



**AGENDA
TOWN CENTER COMMUNITY REDEVELOPMENT AGENCY
ADVISORY COMMITTEE
WEDNESDAY, JANUARY 20, 2021
5:30 PM
DESTIN CITY HALL BOARDROOM**

- 1. CALL TO ORDER**
- 2. ROLL CALL/PLEDGE OF ALLEGIANCE**
- 3. NOMINATION OF CHAIRMAN & VICE CHAIRMAN**
 - A) Chairman**
 - B) Vice Chairman**
- 4. TRAINING/INFORMATION Sunshine Law Refresher- City Attorney**
 - A) Sunshine & Public Records Law Training - Kyle Bauman**
- 5. APPROVAL OF MINUTES**
 - A) November 18, 2020**
- 6. OLD BUSINESS**
- 7. NEW BUSINESS**
 - A) Approved Project Map- Development Update**
 - B) Town Center CRA Master Plan**
 - C) FY 2020 Work Plans**
 - D) Mobile Vendor - Proposed Ordinances 20-16-LC & 20-17-CC**
- 8. COMMITTEE MEMBER COMMENTS/QUESTIONS**
- 9. PUBLIC COMMENTS**
- 10. NEXT MEETING DATE: February 17, 2021**
- 11. 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)

RESOLUTION 19-27

The City of Destin's Enhanced Public Records
Policy

BRIEF HISTORY OF THE CITY'S PUBLIC RECORDS POLICIES

- ④ In addition requirements set forth in Florida Statutes, the City has had in place additional, internal requirements and protocols since 2009 relating to public records and how to handle public record requests. These policies help ensure that the law is adhered to and that the City's goal of full transparency is met.
- ④ See, Operating Instruction ADM-05; Operating Instruction ADM-35; Operating Instruction ADM-56.
- ④ These policies were legally sufficient and represented more stringent requirements than those in place at most state agencies and local governments. In fact, most state agencies and local governments do not have any written policy in place and rely strictly on Chapter 119, Florida Statute. See, The Florida Public Records Act in the Era of Modern Technology, Ralph A. DeMeo and Lauren M. DeWeil (Florida Bar Journal, Vol. 92, No. 9).

BRIEF HISTORY OF THE CITY'S PUBLIC RECORDS POLICIES

- ④ While legally sufficient, the City's internal Public Records Policies were disjointed and located in separate locations, making compliance more difficult than necessary.
- ④ The attorneys and City staff identified this as an area that could be strengthened and made more efficient by adopting a new policy containing all internal requirements in a single location and strengthening mechanisms already in place beyond those found in Chapter 119, Florida Statutes.
- ④ On November 4, 2019, the attorneys and City staff presented Resolution 19-27 for Council's consideration and Council adopted the Resolution in its entirety.
- ④ Resolution 19-27 is substantially similar to the City of Tallahassee's policy, which legal scholars believe is the "model template for other agencies and local governments to adapt and apply." The Florida Public Records Act in the Era of Modern Technology, Ralph A. DeMeo and Lauren M. DeWeil (Florida Bar Journal, Vol. 92, No. 9)

EMAILS -- DO'S AND DON'TS FOR ELECTED OFFICIALS

Do's

- ④ Use your @cityofdestin email address for all correspondence relating to City business. (D.05).
- ④ If you receive an email at your private email address, then immediately transfer it to your @cityofdestinemail address. (D.05)

Don'ts

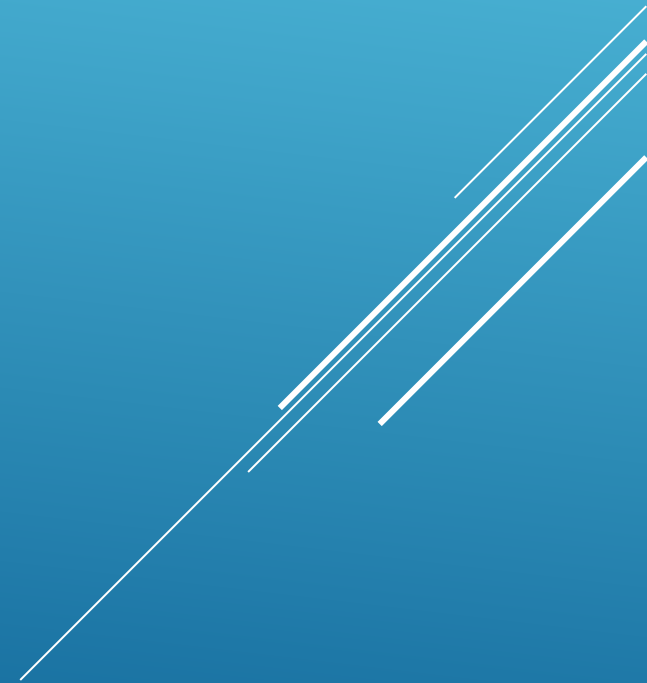
- ④ Use any other email address for any correspondence relating to City business. (D.05)

TEXT MESSAGING & OTHER FORMS OF INSTANT, WRITTEN COMMUNICATION (E.G., DIRECT MESSAGES ON FACEBOOK, TWITTER, INSTAGRAM, SKYPE, ETC.) -- DO'S AND DON'TS FOR APPOINTED OFFICIALS

Do's

- ④ If you receive or send a text message from your private phone, then you must transmit the text message to your City issued phone or @cityofdestin email address. (D.06)

Don'ts



SOCIAL MEDIA ACCOUNTS -- DO'S AND DON'TS FOR APPOINTED OFFICIALS

Do's

- ④ If you maintain social media accounts, then you must maintain all public records relating to your board or committee on such accounts. (D.07).
- ④ If you maintain accounts and the City receives a public records request, then you must thoroughly search your account and produce any responsive material to the City Clerk. (D.07)

Don'ts

- ④ Delete any social media account relating to the business of your board or committee. (D.07, E.01)
- ④ Delete any public or private message that you may have created or received from any individual or entity relating to the business of your board or committee. (D.07, E.01).

