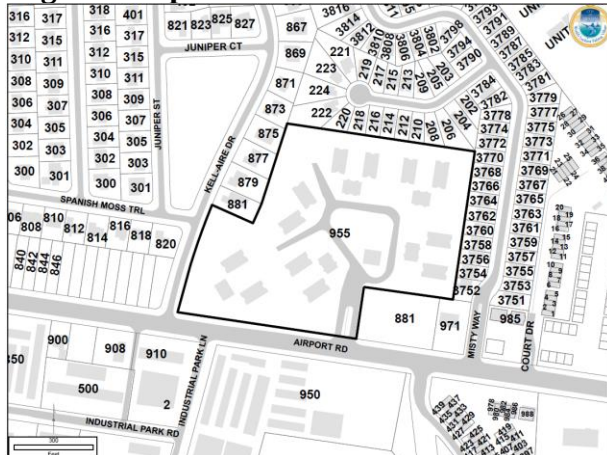
Current Zoning	Current Future Land Use	Proposed Future Land Use
Institutional (INST)	Institutional (INST), Residential, Office, Institutional (ROI), and Recreation (REC)	Institutional (INST)

- **City Parking Lots – PIDs: 00-2S-22-0310-000D-3760, 00-2S-22-0310-000D-3780, 00-2S-22-0310-000D-3790**



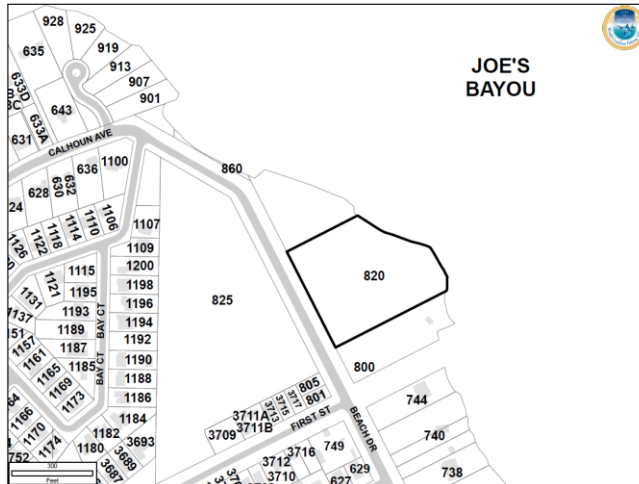
Current Zoning	Current Future Land Use	Proposed Future Land Use
Institutional (INST)	North Harbor Mixed Use (NHMU), Residential, Office, Institutional (ROI)	Institutional (INST)

- **Sugarloaf Apartments – PID: 00-2S-22-0000-0057-0010**



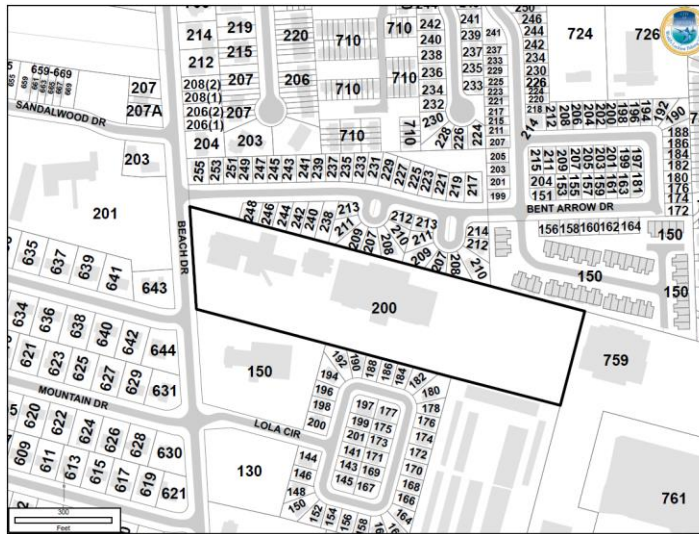
Current Zoning	Current Future Land Use	Proposed Future Land Use
Residential, Office, Institutional – Village (ROI-VR)	Residential, Office, Institutional (ROI), Medium Density Residential (MDR)	Residential, Office, Institutional (ROI)

- Cemex Plant – PID: 00-2S-22-1360-0020-0070**



Current Zoning	Current Future Land Use	Proposed Future Land Use
Recreation (REC)	Bay Estates (BE)	Recreation (REC)

- Destin United Methodist Church – PID: 00-2S-22-0000-0011-003A**



Current Zoning	Current Future Land Use	Proposed Future Land Use
Institutional (INST)	Institutional (INST), Town Center Mixed Use (TCMU)	Institutional (INST)

If approved, the Future Land Use of these parcels will be updated to be consistent with the current zoning.

The final step of the alignment of the Future Land Use Map and the Zoning Map will be to adopt and codify both maps into the City's Comprehensive Plan and Land Development Code, respectively. Two ordinances will be forwarded to the City Council, subject to LPA recommendation, to complete these actions.

CONCLUSION: The proposed ordinances are consistent with Council's directive to align the Future Land Use and Zoning Maps.

STAFF RECOMMENDATION: Staff recommends that the LPA recommend the following actions:

1. City Council Approval of proposed Ordinances: 20-09-PC, 20-10-PC, 20-11-PC, 20-12-PC, 20-13-PC.
2. City Council Approval of the adoption and codification of the Future Land Use Map.
3. City Council Approval of the adoption and codification of the Zoning Map.

RECOMMENDED MOTIONS:

1. I move that the City Council approve proposed Ordinances 20-09-PC, 20-10-PC, 20-11-PC, 20-12-PC, and 20-13-PC.
2. I move the City Council approve the adoption and codification of the Future Land Use Map.
3. I move the City Council approve the adoption and codification of the Zoning Map.

Attachments:

Ordinance 20-09-PC: Mattie Kelly
Ordinance 20-10-PC: City Parking Lot
Ordinance 20-11-PC: Sugarloaf Apartments
Ordinance 20-12-PC: Cemex Plant
Ordinance 20-13-PC: Destin UMC

ORDINANCE NO. 20-11-PC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE FUTURE LAND USE MAP AS REFERENCED IN CHAPTER 1 OF THE COMPREHENSIVE PLAN TO INCLUDE A CHANGE IN THE FUTURE LAND USE DESIGNATIONS OF THE PARCEL DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM MEDIUM DENSITY RESIDENTIAL (MDR) AND RESIDENTIAL, OFFICE, INSTITUTIONAL (ROI) TO RESIDENTIAL, OFFICE, INSTITUTIONAL (ROI); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; 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 applicant desires to change the future land use designation from MEDIUM DENSITY RESIDENTIAL (MDR) AND RESIDENTIAL, OFFICE, INSTITUTIONAL (ROI) TO RESIDENTIAL, OFFICE, INSTITUTIONAL (ROI) for future land use category in the City's Comprehensive Plan on a parcel of land set forth in Exhibit A, lying within the corporate limits of the City; and

WHEREAS, after due public notice, a public hearing was conducted by the Local Planning Agency on March 21, 2019, and its recommendations reported to the City Council; and

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

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

SECTION 3. ADOPTION OF THE AMENDMENT TO THE FUTURE LAND USE MAP:

The City of Destin's Future Land Use Map is hereby amended by changing the future land use category from MEDIUM DENSITY RESIDENTIAL (MDR) AND RESIDENTIAL, OFFICE, INSTITUTIONAL (ROI) TO RESIDENTIAL, OFFICE, INSTITUTIONAL (ROI) for the specific area of land of approximately 13.8 acres, which area of land is legally described and depicted on Exhibit A, attached hereto and fully incorporated herein by this reference.

SECTION 4. TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY:

The City Manager or his 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 5. 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's Comprehensive Plan and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 6. CONFLICTING PROVISIONS. All prior inconsistent ordinances and resolutions adopted by the City Council, or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed by this ordinance to the extent of such conflict.

SECTION 7. SEVERABILITY. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

SECTION 8. 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 the Administration Commission enters a final order determining that 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 becomes 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 6TH DAY OF _____ 2020.