COMMENTS/QUESTIONS

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Sunshine Law Handout

Anchors Smith Grimsley, PLC
Kyle S. Bauman, Esq.
City of Destin City Attorney

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Last Updated: November 2020

****** This Handout is intended to be used as a basic overview of the Sunshine Law and no Board or Council Member should rely on it when taking specific actions which may be impacted by the Sunshine Law. Please contact me and City staff if you have specific questions before taking action and we will respond to you as quickly as possible. ******

The 2018 Government in the Sunshine Manual can be found at:

[http://myfloridalegal.com/webfiles.nsf/WF/MNOS-AXJGEU/\\$file/2018+Government+in+the+Sunshine+Manual.pdf](http://myfloridalegal.com/webfiles.nsf/WF/MNOS-AXJGEU/$file/2018+Government+in+the+Sunshine+Manual.pdf)

Laws can be found at:

<http://leg.state.fl.us/>

WHAT IS THE SUNSHINE LAW?

- Two interrelated but separate laws are colloquially referred to as the “Sunshine Law”:
 - **(1) Public Records Act** – Chapter 119, Fla. Stat. (2018)
 - Primary Purpose: Provide the public “a right to access to the records of the state and local governments as well as to private entities acting on their behalf.”
 - http://leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0119/0119ContentsIndex.html&StatuteYear=2018&Title=%2D%3E2018%2D%3EChapter%20119
 - **(2) Government in the Sunshine Law** – § 286.011, Fla. Stat. (2018); Art. I, § 24, Fla. Const.
 - Primary Purpose: Provide the “public a right of access to governmental proceedings of public boards or commissions at both the state and local levels.”
 - http://leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0200-0299/0286/Sections/0286.011.html
- Florida has arguably the broadest, most “public-friendly,” laws in the entire country and you immediately became subject to these laws the second you were appointed to this Board.

THE PUBLIC RECORDS ACT

- Lengthy statute, but application to advisory boards is relatively simple.
- General Rule: Any record you generate or receive in connection with your role on a City board is a public record and any member of the public has the right to request to view these records at any time. See Inf. Op. to Nicoletti, November 18, 1987.
- What is a “public record”?
 - “All materials used or received in connection with official business *used to perpetuate, communicate, or formalize knowledge.*”
 - “Public Records” are very broad, essentially including *any* written document and most non-written material. For example:
 - Physical documents such as: “papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software.” § 119.011(12), Fla. Stat. (2018).
 - Electronic documents such as: emails, documents generated in word processing software (including this Handout!), text messages, etc.
- Are there any exemptions?
 - Yes, there are lengthy exemptions listed in the statute, however, most of these will **not** apply to advisory boards. These exemptions are sometimes complex and heavily litigated.
 - Therefore, if the City receives a public records request and City staff asks you to turn over public records related to the particular subject contained in that request, do **not** try to determine by yourself whether the document is (a) a public record; and (b) whether an exemption is applicable. Instead, contact my office and City staff and allow us the opportunity to review the record.
 - **If the “public record” is located on my personal device is it exempted?**
 - **NO! This is a common misconception. Just because something is located only on your personal device does not mean that it is exempt.** The inquiry is whether the item is “used to perpetuate, communicate, or formalize knowledge” relating to City business, and where this information is located is irrelevant.
- What happens if I violate the Public Records Act?
 - **Knowing Violations** are a first degree misdemeanor, punishable by removal from office, up to one year in prison, and/or a \$1000 fine.
 - “Non-knowing Violations” are non-criminal but still subject to a \$500 fine.
- Rules of Thumb: When you generate or receive any document relating to your position, always presume that the document is a “public record” that will eventually be subject to the public’s view. Also, if you generate receive a “public record,” retain it and **do not** destroy it to ensure compliance with the Public Records Act.

GOVERNMENT IN THE SUNSHINE LAW

- Shorter statute, but it has generate tons of litigation and its application to advisory boards is more impactful than the Public Records Law.
- Basic Sunshine Law Requirements:
 - (1) “Meetings” of public boards or commissions must be open to the public;
 - (2) Reasonable notice of these meetings must be given to the public; and
 - (3) Minutes of the meetings must be taken, promptly recorded, and open to public inspection.
 - Most of these you do not need to worry about because City staff ensures compliance. Your primary concern is making sure that “meetings” do not take place outside publicly noticed meetings.
- What is a “meeting”?
 - The Sunshine Law defines “meeting” very broadly to include:
 - (a) informal meetings of two or more members; and
 - (b) electronic communications between two or more members regarding any foreseeable matter which could come before the board.
- Examples of specific scenarios:
 - One member sends a text message to another board member saying he is “against agenda item 2(b).”
 - This is an obvious but important example of strictly forbidden actions.
 - One board member sends an email to another board member’s husband stating that he is “against agenda item 2(b).”
 - Also likely a violation. You cannot use an intermediary to do indirectly what you cannot do directly.
 - One board member sends an email to City staff explaining why they are “against agenda item 2(b).”
 - Because staff are not elected or appointed officials, this communication is likely ok. If, however, you have reason to believe staff might disclose this information to other board members, then it is a violation.
 - One board members emails strictly factual information regarding item 2(b) to other board members.
 - Likely, it is technically ok to share strictly factual information directly with each other, however, because of how the information could be interpreted it is strongly discouraged. The better practice is to ask staff to include the information in the Agenda material.
 - Two board members carpool to a meeting.
 - This is ok, so long as you do not discuss any matter which foreseeably could come before the board.
 - However, because of the possible appearance of impropriety, these types of actions are discouraged.
 - Two board members are at the same charity event.
 - This is ok, so long as you do not discuss any matter which foreseeably could come before the board with the other board member.
 - The board took official action on agenda item 2(b) at a publicly noticed meeting. After the meeting, two board members discuss agenda item 2(b).

- Because boards have the inherent authority to change their positions on items at any time it is “reasonably foreseeable” that the item might come before the board again and, therefore, this type of action is strongly discouraged.
- What happens if I violate the Government in the Sunshine Law?
 - **Knowing Violations** can result in 2nd degree misdemeanor charges, with penalties up to 60 days in jail and up to a \$500 fine.
 - **“Not-knowing” Violations** are non-criminal but still subject to a fine of up to \$500.
 - Also, failure to comply could **void the board’s actions** relating to the subject matter of the violation.
- **Rules of Thumb:** Always err on the side of caution and, outside of publicly noticed meetings, do not engage in any discussions or communications with other elected or appointed officials regarding pending matters before your board or any reasonably foreseeable matter that might come before your board. Also, generally it is ok for you to privately communicate with City staff and City attorneys regarding such matters provided there are no other elected or appointed city officials present or copied on the communication.

STANDARDS OF CONDUCT FOR PUBLIC OFFICERS

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Last Updated: November 2020

***** This Handout is intended to be used as a basic overview of the Standards of Conduct for Public Officials and no Board or Council Member should rely on it when taking specific actions which may be impacted by the Chapter 112, Florida Statutes. Please contact me and City staff if you have specific questions before taking action and we will respond to you as quickly as possible. *****

Laws can be found at:
<http://leg.state.fl.us/>

WHAT ARE THE STANDARDS OF CONDUCT FOR PUBLIC OFFICERS?

“A public office is a public trust.”
– Article II, Section 8, Florida Constitution

- **Chapter 112.313, Florida Statutes**, describes a series of “standards of conduct” public officers must adhere to. Essentially, the standards of conduct are the basic statutory principles of ethics public officials are legally obligated to adhere to.

GIFTS

- **Solicitation or Acceptance of Gifts (Bribery):** You are not allowed to solicit or accept anything of value, including a gift, loan, reward, promise of future employment, favor or service, based upon any understanding that your vote, official action, or judgment would be influenced by the gift or promise. § 112.313(2), *Fla. Stat.*
- **Unauthorized Compensation:** You cannot accept anything of value when you know or should know that the item is being given to influence your vote or other action. § 112.313(4), *Fla. Stat.*
 - Also applies to your spouse and minor children.
- You are always prohibited from soliciting any gift and from accepting any gift when the gift is intended to influence your actions as an elected official.

BUSINESS PROHIBITIONS

- **Doing Business with the City:** You are not allowed to purchase, rent, or lease any realty, goods, or services for the City from any business entity of which you are an officer, partner, director, or proprietor or in which the officer has a material interest. § 112.313(3), *Fla. Stat.*
 - Also applies to your spouse and children.
- **Conflicting Employment or Contractual Relationships:** You cannot hold any employment or contractual relationship with any entity which is subject to the regulation of or is doing business with the City. § 112.313(7), *Fla. Stat.*
 - Legal tests to determine whether there is a conflict:
 - Is the conflict frequently recurring?
 - Does the conflict impede the full and faithful discharge of public duties?

GENERAL PROHIBITIONS

- **Misuse of Public Position:** You cannot corruptly use or attempt to use your position or any property or resource within your trust to secure special privilege, benefit, or exemption for yourself. § 112.313(6), *Fla. Stat.*
- **Disclosure or Use of Certain Information:** You cannot disclose or use information not available to members of the general public and gained by reason of your official position for your personal gain or benefit or the personal gain or benefit of any other person or business entity. § 112.313(8), *Fla. Stat.*

REQUIRED ETHICS TRAINING & FINANCIAL DISCLOSURE

- All elected municipal officials must complete at least 4 hours of ethics training each year. § 112.3142, *Fla. Stat.*
- All elected municipal officials must file a financial disclosure with the Florida Commission on Ethics no later than July 1 each year. § 112.3144, *Fla. Stat.*

CONSEQUENCES

- Generally, this statute is policed by the Florida Commission on Ethics and violation of the statute can lead to punishments including impeachment, removal from office, suspension from office, public censure and reprimand, a civil penalty not to exceed \$10,000, and restitution of any pecuniary benefits received because of the violation committed. § 112.317, *Fla. Stat.*
- Can also carry criminal penalties in some instances.

VOTING CONFLICTS

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Last Updated: November 2020

****** This Handout is intended to be used as a basic overview of the Voting Conflicts and no Board or Council Member should rely on it when taking specific actions which may be impacted by the Chapter 112, Florida Statutes. Please contact me and City staff if you have specific questions before the meeting at which the conflict will arise and we will respond to you as quickly as possible. ******

Laws can be found at:

<http://leg.state.fl.us/>

WHAT IS A VOTING CONFLICT?

§ 112.3143, Florida Statutes

- A voting conflict arises when you are prohibited from voting on a specific matter coming before your board. In instances in which you do not have a conflict, you must vote. § 286.012, Fla. Stat.
- Designed to avoid situation where a public officer is tempted to exercise the powers of his or her office to promote the interest of someone other than the public because of that someone's relationship to the officer.

Statutory Language:

- You cannot vote on any measure which would
 - inure to your "special private gain or loss,"
 - which you know would inure to the special private gain or loss of any "principal by whom you are retained" or to the parent organization or subsidiary of a corporate principal by which you are retained, or
 - which you know would inure to the special private gain or loss of your "relative" or business associate.

Definitions:

- **"Principal by whom retained"** – means an individual or entity that has permitted or directed another to act on behalf of the principal for compensation, salary, pay, or consideration. E.g., your client or employer. Also, the parent, subsidiary, or sibling organization of your client or employer.
- **"Relative"** – means your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law.

- **“Business associate”** – means any person or entity engaged in or carrying out a business enterprise with a public officer, public employee, or candidate as a partner, joint venture, corporate shareholder where the shares of such corporation are not listed on any national or regional stock exchange, or co-owner of property. § 112.312(4), Fla. Stat.
- **“Special private gain or loss”** – means an economic benefit or harm that would inure to you, your relative, your business associate, or principal.

WHO IS PROHIBITED FROM BENEFITTING?

- Four classes of people are prohibited from benefiting from the public officer’s vote:
 - (1) The public officer;
 - (2) A relative;
 - (3) A business associate;
 - (4) A principal, subsidiary, or parent corporation of a principal.

WHAT KIND OF BENEFITS ARE PROHIBITED?

“Special Private Gain or Loss”

- This is the test by which voting conflicts are determined. There are four factors to look for:
 - (1) The size of the class affected by the vote;
 - (2) The nature of the interests involved;
 - (3) The degree to which the interests of all members of the class are affected by the vote;
 - (4) The degree to which the officer, relative, business associate, or principal receives a greater benefit or harm when compared to other members of the class.
- Standards – Depending on the type of special gain or loss, three different “standards” are considered:
 - *Special private gain or loss* – the gain or loss must be *special* and *private* to the officer, relative, business associate, or principal. Cannot be general.
 - *Size of the class test* – typically, the Commission on Ethics applies the “1% Rule” which means that if the special gain or loss of people prohibited from benefitting is less than 1% of the total class affected, then there is no voting conflict.
 - *Remote and speculative test* – generally, the special private gain or loss must be somewhat concrete and certain in order to rise to the level of a voting conflict.