BY: _____
Gary Jarvis, Mayor

ATTEST:

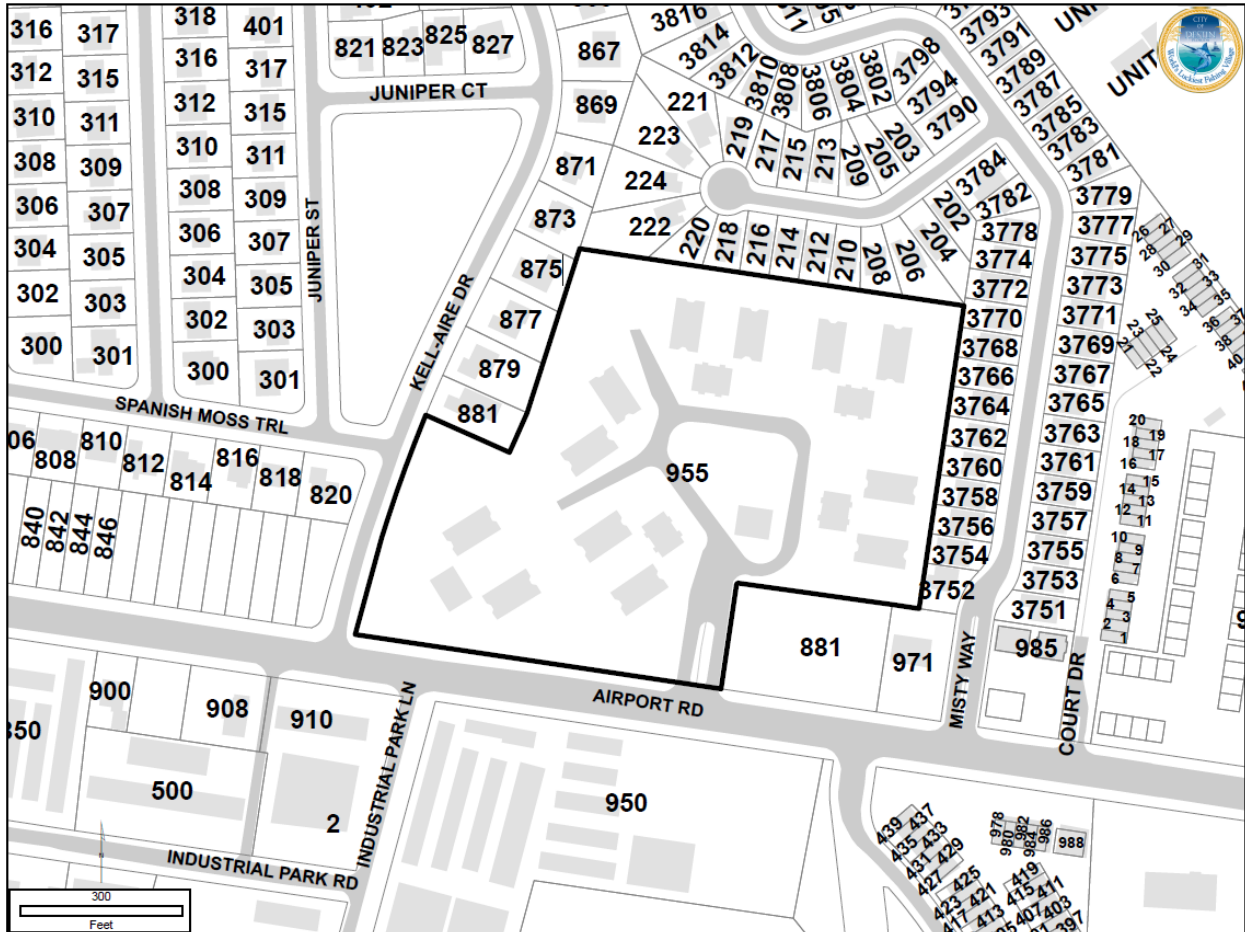
The form and legal sufficiency of the foregoing has been reviewed and approved by the City Land Use Attorney, for the City of Destin, only.

Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: _____
Second Reading: _____

EXHIBIT A



LEGAL DESCRIPTION: PHASE "D" OF SUGARLOAF APARTMENTS

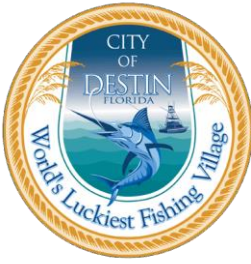
COMMENCE AT THE SOUTHWEST CORNER OF LOT 1, BLOCK B, HARBOR BREEZE, AS RECORDED IN PLAT BOOK 13, PAGE 32, OKALOOSA COUNTY, FLORIDA; THENCE NORTH 07° 17' 54" EAST ALONG THE WEST BOUNDARY OF SAID HARBOR BREEZE A DISTANCE OF 274.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 07° 17' 54" EAST ALONG SAID BOUNDARY A DISTANCE OF 291.00 FEET; THENCE NORTH 82° 42' 06" WEST A DISTANCE OF 294.00 FEET; THENCE SOUTH 07° 17' 54" WEST A DISTANCE OF 291.00 FEET; THENCE SOUTH 82° 42' 06" EAST A DISTANCE OF 294.00 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION: PHASE "E" OF SUGARLOAF APARTMENTS

BEGIN AT THE SOUTHWEST CORNER OF LOT 1, BLOCK B, HARBOR BREEZE, AS RECORDED IN PLAT BOOK 13, PAGE 32, OKALOOSA COUNTY, FLORIDA; THENCE NORTH 07° 17' 54" EAST ALONG THE WEST BOUNDARY OF SAID HARBOR BREEZE A DISTANCE OF 274.00 FEET; THENCE NORTH 82° 42' 06" WEST A DISTANCE OF 294.00 FEET; THENCE SOUTH 07° 17' 54" WEST A DISTANCE OF 13.51 FEET; THENCE ALONG A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 066° 25' 18", FOR AN ARC LENGTH OF 34.78 FEET, (CHORD BEARING SOUTH 25° 54' 45" EAST, CHORD DISTANCE 32.86 FEET) TO ITS POINT OF TANGENCY; THENCE SOUTH 07° 17' 54" WEST A DISTANCE OF 164.00 FEET; THENCE ALONG A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 090° 00' 00", FOR AN ARC LENGTH OF 47.12 FEET, (CHORD BEARING SOUTH 52° 17' 54" WEST, CHORD DISTANCE 42.43 FEET) TO ITS POINT OF TANGENCY; THENCE NORTH 82° 42' 06" WEST A DISTANCE OF 17.94 FEET TO A POINT OF CURVE; THENCE NORTHWESTERLY ALONG A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 47° 16' 00", FOR AN ARC DISTANCE OF 16.50 FEET (CHORD BEARING NORTH 59° 04' 06" WEST, CHORD DISTANCE 16.04 FEET) TO ITS POINT OF TANGENCY; THENCE NORTH 35° 26' 06" WEST A DISTANCE OF 2.01 FEET; THENCE SOUTH 07° 17' 54" WEST A DISTANCE OF 46.91 FEET; THENCE SOUTH 82° 42' 06" EAST A DISTANCE OF 340.00 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION: PHASE "F" OF SUGARLOAF APARTMENTS

COMMENCE AT THE SOUTHWEST CORNER OF LOT 1, BLOCK B, HARBOR BREEZE, AS RECORDED IN PLAT BOOK 13, PAGE 32, OKALOOSA COUNTY, FLORIDA; THENCE NORTH 82° 42' 06" WEST ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 340.00 FEET; THENCE SOUTH 07° 17' 54" WEST A DISTANCE OF 200.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF AIRPORT ROAD (100 FOOT RIGHT-OF-WAY); THENCE NORTH 82° 42' 06" WEST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 207.76 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 82° 42' 06" WEST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 475.00 FEET; THENCE NORTH 12° 58' 54" EAST ALONG THE EASTERLY RIGHT-OF-WAY OF KELL-AIRE DRIVE (66 FOOT RIGHT-OF-WAY) AS SHOWN ON THE PLAT OF KELL-AIRE GARDENS, AS RECORDED IN PLAT BOOK 5, PAGE 48, OKALOOSA COUNTY, FLORIDA, A DISTANCE OF 37.05 FEET; THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY AND ALONG A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 2735.76 FEET, A CENTRAL ANGLE OF 08° 08' 33" FOR AN ARC DISTANCE OF 388.79 FEET (CHORD BEARING NORTH 17° 03' 10" EAST, CHORD DISTANCE 388.47 FEET); THENCE SOUTH 67° 05' 58" EAST A DISTANCE OF 169.21 FEET; THENCE SOUTH 22° 54' 02" WEST A DISTANCE OF 70.00 FEET; THENCE SOUTH 33° 07' 53" EAST A DISTANCE OF 403.02 FEET TO THE POINT OF BEGINNING.



COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ITEM

LOCAL PLANNING AGENCY MEETING DATE: February 27, 2020

TYPE OF AGENDA ITEM: Staff Report and Recommendation

TO: Local Planning Agency

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

FROM: Samantha Brisolara, Planner
Traci Goodhart, Planner

DATE: February 21, 2020

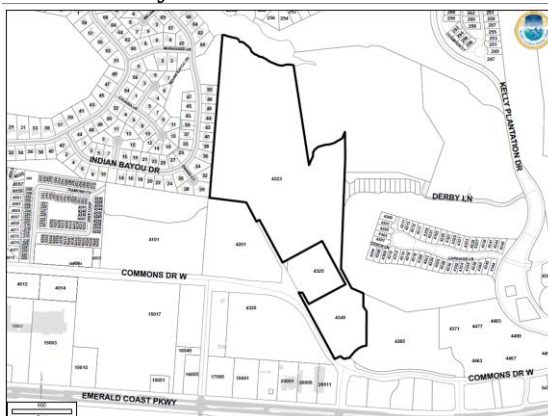
SUBJECT: Proposed Ordinances Amending the Future Land Use Map (FLUM): 20-09-PC - Mattie Kelly Arts Foundation; 20-10-PC - City Parking Lots; 20-11-PC – Sugarloaf Apartments; 20-12-PC - Cemex Plant; 20-13-PC - Destin United Methodist Church

BACKGROUND: Over the past year, Staff has worked to eliminate inconsistencies between Zoning Map and Future Land Use Map. During this endeavor, staff also rezoned four (4) split-zoned parcels and the City Owned Parking Lots (3 parcels) to create consistency of land uses within the affected parcels.

ISSUE: The seven (7) parcels which were corrected through City-initiated Zoning Amendments are now inconsistent with the Future Land Use Map, and require Future Land Use Map (FLUM) Amendments. As such, an amendment to the FLUM is now necessary.

DISCUSSION: The seven (7) parcels requiring Future Land Use Amendments are as follows:

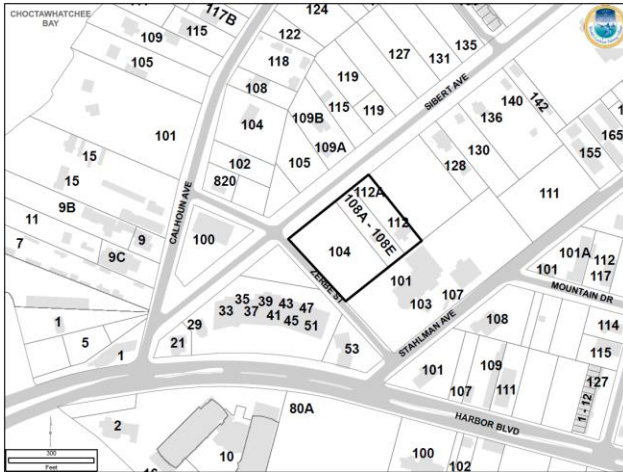
- **Mattie Kelly Arts Foundation Parcel – PID: 00-2S-22-0000-0001-B17F**



ITEM #

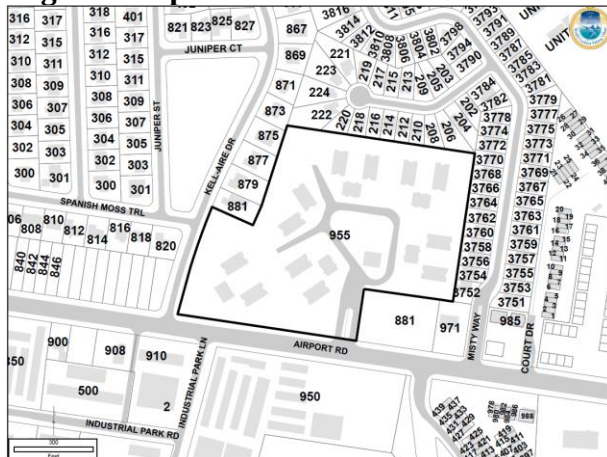
Current Zoning	Current Future Land Use	Proposed Future Land Use
Institutional (INST)	Institutional (INST), Residential, Office, Institutional (ROI), and Recreation (REC)	Institutional (INST)

- **City Parking Lots – PIDs: 00-2S-22-0310-000D-3760, 00-2S-22-0310-000D-3780, 00-2S-22-0310-000D-3790**



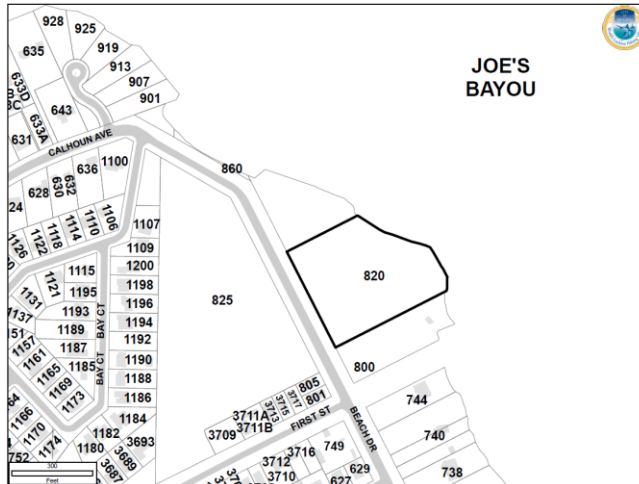
Current Zoning	Current Future Land Use	Proposed Future Land Use
Institutional (INST)	North Harbor Mixed Use (NHMU), Residential, Office, Institutional (ROI)	Institutional (INST)

- **Sugarloaf Apartments – PID: 00-2S-22-0000-0057-0010**



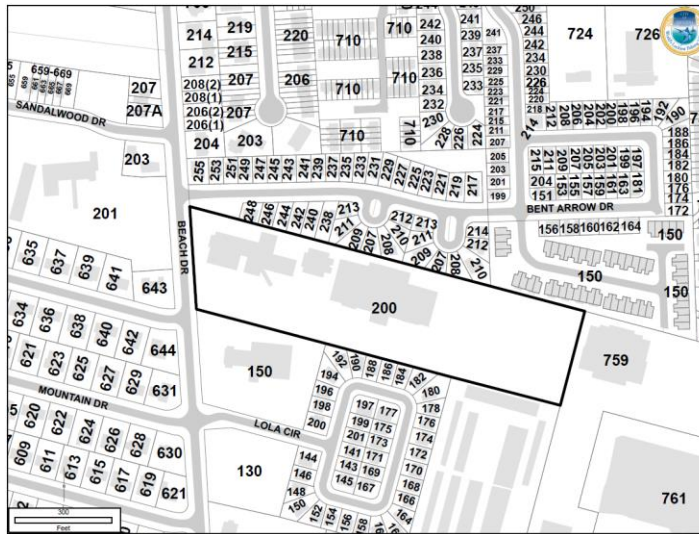
Current Zoning	Current Future Land Use	Proposed Future Land Use
Residential, Office, Institutional – Village (ROI-VR)	Residential, Office, Institutional (ROI), Medium Density Residential (MDR)	Residential, Office, Institutional (ROI)

- Cemex Plant – PID: 00-2S-22-1360-0020-0070**



Current Zoning	Current Future Land Use	Proposed Future Land Use
Recreation (REC)	Bay Estates (BE)	Recreation (REC)

- Destin United Methodist Church – PID: 00-2S-22-0000-0011-003A**



Current Zoning	Current Future Land Use	Proposed Future Land Use
Institutional (INST)	Institutional (INST), Town Center Mixed Use (TCMU)	Institutional (INST)

If approved, the Future Land Use of these parcels will be updated to be consistent with the current zoning.

The final step of the alignment of the Future Land Use Map and the Zoning Map will be to adopt and codify both maps into the City's Comprehensive Plan and Land Development Code, respectively. Two ordinances will be forwarded to the City Council, subject to LPA recommendation, to complete these actions.

CONCLUSION: The proposed ordinances are consistent with Council's directive to align the Future Land Use and Zoning Maps.