WHAT TO DO WHEN YOU HAVE A CONFLICT

- Four steps are required:
 - (1) *Announce* the conflict at the meeting;
 - (2) *Abstain* from voting on the matter;
 - (3) *Disclose* the conflict on the Conflict Form provided to you by the City Clerk;
 - (4) *File* the completed version of the Conflict Form with the City Clerk, who will properly file it and include it in the minutes of the meeting.
- You are also prohibited from participating in discussion on the matter.

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MINUTES TOWN CENTER COMMUNITY REDEVELOPMENT AGENCY ADVISORY COMMITTEE MEETING NOVEMBER 18, 2020 - 5:30 PM DESTIN CITY HALL BOARDROOM

1. CALL TO ORDER:

Chairman Wernet called the meeting to order at 5:40 PM on Wednesday, November 18, 2020 at the Destin City Hall Boardroom with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Members Present

Lockwood Wernet
Michele Sandstead
Delores Morrell
Matthew Sweetser

Members Absent

Justin Woodard

Staff Present

Kim Montgomery Deputy City Clerk
Traci Goodhart, Planner/ Floodplain Manager
Louis Zunguze, CD Director
Kyle Bauman, City Attorney

3. APPROVAL OF MINUTES: October 21, 2020

Motion by Committee member Sandstead, seconded by Committee member Morrell to approve the October 21, 2020 meeting minutes as written passed 5-0.

4. OLD BUSINESS:

➤ **Gulf Power Easement Linear Park**

Mrs. Goodhart provided the members with a short Power Point presentation on the information for the proposed preliminary scope of work for the Liner Park along the Gulf Power Easement. Explaining as they already know, this park has been identified and has been an interest at staff and City Council level for many years and has finally been able to be identified in the City's Capital Improvement Program and budgeted for implementation for the Architectural Design Phase. Staff is asking this committee for a recommendation to Council to take this phase of the project out to bid.

Committee member Sandstead made the motion for the Town Center CRA request City Council's consideration to direct staff to draft an RFB for Architectural & and Project Engineering for the Gulf Power Linear Park, with Committee member Morrell providing the second.

In discussion, Committee member Morrell asked if there are any businesses or homes that would have to be removed. Mrs. Goodhart explained that the easement is already in place and is where the power lines are located along this stretch of land. Committee member Morrell then asked staff what the benefit is to Gulf Power for the easement.

The Chairman explained that the easement is owned by Gulf Power for their transmission lines that connect to the main substation on Main Street.

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Mr. Zunguze also informed Committee member Morrell there are several Gulf Power easements throughout the city for their power lines to distribute electricity to their customers. With several being in the Crystal Beach area of the city.

Committee member Sandstead asked if they would be able to provide additional ideas and input for the park later on in the design phase.

Mr. Zunguze informed the members that throughout the phases of the construction plans, staff will be bringing the plans before them for their review and to make comments and suggestions.

With no further comments the Chairman called for the vote and the motion passed with a 4-0 vote.

➤ **Mobile Vending Ordinances**

Mrs. Goodhart explained that the State of Florida has recently passed a Statute 509.102 that restricts municipalities from requiring additional requirements for Food Truck Vendors. And so, going forward, the mobile vendor requirements are, they have to register with the State i.e. Health Department and Department of Business and Professional Regulations. However, there are zoning requirements in the city that they must meet in order to operate. And although the city may not be able to require additional permitting for mobile vendors, they can be restricted to operate only in certain locations of the city. Adding these two ordinances will help to better define Mobile Vendors in the Land Development Code and the Code of Ordinances by defining a Mobile Vendor by what they sell and separate the ones that are strictly food trucks. As well as defining the times they operate, meaning short term, which is shorter than 72-hours or long-term operations, which is longer than 72-hours. Additionally, there is seasonal operations requirements that need to be identified and a requirement to identify Marine Mobile Vending for those that operate along the shorelines and Crab Island and adjacent waterways. And requirements to define timeframe, frequency in which they can operate, and the zoning districts where they can operate, which is only the Mixed-Use Zoning Districts.

Committee member Sandstead made the motion to recommend City Council's approval of proposed Ordinance 20-16-LC and 20-17-CC with Chairman Wernet providing the second.

In discussion, the Chairman asked if Bay Mixed Use was included. According to Mrs. Goodhart Bay Mixed Use is but it only includes the Chamber of Commerce, and reiterated that all Mixed-Use Zones are included in the ordinance.

The Chairman also asked about Section 3.00.01 definitions of Mobile Vending 20-16-LC and how it talks about selling food and other items. But in Ordinance 20-17-CC, the definition of Mobile Vendor talks of selling merchandise only.

According to Mrs. Goodhart, for clarity purposes, Ordinance 20-17-CC focuses on the Code of Ordinance and where the permitting requirements was located for food vendors. And this ordinance removes the permit requirements for food mobile vending but leaves the permitting requirements for other mobile vendors in the city limits.

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The Chairman pointed out that he is struggling with the fact that both ordinances have definitions for Mobile Vending in two different locations with two different definitions. Mrs. Goodhart stated that she would coordinate with the Land Use Attorney.

Mr. Zunguze spoke up and agreed with the Chairman and stated that they would get with the Land Use Attorney to get those two clarified and clear up any potential misunderstanding.

With no further comments the Chairman called for the vote and the motion passed with a 4-0 vote.

5. NEW BUSINESS:

None

6. COMMITTEE COMMENTS:

Committee member Sandstead commended the city staff for being more organized with bringing items before them for review and updates on what is happening in the Town Center CRA. She also spoke of the banner program and the Christmas Banners are being printed right now and how Mr. Burgess' staff will be putting them up on one side of the banner poles for the season.

Committee member Woodard spoke of how glad he is to see that the Linear Park is finally going forward.

7. VISITOR COMMENTS:

None

8. DIRECTOR'S REPORT:

Mr. Zunguze spoke of the new Council members and the seats that are up for reappointment and if they are interested in continuing to serve, to please submit their applications before the deadline to be placed on the December 7, 2020 agenda for Council's consideration.

ADJOURNMENT:

Having no further discussions, the meeting was adjourned at 6:15 PM.

Adopted and approved _____ day of _____ 2020.