STAFF RECOMMENDATION: Staff recommends that the LPA recommend the following actions:

1. City Council Approval of proposed Ordinances: 20-09-PC, 20-10-PC, 20-11-PC, 20-12-PC, 20-13-PC.
2. City Council Approval of the adoption and codification of the Future Land Use Map.
3. City Council Approval of the adoption and codification of the Zoning Map.

RECOMMENDED MOTIONS:

1. I move that the City Council approve proposed Ordinances 20-09-PC, 20-10-PC, 20-11-PC, 20-12-PC, and 20-13-PC.
2. I move the City Council approve the adoption and codification of the Future Land Use Map.
3. I move the City Council approve the adoption and codification of the Zoning Map.

Attachments:

Ordinance 20-09-PC: Mattie Kelly
Ordinance 20-10-PC: City Parking Lot
Ordinance 20-11-PC: Sugarloaf Apartments
Ordinance 20-12-PC: Cemex Plant
Ordinance 20-13-PC: Destin UMC

ORDINANCE NO. 20-12-PC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE FUTURE LAND USE MAP AS REFERENCED IN CHAPTER 1 OF THE COMPREHENSIVE PLAN TO INCLUDE A CHANGE IN THE FUTURE LAND USE DESIGNATIONS OF THE PARCEL DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM BAY ESTATES (BE) TO RECREATION (REC); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; 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 applicant desires to change the future land use designation from BAY ESTATES (BE) TO RECREATION (REC) for future land use category in the City's Comprehensive Plan on a parcel of land set forth in Exhibit A, lying within the corporate limits of the City; and

WHEREAS, after due public notice, a public hearing was conducted by the Local Planning Agency on March 21, 2019, and its recommendations reported to the City Council; and

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

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

SECTION 3. ADOPTION OF THE AMENDMENT TO THE FUTURE LAND USE MAP:

The City of Destin's Future Land Use Map is hereby amended by changing the future land use category from BAY ESTATES (BE) TO RECREATION (REC) for the specific area of land of approximately 3.90 acres, which area of land is legally described and depicted on Exhibit A, attached hereto and fully incorporated herein by this reference.

SECTION 4. TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY:

The City Manager or his 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 5. 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's Comprehensive Plan and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 6. CONFLICTING PROVISIONS. All prior inconsistent ordinances and resolutions adopted by the City Council, or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed by this ordinance to the extent of such conflict.

SECTION 7. SEVERABILITY. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

SECTION 8. 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 the Administration Commission enters a final order determining that 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 becomes 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 6TH DAY OF _____ 2020.

BY: _____
Gary Jarvis, Mayor

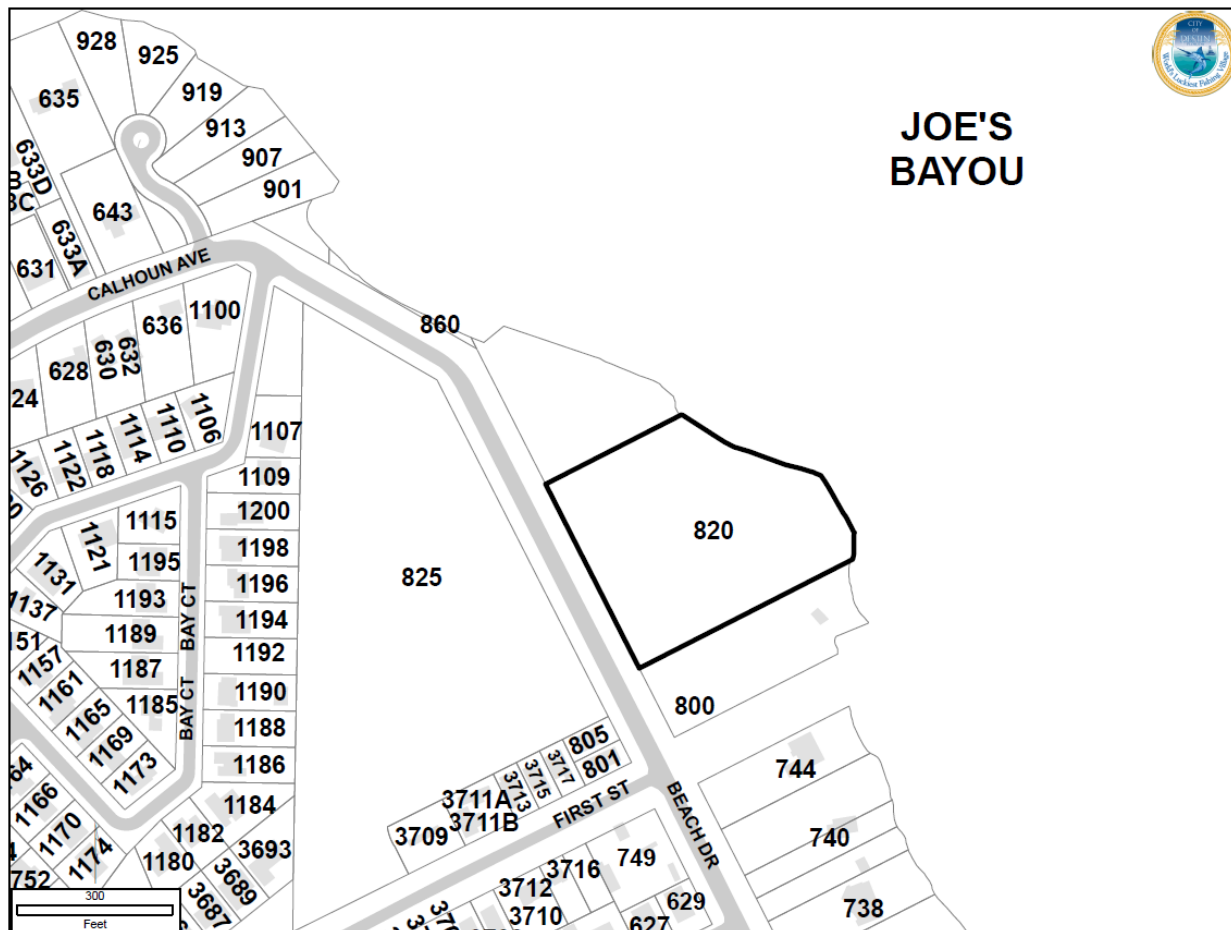
ATTEST:

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

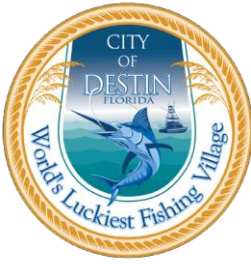
Kimberly Kopp, City Land Use Attorney

First Reading: _____
Second Reading: _____



Lots 7 through 14, inclusive Block 2, a resubdivision of Kelly's Addition to Destin, according to plat thereof recorded in Plat Book 2, at page 62 of the public records of Okaloosa County, Florida.

Being the property conveyed to Ready Mix USA, LLC by special warranty deed from Cemex, Inc., successor by merger to Florida Mining and Materials Concrete Corp., recorded August 16, 2005 in Book 2644 Page 1552 in the Public Records for Okaloosa County, Florida



COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ITEM

LOCAL PLANNING AGENCY MEETING DATE: February 27, 2020

TYPE OF AGENDA ITEM: Staff Report and Recommendation

TO: Local Planning Agency

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

FROM: Samantha Brisolara, Planner
Traci Goodhart, Planner

DATE: February 21, 2020

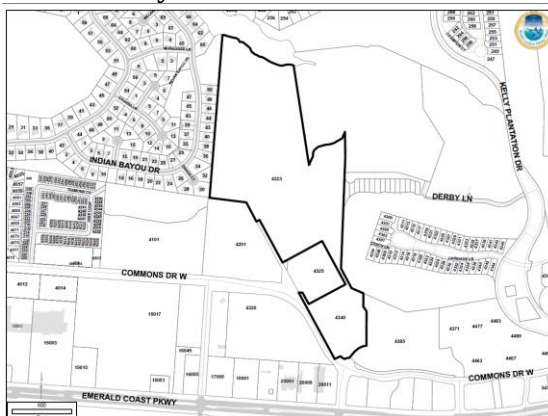
SUBJECT: Proposed Ordinances Amending the Future Land Use Map (FLUM): 20-09-PC - Mattie Kelly Arts Foundation; 20-10-PC - City Parking Lots; 20-11-PC – Sugarloaf Apartments; 20-12-PC - Cemex Plant; 20-13-PC - Destin United Methodist Church

BACKGROUND: Over the past year, Staff has worked to eliminate inconsistencies between Zoning Map and Future Land Use Map. During this endeavor, staff also rezoned four (4) split-zoned parcels and the City Owned Parking Lots (3 parcels) to create consistency of land uses within the affected parcels.