Lockwood Wernet, Chairman

Kim Montgomery, Deputy City Clerk

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CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: January 20, 2021

BOARD/COMMITTEE: Town Center Community Redevelopment Agency Advisory Committee

TYPE OF AGENDA ITEM: Presentation

TO: Town Center Community Redevelopment Agency Advisory Committee

THRU: Louis Zunguze, Community Development Director

FROM: Lauren Witt, Principal Planner

DATE: January 15, 2021

SUBJECT: Approved Project Map- Development Update

I. BACKGROUND:

II. DISCUSSION:

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

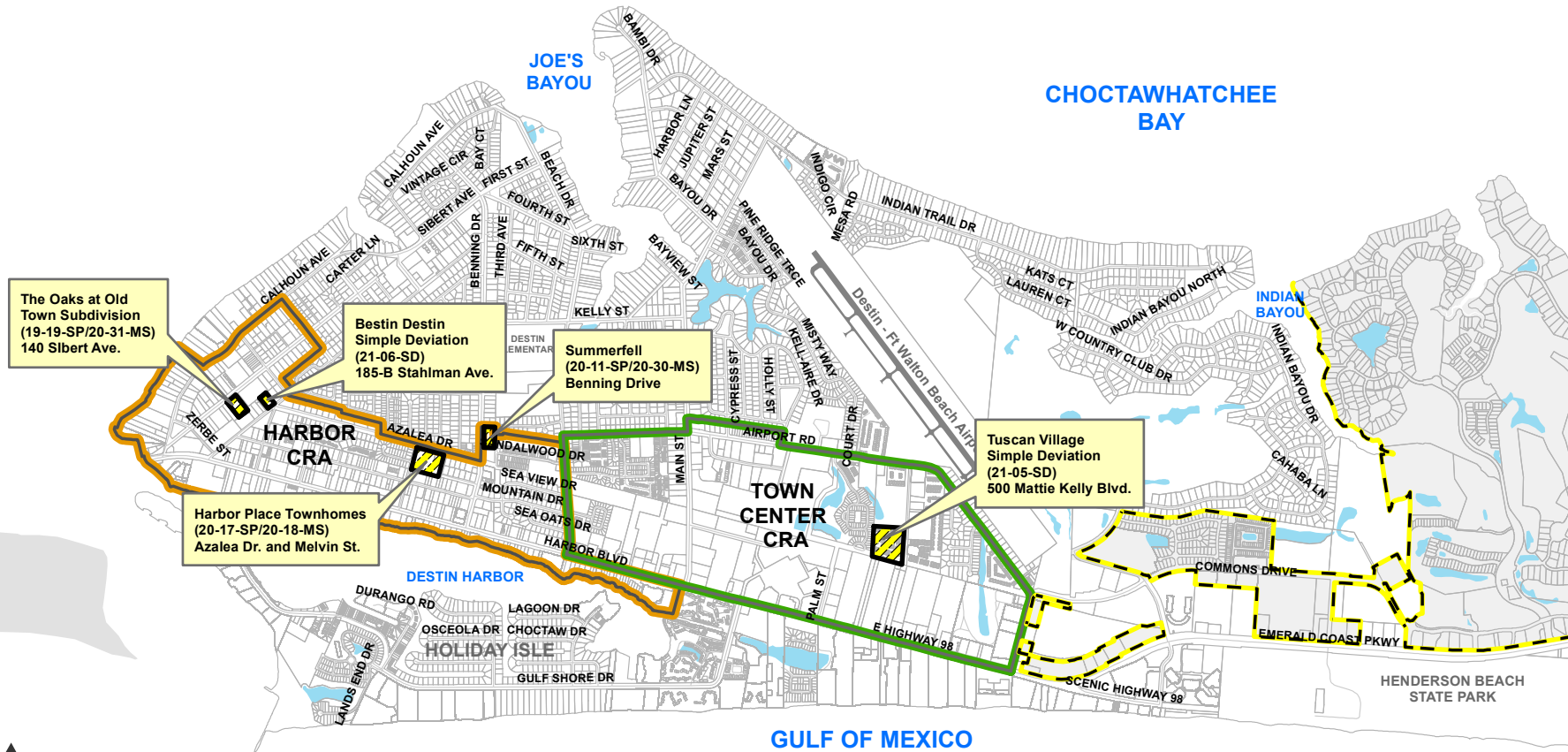
III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

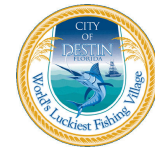
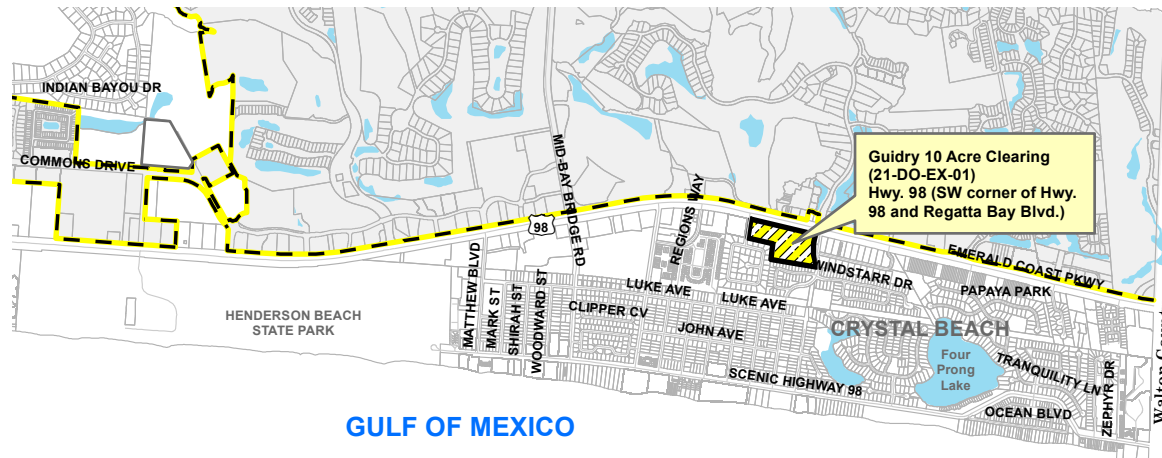
1. Approved Projects Map

Approved Projects as of January 2021



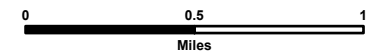
▲ West Destin

▼ East Destin



↑
NORTH

Scale 1" = 3000'



- City Limit Line
- Approved Projects

CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: January 20, 2021

BOARD/COMMITTEE: Town Center Community Redevelopment Agency Advisory Committee

TYPE OF AGENDA ITEM: Presentation

TO: Town Center Community Redevelopment Agency Advisory Committee

THRU: Louis Zunguze, Community Development Director

FROM: Lauren Witt, Principal Planner

DATE: January 15, 2021

SUBJECT: Town Center CRA Master Plan

I. BACKGROUND:

II. DISCUSSION:

III. RECOMMENDATIONS:

IV. RECOMMENDED MOTION:

Attachments:

1. Town Center CRA Plan (Amended 10-20-14) FINAL (3)

DESTIN TOWN CENTER AREA REDEVELOPMENT PLAN



***PREPARED FOR CITY OF DESTIN
AUGUST 3, 1998
UPDATED OCTOBER 20, 2014***

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INTRODUCTION

The City's unique location along with several key qualities and factors helps position it for continued economic growth. In addition, there are new opportunities for economic development to create a special place in the center of Destin to meet growing local resident and tourist needs.