ISSUE: The seven (7) parcels which were corrected through City-initiated Zoning Amendments are now inconsistent with the Future Land Use Map, and require Future Land Use Map (FLUM) Amendments. As such, an amendment to the FLUM is now necessary.

DISCUSSION: The seven (7) parcels requiring Future Land Use Amendments are as follows:

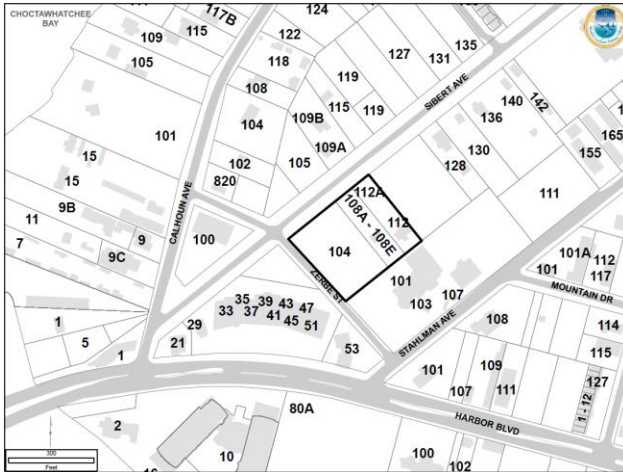
- **Mattie Kelly Arts Foundation Parcel – PID: 00-2S-22-0000-0001-B17F**



ITEM #

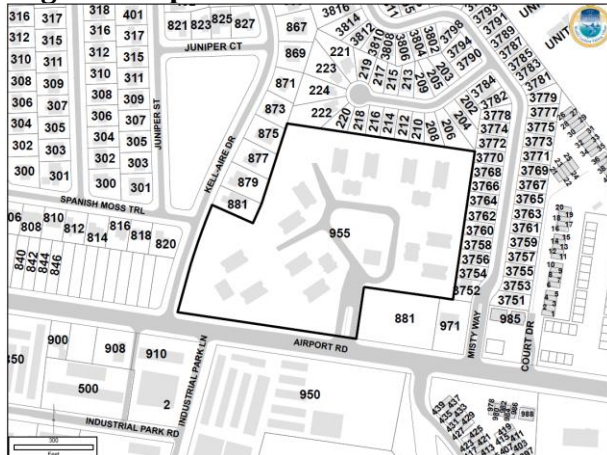
Current Zoning	Current Future Land Use	Proposed Future Land Use
Institutional (INST)	Institutional (INST), Residential, Office, Institutional (ROI), and Recreation (REC)	Institutional (INST)

- **City Parking Lots – PIDs: 00-2S-22-0310-000D-3760, 00-2S-22-0310-000D-3780, 00-2S-22-0310-000D-3790**



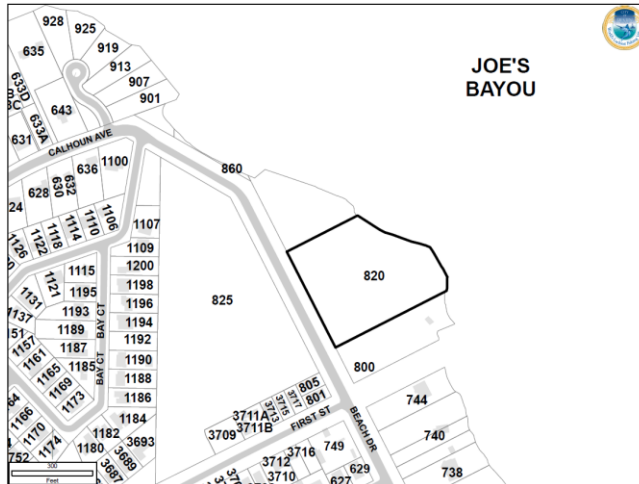
Current Zoning	Current Future Land Use	Proposed Future Land Use
Institutional (INST)	North Harbor Mixed Use (NHMU), Residential, Office, Institutional (ROI)	Institutional (INST)

- **Sugarloaf Apartments – PID: 00-2S-22-0000-0057-0010**



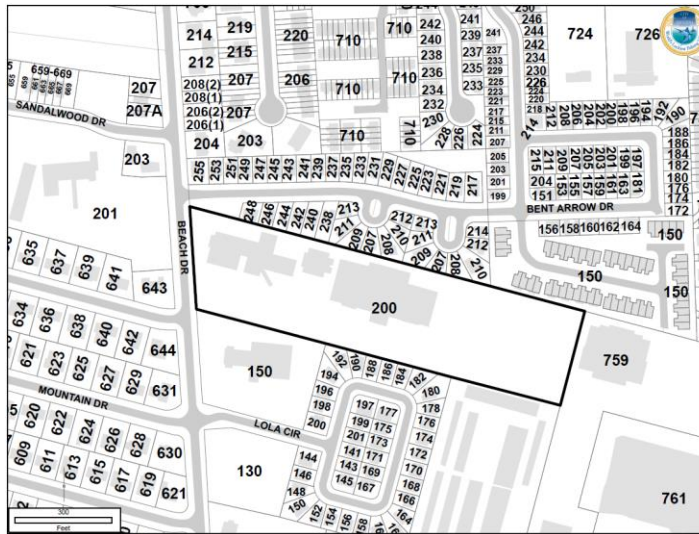
Current Zoning	Current Future Land Use	Proposed Future Land Use
Residential, Office, Institutional – Village (ROI-VR)	Residential, Office, Institutional (ROI), Medium Density Residential (MDR)	Residential, Office, Institutional (ROI)

- Cemex Plant – PID: 00-2S-22-1360-0020-0070**



Current Zoning	Current Future Land Use	Proposed Future Land Use
Recreation (REC)	Bay Estates (BE)	Recreation (REC)

- Destin United Methodist Church – PID: 00-2S-22-0000-0011-003A**



Current Zoning	Current Future Land Use	Proposed Future Land Use
Institutional (INST)	Institutional (INST), Town Center Mixed Use (TCMU)	Institutional (INST)

If approved, the Future Land Use of these parcels will be updated to be consistent with the current zoning.

The final step of the alignment of the Future Land Use Map and the Zoning Map will be to adopt and codify both maps into the City's Comprehensive Plan and Land Development Code, respectively. Two ordinances will be forwarded to the City Council, subject to LPA recommendation, to complete these actions.

CONCLUSION: The proposed ordinances are consistent with Council's directive to align the Future Land Use and Zoning Maps.

STAFF RECOMMENDATION: Staff recommends that the LPA recommend the following actions:

1. City Council Approval of proposed Ordinances: 20-09-PC, 20-10-PC, 20-11-PC, 20-12-PC, 20-13-PC.
2. City Council Approval of the adoption and codification of the Future Land Use Map.
3. City Council Approval of the adoption and codification of the Zoning Map.

RECOMMENDED MOTIONS:

1. I move that the City Council approve proposed Ordinances 20-09-PC, 20-10-PC, 20-11-PC, 20-12-PC, and 20-13-PC.
2. I move the City Council approve the adoption and codification of the Future Land Use Map.
3. I move the City Council approve the adoption and codification of the Zoning Map.

Attachments:

Ordinance 20-09-PC: Mattie Kelly
Ordinance 20-10-PC: City Parking Lot
Ordinance 20-11-PC: Sugarloaf Apartments
Ordinance 20-12-PC: Cemex Plant
Ordinance 20-13-PC: Destin UMC

ORDINANCE NO. 20-13-PC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE FUTURE LAND USE MAP AS REFERENCED IN CHAPTER 1 OF THE COMPREHENSIVE PLAN TO INCLUDE A CHANGE IN THE FUTURE LAND USE DESIGNATIONS OF THE PARCEL DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM INSTITUTIONAL (INST) AND TOWN CENTER MIXED USE (TCMU) TO INSTITUTIONAL (INST); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; 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 applicant desires to change the future land use designation from INSTITUTIONAL (INST) AND TOWN CENTER MIXED USE (TCMU) TO INSTITUTIONAL (INST) for future land use category in the City's Comprehensive Plan on a parcel of land set forth in Exhibit A, lying within the corporate limits of the City; and

WHEREAS, after due public notice, a public hearing was conducted by the Local Planning Agency on March 21, 2019, and its recommendations reported to the City Council; and

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

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

SECTION 3. ADOPTION OF THE AMENDMENT TO THE FUTURE LAND USE MAP:

The City of Destin's Future Land Use Map is hereby amended by changing the future land use category from INSTITUTIONAL (INST) AND TOWN CENTER MIXED USE (TCMU) TO INSTITUTIONAL (INST) for the specific area of land of approximately 8.34 acres, which area of land is legally described and depicted on Exhibit A, attached hereto and fully incorporated herein by this reference.