Elements of Destin's Vision 2000 process, a bold Vision for Destin's future, featured (among other things) selected redevelopment areas. These areas were seen as essential catalysts for the City's continued success and promising future. The Town Center anchored by Main Street, was one such candidate for attention.

In June of 1996, the Town Center CRA Advisory Committee was formed. The Committee was asked to determine the potential business and resident support for the creation of a Town Center Community Redevelopment Area (TC CRA).

The TC CRA Advisory Committee found that the Vision Goals spoke to the need for a Town Center, Goals related to the Town Center were expressed as:

■ **People Goal**

To develop Destin into a successful "People Place" that attracts, retains, and inspires those of all ages and incomes to use and enjoy the community.

■ **Movement Goal**

To develop Destin with an efficient, high quality, multi-modal movement system with attractive shelters, shops and transfer stations.

■ **Activity Goal**

To develop Destin with a broad and diverse set of activity centers that accommodate, stimulate and reinforce residing, working and visiting in a great waterfront city setting.

■ **Amenity Goal**

To create and enhance a "quality of life" for Destin that attracts and sustains a diversity of visual and use elements for cultural, entertainment, recreation and environmental experiences.

■ **Opportunity Goal**

To develop Destin to attract and continue a process of value creation actions that invests time, dollars, resources and creativity to enhance the value, tax base, image and quality of life for Destin.

Additionally the vision specifically identified an area for the Town Center. The Town Center Area is the centerpiece for this new opportunity. The Area, now designated as a Community Redevelopment District includes the Main Street Area.

Led by a positive coalition of public and private interests, the Town Center Area is stirring. The City completed the initial step necessary to create a Redevelopment Area, adopting the Finding of Necessity Study. This Plan was the next step in the process. Finally, a coordinated implementation program sets forth public and private projects and funding mechanisms.

ELEMENTS OF SUCCESS

Since one of the fundamental aspects of redevelopment is the stimulation of private investment to implement the plan, a strong City/private partnership is necessary. Destin established an early precedent by having area property owners and the City jointly fund the plan. As the process moves forward, future success will

be built upon four factors: **Administration, Finance, Regulation and Leadership.**

■ **Administration – The framework for moving the program toward completion.** This includes establishing an organization to ensure success by: creating and following detailed plans; engaging in appropriate permitting for development projects to proceed; enforcing codes, plans, and financial measures; and finally, developing monitoring and evaluation procedures that enable the City to constructively critique itself, the Plan and the process.

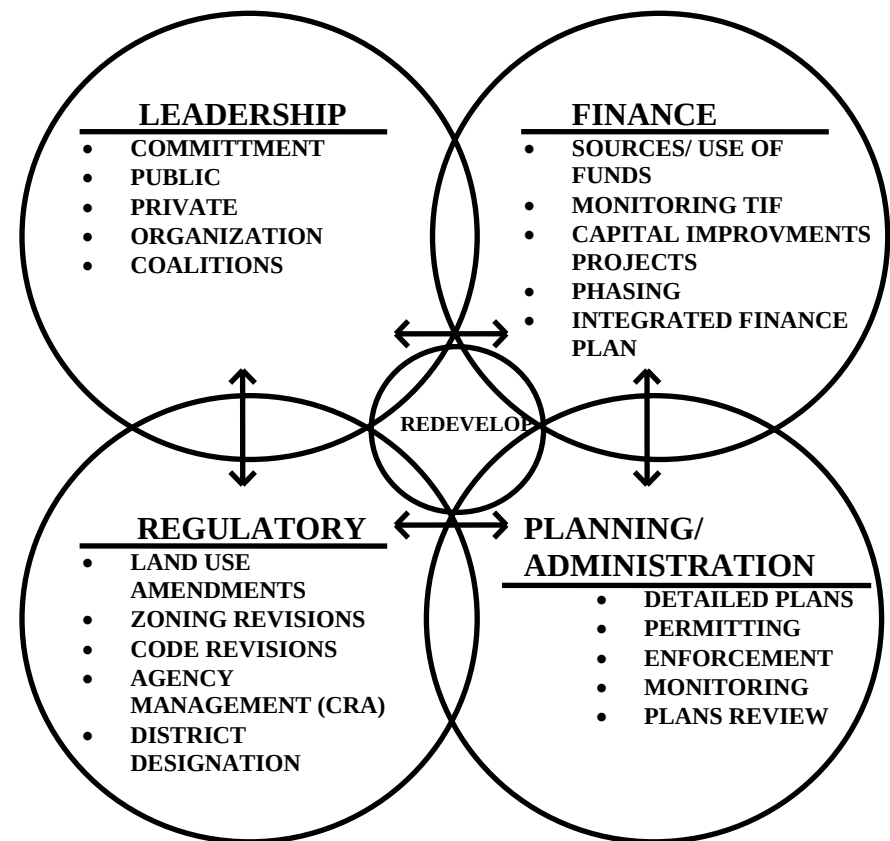
■ **Finance – The heart of the redevelopment program.** Without the lifeblood of dollars flowing through the program, plans will not be implemented or will fail completely. Yearly budgeting, identifying fund sources, planning for capital improvements, phasing, and monitoring can help assure the availability of necessary resources to produce and implement an integrated Finance Plan.

■ **Regulation – A system of incentives, guidelines and requirements oriented toward redevelopment.** The City's land use structure, land development codes, and agency management tools will either create a user-friendly environment for public/private partnerships, or they stall those efforts, reducing the financial potential and the City's ability to succeed.