SECTION 4. TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY:

The City Manager or his 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 5. 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's Comprehensive Plan and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 6. CONFLICTING PROVISIONS. All prior inconsistent ordinances and resolutions adopted by the City Council, or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed by this ordinance to the extent of such conflict.

SECTION 7. SEVERABILITY. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

SECTION 8. 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 the Administration Commission enters a final order determining that 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 becomes 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 6TH 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.

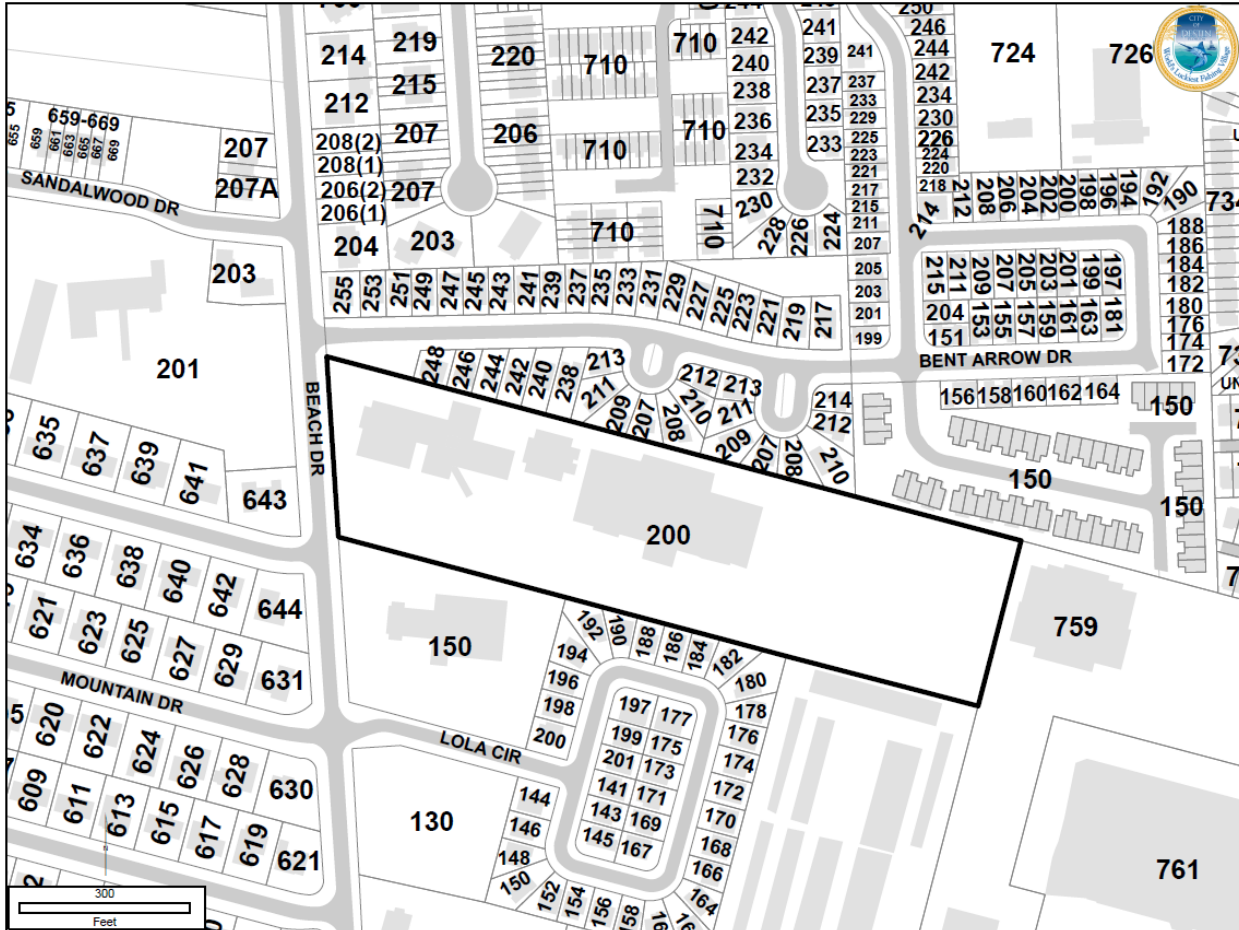
Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: _____

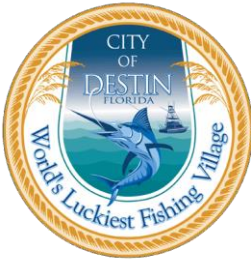
Second Reading: _____

EXHIBIT A



Parcel ID: 00-2S-22-0000-0011-003A

Commence at the Southwest corner of Lot 7, Block "G", Revised Second East Pass Addition to Destin, Florida as recorded in Plat Book 1 at Page 19A of the Public Records of Okaloosa County, Florida; thence go North $13^{\circ}49'00''$ East along the West line of Lot 7 and a northerly projection thereof a distance of 1002.06 feet to the Point of Beginning; thence continue North $13^{\circ}49'00''$ East a distance of 300.00 feet to the Henderson-Kelly line; thence go North $76^{\circ}11'53''$ West along the Henderson-Kelly line a distance of 913.29 feet to the easterly right-of-way line of Beach Drive (66' R/W); thence go South $04^{\circ}50'13''$ East along the East right-of-way line a distance of 316.62 feet; thence go South $76^{\circ}11'53''$ East parallel to the Henderson-Kelly line a distance of 812.13 feet to the Point of Beginning. The above described parcel contains 5.94 acres.



COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ITEM

LOCAL PLANNING AGENCY MEETING DATE: February 27, 2020

TYPE OF AGENDA ITEM: Staff Report and Recommendation

TO: Local Planning Agency

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

FROM: Samantha Brisolara, Planner
Traci Goodhart, Planner

DATE: February 21, 2020

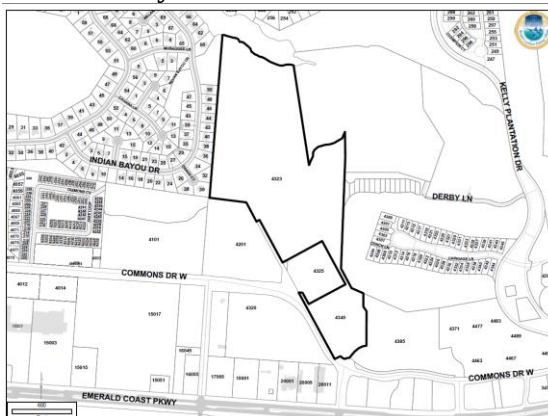
SUBJECT: Proposed Ordinances Amending the Future Land Use Map (FLUM): 20-09-PC - Mattie Kelly Arts Foundation; 20-10-PC - City Parking Lots; 20-11-PC – Sugarloaf Apartments; 20-12-PC - Cemex Plant; 20-13-PC - Destin United Methodist Church

BACKGROUND: Over the past year, Staff has worked to eliminate inconsistencies between Zoning Map and Future Land Use Map. During this endeavor, staff also rezoned four (4) split-zoned parcels and the City Owned Parking Lots (3 parcels) to create consistency of land uses within the affected parcels.

ISSUE: The seven (7) parcels which were corrected through City-initiated Zoning Amendments are now inconsistent with the Future Land Use Map, and require Future Land Use Map (FLUM) Amendments. As such, an amendment to the FLUM is now necessary.