■ **Leadership – The soul of the program.** Herein lies the commitment, determination, dedication, and integration of all interests required to proceed to the desired future. Only through a sound public-private partnership, fueled by strong leadership from the City's elected and appointed officials, can the overall Plan be successfully implemented. Through this joint public-private planning effort, the attribute of leadership is demonstrated.

All of these elements are interrelated as shown in the diagram. Destin and its private partners possess the ability to maximize these four factors for success.

ELEMENTS OF SUCCESS



The City and its private partners defined a planning process to help ensure potential for success. The process included five primary components:

- **Issues Identification** – Locally-developed issues, derived from large and small interactive group processes.
- **Need For Redevelopment** – A review of the Findings of Necessity leading to redevelopment.
- **Vision And Imaging** – An overall vision and image for the area, building upon critical market, locational and development assets.
- **Redevelopment Plan** – A concise planning and design approach to correcting identified problems and setting forth goals, objectives, new public improvements and private development opportunities.
- **Implementation Program** – The sources and means of funding and financing the proposed improvements.

The following pages discuss the process, findings, concepts and specific plan elements for the Destin Town Center Redevelopment Area. Destin is fortunate to have concerned residents, business owners and elected officials working jointly for the continued success of the redevelopment area and overall community.

NEED FOR REDEVELOPMENT

CITY PROFILE

Incorporated in 1984, Destin is a relatively new city which is still evolving, although it has existed as an unincorporated community for some time. It is widely known as the world's luckiest fishing village and tourism is the backbone of its economy. As Destin has continued to mature, it has become apparent to the residents that although it is not lacking in any particular use or service, the community does not have an identifiable town center, a focal point which functions as the heart of the city for its residents.

During Destin's Vision 2000 planning process, the Main Street area was identified as a key area in the community's future that warrants a special planning initiative. Since it is centrally located, contains Destin's major shopping centers and holds the majority of the city's remaining vacant land, this area has the potential to become Destin's Town Center. However, poor development patterns, older structures, inadequate infrastructure and visual clutter are beginning to threaten the economic health and visual appeal in parts of this area. U.S. 98, the region's major east/west highway on which Destin relies heavily, has, during peak season, nearly reached its full capacity, and limited alternative routes exist to offer relief.

The Community Redevelopment process offers a mechanism to address all of these concerns through effective land use planning, urban design and regulatory reform. As these problems are addressed, the way will be clear for Destin to create a town center to serve its permanent community and complement its thriving tourism industry.

FINDINGS OF NECESSITY STUDY

In order to pursue redevelopment planning through the Community Redevelopment Act of Chapter 163, Florida Statutes, documentation must be provided to show that conditions exist in the target redevelopment area to justify a redevelopment designation. A finding of necessity justifies redevelopment planning in order to address the economic and social liability imposing burdens which decrease the tax base and reduce revenues, substantially impairs or arrests sound growth, retards the provision of housing accommodations, aggravates traffic problems, and substantially hampers elimination of traffic hazards and improvements of traffic facilities [Sec. 163.335 (1)].

In Destin, the study area designated is bounded by U.S. 98 to the south, Beach Drive on the west, Legion Drive and Airport Road to the north and Airport Road on the east. The area contains approximately 517 acres, or 11% of the city's 4,525 total acres. The Findings of Necessity Study examined the study area to determine if the area was "blighted" as defined by Florida Statutes 163.340(8):

- An area in which there are a substantial number of slum, deteriorated, or deteriorating structures and conditions which endanger life or property by fire or other causes or one or more of the following factors which substantially impairs or arrests the sound growth of a county or municipality and is a menace to the public health, safety, morals, or welfare in its present condition and use:

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1. Predominance of defective or inadequate street layout;
 2. Faulty lot layout in relation to size, adequacy, accessibility or usefulness;
 3. Unsanitary or unsafe conditions;
 4. Deterioration of site or other improvements;
 5. Tax or special assessment delinquency exceeding the fair value of the land; and
 6. Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area;

or

- An area in which there exists faulty or inadequate street layout; inadequate parking facilities; or roadways, bridges, or public transportation facilities incapable of handling the volume of traffic flow into or through the area, either at present or following construction.

In this case, the Finding of Necessity Study demonstrated that blighting factors, but no slum conditions, exist within the study area. The City Council adopted the Findings of Necessity, which identified several factors, including:

Defective or inadequate street layout. Many streets within the study area end in culs-de-sac, resulting in circuitous routes to otherwise nearby uses. The lack of connectivity results in heavy usage of primary roads, like U.S. 98 and Airport Road. The large areas of vacant land which do not currently contain roads could exacerbate the existing circulation problems as they are developed if through-streets are not established.

Unsanitary or unsafe conditions. The entire study area contained inadequate or missing sidewalks, pedestrian crosswalks and dedicated bike lanes. At the time of the study, nineteen percent of the structural fires in Destin occurred in the study area, which constitutes only 11% of the city and which was almost 50% vacant.

Deterioration of site or other improvements (stormwater facilities, roadways, streetscape, sidewalks, streetlighting and code enforcement). Stormwater facilities were either outdated or nonexistent throughout the study area, leading to flooding and conflicting drainage patterns among subdivisions and in the industrial area. The stretch of U. S. 98 from Beach Drive to Airport Road has an adopted Level of Service (LOS) of E, along with the rest of U.S. 98 through Destin.

Streetscaping exists only within portions of certain medians on U. S. 98. There are no gateways identifying entrance into the area. Sidewalks are of substandard size and are reaching the end of their useful lifespan in many parts of the study area. Streetlighting is sparse and often is not coordinated with sidewalk locations. Ten percent of the city's code violations came from the study area during the last two years of the study period, despite the fact that approximately 50 % of the study area was vacant, and in its entirety only accounted for 11% of the city's acreage.

Faulty/inadequate street layout, parking, roadways, bridges or public transportation facilities incapable of handling the volume of traffic flow into or through the area.

U.S. 98, the primary east/west route through the region was nearing capacity, affecting all areas, not just the study area.

SUMMARY

The Findings of Necessity revealed an area whose future depended upon addressing weaknesses which, if left unabated, could hinder the community's otherwise very bright future. Substantial opportunities still exist for a vibrant economy, a healthy mix of land uses and a strong, diverse residential base.

PROBLEMS AND OPORTUNITIES

In order to define the vision, direction, problems and opportunities for the Town Center area, a citizens group, the Town Center Advisory Committee, organized and initiated local workshops.