DISCUSSION: The seven (7) parcels requiring Future Land Use Amendments are as follows:

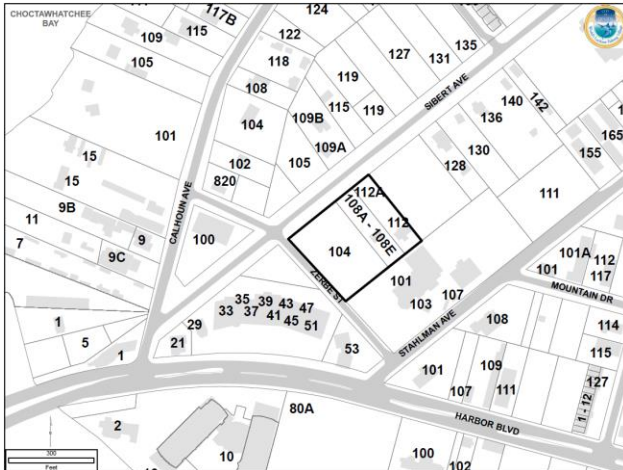
- **Mattie Kelly Arts Foundation Parcel – PID: 00-2S-22-0000-0001-B17F**



ITEM #

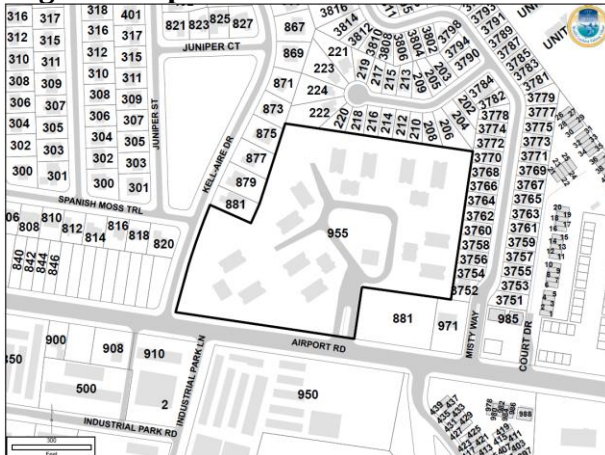
Current Zoning	Current Future Land Use	Proposed Future Land Use
Institutional (INST)	Institutional (INST), Residential, Office, Institutional (ROI), and Recreation (REC)	Institutional (INST)

- **City Parking Lots – PIDs: 00-2S-22-0310-000D-3760, 00-2S-22-0310-000D-3780, 00-2S-22-0310-000D-3790**



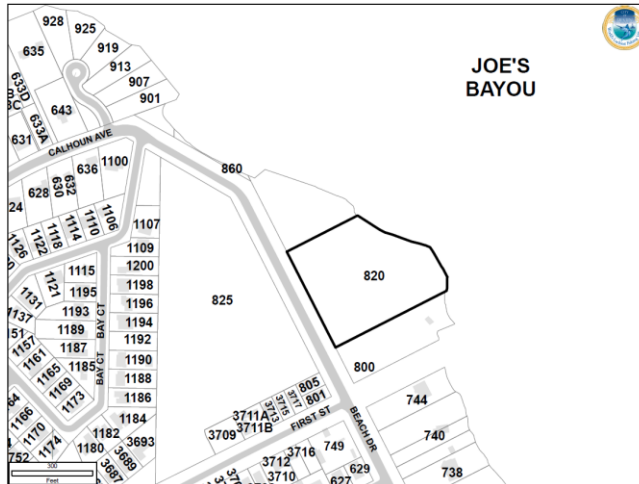
Current Zoning	Current Future Land Use	Proposed Future Land Use
Institutional (INST)	North Harbor Mixed Use (NHMU), Residential, Office, Institutional (ROI)	Institutional (INST)

- **Sugarloaf Apartments – PID: 00-2S-22-0000-0057-0010**



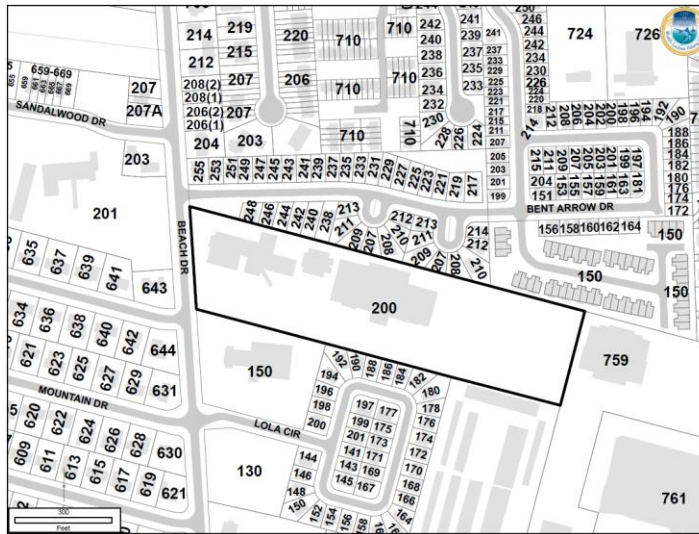
Current Zoning	Current Future Land Use	Proposed Future Land Use
Residential, Office, Institutional – Village (ROI-VR)	Residential, Office, Institutional (ROI), Medium Density Residential (MDR)	Residential, Office, Institutional (ROI)

- Cemex Plant – PID: 00-2S-22-1360-0020-0070**



Current Zoning	Current Future Land Use	Proposed Future Land Use
Recreation (REC)	Bay Estates (BE)	Recreation (REC)

- Destin United Methodist Church – PID: 00-2S-22-0000-0011-003A**



Current Zoning	Current Future Land Use	Proposed Future Land Use
Institutional (INST)	Institutional (INST), Town Center Mixed Use (TCMU)	Institutional (INST)

If approved, the Future Land Use of these parcels will be updated to be consistent with the current zoning.

The final step of the alignment of the Future Land Use Map and the Zoning Map will be to adopt and codify both maps into the City's Comprehensive Plan and Land Development Code, respectively. Two ordinances will be forwarded to the City Council, subject to LPA recommendation, to complete these actions.

CONCLUSION: The proposed ordinances are consistent with Council's directive to align the Future Land Use and Zoning Maps.

STAFF RECOMMENDATION: Staff recommends that the LPA recommend the following actions:

1. City Council Approval of proposed Ordinances: 20-09-PC, 20-10-PC, 20-11-PC, 20-12-PC, 20-13-PC.
2. City Council Approval of the adoption and codification of the Future Land Use Map.
3. City Council Approval of the adoption and codification of the Zoning Map.

RECOMMENDED MOTIONS:

1. I move that the City Council approve proposed Ordinances 20-09-PC, 20-10-PC, 20-11-PC, 20-12-PC, and 20-13-PC.
2. I move the City Council approve the adoption and codification of the Future Land Use Map.
3. I move the City Council approve the adoption and codification of the Zoning Map.

Attachments:

Ordinance 20-09-PC: Mattie Kelly
Ordinance 20-10-PC: City Parking Lot
Ordinance 20-11-PC: Sugarloaf Apartments
Ordinance 20-12-PC: Cemex Plant
Ordinance 20-13-PC: Destin UMC

ORDINANCE NO. 20-16-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, RELATING TO MOBILE VENDING; AMENDING ARTICLE 3, “DEFINITIONS”; AMENDING ARTICLE 7, “LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS” RELATING TO MOBILE VENDING REGULATIONS; REGULATING “LONG TERM SEASONAL OPERATIONS”; REGULATING “SPECIAL EVENT OPERATIONS”; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE, CONFLICTING PROVISIONS, SEVERABILITY, AND 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 Article 3 of the Land Development Code to amend definitions, and Article 7 of the Land Development Code, relating to mobile vending regulations, regulating long term seasonal operations, and relating to special event operations; 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 ARTICLES 3 AND 7 OF THE LAND DEVELOPMENT CODE.

Articles 3 and 7 of the Land Development Code is hereby amended as follows:

3.00.01. - Definitions.

For the purpose of this Code, the following terms, phrases, words and their derivations shall have the meaning contained herein, except where the context clearly requires otherwise.

Mobile Vendor: A person who is in the business of selling food, beverages, flowers or other merchandise or services from a motorized or non-motorized vehicle. For the purpose of this section, Mobile Food Dispensing Vehicle, includes both Food Trucks and Food Trailers and is defined by the State of Florida Divisions of Hotels and Restaurants Rule 61C-4.0161.

~~Vending, mobile: A transportable retail or food service business that does not have a permanent/fixed location.~~

7.21.00. - Mobile vendors.

7.21.02. *Zoning districts.* The location of any mobile vendor shall be entirely within an approved zoning district.

- A. Long term operations (more than 72 hours). Mobile vendors may operate within the following zoning district: South Harbor Mixed Use (SHMU) and Calhoun Mixed Use (CMU).
- B. Short term operations (72 hours or less). Mobile vendors may operate within the following zoning districts: South Harbor Mixed Use (SHMU), Calhoun Mixed Use (CMU), North Harbor Mixed Use (NHMU), Commercial Trades and Services (CTS), Industrial (IN), Institutional (INST), Residential, Office and Institutional - ~~General Development~~ Village Residential (ROI-VR), Town Center Mixed Use (TCMU).
- C. Long term seasonal operations (more than 72 hours and/or recurring anytime from May thru September). Mobile vendors with long term seasonal operations may operate within the following zoning district: South Harbor Mixed Use (SHMU) and Calhoun Mixed Use (CMU).
- D. Special event operations (72 hours or less). Mobile vendors with special event operations may operate within the following zoning districts: South Harbor Mixed Use (SHMU), Calhoun Mixed Use (CMU), North Harbor Mixed Use (NHMU), Commercial Trades and Services (CTS), Industrial (IN), Institutional (INST), Residential, Office and Institutional - Village Residential (ROI-VR), Town Center Mixed Use (TCMU). A temporary Change of Use application is required to be submitted to the City for review prior to conducting any special event operations.

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

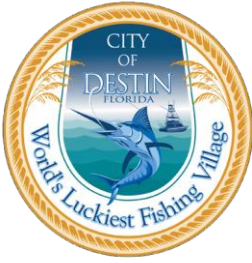
ATTEST:

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

LOCAL PLANNING AGENCY MEETING DATE: February 27, 2020**TYPE OF AGENDA ITEM:** Staff Report

TO: Local Planning Agency**THRU:** Louis Zunguze, Community Development Director
Lauren Witt, Principal Planner
Kimberly Kopp, Land Use Attorney**FROM:** Traci Goodhart, Planner
Sam Brisolara, Planner**DATE:** February 24, 2020**SUBJECT:** Mobile Vendor - Proposed Ordinances 20-16-LC & 20-17-CC

I. BACKGROUND:

In the City's Code of Ordinances and Land Development Code, there is not enough clarity of requirements for Mobile vendors related to Food trucks and Food Trailers. Additionally, the Land Development Code does not address the duration of "short-term," "long-term," and "special event" mobile vendors.

II. DISCUSSION:

The current definition for Mobile Vendors is not inclusive of both, motorized and non-motorized Food truck and/or Food trailers that wish to operate within the City limits. Additionally, the Land Development Code is not clear regarding the frequency of "short-term" mobile vending operations. The proposed ordinance amends *Chapter 13, Section 13-160, Code of Ordinances, Article 3.00.01 – Definitions, and Article 7.21.02 – Mobile Vendors, Land Development Code* to include:

- Motorized and non-motorized vehicles
- State of Florida Division of Hotels and Restaurants definition for Mobile food dispensing vehicle (Rule 61C-4.0161)
- Explicit language for both Food Truck and Food Trailers
- Clarification regarding "long-term" and "short-term" mobile vending operations.

The proposed categories are:

- Long-term Operations (more than 72 hours)

- Short-term Operations (less than 72 hours)
- Long-term seasonal operations (more than 72 hours and/or recurring anytime from May thru September).
- Special event operations (72 hours or less). A temporary Change of Use application is required to be submitted to the City for review.

III. CONCLUSION:

The proposed ordinance provides consistency with the State definition of a “mobile vendor” which includes food trailers. Additionally, there is clarification regarding the duration and frequency of “mobile vending” operations within the City of Destin.

IV. RECOMMENDATION:

Staff recommends the LPA recommend City Council approval of proposed Ordinance 20-16-LC & 20-17-CC.

V. MOTIONS:

I move the LPA recommend City Council approval of proposed Ordinance 20-16-LC & 20-17-CC

Attachments:

- a) Ordinance 19-17-LC
- b) Ordinance 19-18-CC

ORDINANCE NO. 20-17-CC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, RELATING TO MOBILE VENDING; PROVIDING FOR AMENDMENTS TO CHAPTER 13, ARTICLE IX, MOBILE VENDING PERMITS; AMENDING AND CREATING DEFINITIONS; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES, CONFLICTING PROVISIONS, SEVERABILITY, AND 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 Chapter 13, Article IX of the Code of Ordinances to amend and create definitions; 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 CHAPTER 13, ARTICLE IX OF THE CODE OF ORDINANCES.

Chapter 13, Article IX of the Code of Ordinances is hereby amended as follows:

ARTICLE IX. - MOBILE VENDING PERMITS

Sec. 13-160. - Mobile vendor, defined.

Mobile vendor: A person who is in the business of selling food, beverages, flowers or other merchandise or services from a motorized or non-motorized vehicle. ~~except, however, that the provisions of this ordinance shall not apply to mobile caterers, generally defined as a person engaged in the business of transporting, in motor vehicles, food, beverages, or service equipment to residential, business and industrial establishments pursuant to prearranged schedules, and dispensing from the vehicles the items or services at retail, for the convenience of the personnel of such establishments.~~ Mobile vendor vehicles are establishments that are self-propelled or otherwise moveable from place to place, such as a truck, trailer, or similar self-propelled conveyance, or non-permanent kiosk or table where products are sold directly from the vehicle.

Mobile food dispensing vehicle. For the purpose of this section, is defined by the State of Florida Division of Hotels and Restaurants in Rule 61C-4.0161.

Food truck. Includes both Food Trucks and Food Trailers and is defined as any motorized or non-motorized vehicle that fulfills the definition for “Mobile Food Dispensing Vehicle”, as defined by Rule 61C-4.0161.

SECTION 4. INCORPORATION INTO THE CODE OF ORDINANCES. This ordinance shall be incorporated into the City of Destin's Code of Ordinances 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

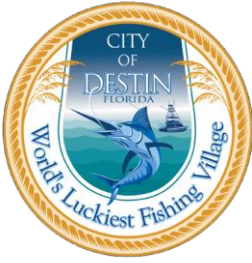
ATTEST:

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

LOCAL PLANNING AGENCY MEETING DATE: February 27, 2020**TYPE OF AGENDA ITEM:** Staff Report

TO: Local Planning Agency**THRU:** Louis Zunguze, Community Development Director
Lauren Witt, Principal Planner
Kimberly Kopp, Land Use Attorney**FROM:** Traci Goodhart, Planner
Sam Brisolara, Planner**DATE:** February 24, 2020**SUBJECT:** Mobile Vendor - Proposed Ordinances 20-16-LC & 20-17-CC

I. BACKGROUND:

In the City's Code of Ordinances and Land Development Code, there is not enough clarity of requirements for Mobile vendors related to Food trucks and Food Trailers. Additionally, the Land Development Code does not address the duration of "short-term," "long-term," and "special event" mobile vendors.

II. DISCUSSION:

The current definition for Mobile Vendors is not inclusive of both, motorized and non-motorized Food truck and/or Food trailers that wish to operate within the City limits. Additionally, the Land Development Code is not clear regarding the frequency of "short-term" mobile vending operations. The proposed ordinance amends *Chapter 13, Section 13-160, Code of Ordinances, Article 3.00.01 – Definitions, and Article 7.21.02 – Mobile Vendors, Land Development Code* to include:

- Motorized and non-motorized vehicles
- State of Florida Division of Hotels and Restaurants definition for Mobile food dispensing vehicle (Rule 61C-4.0161)
- Explicit language for both Food Truck and Food Trailers
- Clarification regarding "long-term" and "short-term" mobile vending operations.

The proposed categories are:

- Long-term Operations (more than 72 hours)

- Short-term Operations (less than 72 hours)
- Long-term seasonal operations (more than 72 hours and/or recurring anytime from May thru September).
- Special event operations (72 hours or less). A temporary Change of Use application is required to be submitted to the City for review.

III. CONCLUSION:

The proposed ordinance provides consistency with the State definition of a “mobile vendor” which includes food trailers. Additionally, there is clarification regarding the duration and frequency of “mobile vending” operations within the City of Destin.

IV. RECOMMENDATION:

Staff recommends the LPA recommend City Council approval of proposed Ordinance 20-16-LC & 20-17-CC.

V. MOTIONS:

I move the LPA recommend City Council approval of proposed Ordinance 20-16-LC & 20-17-CC

Attachments:

- a) Ordinance 19-17-LC
- b) Ordinance 19-18-CC