These workshops began with a “problems and opportunities” session that was conducted by the Destin TC CRA Advisory Committee. The TC CRA Advisory Committee identified the following:

PROBLEMS

- Lack of Community Identity
- Strip Commercial Development Pattern
- Poor Traffic/Pedestrian Movement
- “Stressed” Shopping Center
- Land Use Compatibility
- Negative Visual Environment

OPPORTUNITIES

- Main Street Area as Town Center
- Streetscape Improvements
- Gateway Monuments

- Underground Utilities
- New Road Corridors
- Vacant Land

As a result of discussion revolving around the problems and opportunities in the Town Center area the TC CRA Advisory Committee initiated a process to define concepts for the area that would address the identified problems and opportunities and begin to develop the vision for the Town Center area. The key concepts that were developed are numbered below:

TOWN CENTER CONCEPTS

1. Create point of entry/identity
2. Distinct treatment of major corridors
3. Enhance existing residential areas
4. Introduce new residential areas
5. Introduce new residential types
6. Redesign Main Street as shopping district
7. Retrofit shopping centers as town centers
8. Enhance and integrate public spaces
9. Encourage new mixed use districts
10. Introduce land use buffering

11. Create new transportation linkages

A composite map was generated for the Town Center area that reflected these general concepts. This map was supplemented by examples of these concepts taken from other successful committees and projects so that the TC CRA Advisory Committee could associate the concept statements with illustrations and images. This exercise led the TC CRA Advisory Committee to conclude that the concepts addressed the problems and opportunities that had been previously defined and that redevelopment plan alternatives should be developed for their consideration based on these concepts.

ALTERNATIVE PLAN DEVELOPMENT

On April 22, 1998 the TC CRA Advisory Committee conducted a public workshop that was designed to consider alternative redevelopment plans that addressed the Town Center problems, opportunities and concepts that had been defined in their previous meeting. In response to these issues and ideas the TC CRA Advisory Committee developed three mandates that were to be the basis for any selected plan. These were labeled “Town Center Imperatives”:

TOWN CENTER IMPERATIVES

- Develop Town Center Grid Form
- Create a Town Center Function
- Establish an Image and Identity

The basis for these three key plan components evolved from discussion and analysis regarding plan characteristics that would directly address the problem and opportunities, Town Center Concepts and the Findings of Necessity Report issues. These three key elements deliver the following actions:

TOWN CENTER GRID FORM

- Choices of Movement – Auto/Non-Auto
- Framework for Development
- Internal and External Connectivity
- No more Exclusive US 98 Orientation
 - Avoids being “Doomed” to Strip Commercial

- “To” place rather than “THROUGH” place

TOWN CENTER FUNCTION

- Mixed Uses, Including Residential
- New Land Use Models
- Civic/Public Activities/Amenities
- Catalyst Projects

IMAGE AND IDENTITY

- Gateways, Using Monumentation and Theme
- Main Street Image
 - Architectural Style
 - Architectural Form
- District Identity
 - Signs
 - Streetscape (e.g., trees, lighting, furniture)
- East/West Road – regardless of Azalea Drive
 - Opens Area Up to Development
 - Creates Multiple Development Options
 - Provides Opportunity for Internal Focus
 - Complements Land Use

ALTERNATIVE PLANS

Two Town Center area plans were developed for the TC CRA Advisory Committee to evaluate. The alternative plans demonstrated:

- How uses fit together and function in a generalized way and form the basis of more detailed alternatives.
- Difference in the use emphasis, configuration and road schemes.
- Component parts, i.e., land use districts, road arrangements are interchangeable.

ALTERNATIVE PLAN A

Alternative Plan A reflected a linear approach to the Main Street corridor between U.S. 98 and Airport Road. The plan concentrated on bringing structures and uses closer to the Main Street corridor and providing a street cross section that included four moving lanes and on-street angle parking between the block corners. Street trees would be located on each side of the street and pedestrian amenities would be provided in an expanded sidewalk area. An east/west road, Center Street (now identified as 98 Palms Blvd.), was proposed through the entire redevelopment area that intersected with Main Street north of the Post Office. The two existing shopping centers east and west of Main Street continued with orientation to U.S. 98. The northeast quadrant of the redevelopment area reflected an infill of existing uses, both residential and office medical. Three new north/south streets were proposed east of Main Street. Two of these ran between U.S. 98 and the new east/west road. The third, the extension of Mattie Kelly ran between U.S. 98 and Airport Road. Residential infill was identified east of the Mattie Kelly

extension and south of the new east/west corridor. The 98 Palms property reflected mixed use with north and south access.

ALTERNATIVE PLAN B

Alternative B concentrated the “Town Center” focus on the redevelopment of the Downtown Destin Shopping Center. The area was re-oriented toward Main Street while maintaining access to U.S. 98. The cross section of Main Street reflected four lanes of traffic separated by a landscape median. There is no on-street parking. A five foot bike lane is provided on each side of the street and landscaping is provided on each side separating the pavement from a ten foot wide pedestrian sidewalk. The street cross section “internal” to the redeveloped shopping center reflects two lanes of traffic with on-street parking on each side. A landscape area separates the parking lane from the sidewalk. Building “storefronts” are moved close to the street adjacent to the sidewalks. A new east/west street runs the width of the redevelopment area intersecting with Main Street south of the Post Office. New north/south streets are identical to Alternative A. The northeast quadrant of the area reflects an expansion of the existing medical and office uses. This area is on both sides of Mattie Kelly south to the new east/west corridor. South of the new east/west corridor and east of the Mattie Kelly extension there is an area designated for resort/lodging use. Main Street north of the Post Office continues the current development pattern. The 98 Palms property reflected mixed use with both north and south access.

SELECTED PLAN

After review and discussion of Alternatives A and B, the TC CRA Advisory Committee made recommendations that are reflected in the following Selected Plan description. The major recommendations included:

- An expanded Town Center
- Create an Office/Residential mixed use district
- Establish a neighborhood park and conservation area
- Develop a grid street pattern
- Create streets with character
- Locate entry gateways at key locations

TOWN CENTER

The Selected Plan defines the Town Center area as including the Downtown Destin Shopping Center, the Shores Shopping Center, the 98 Palms property and the Main Street corridor from U.S. 98 to Airport Road. The intent for this area is to integrate the three major properties defined above by providing a grid system of streets both north/south and east/west, providing enhanced streetscapes improvements and by locating entry gateways at key locations in both the Town Center area and the perimeter of the redevelopment area. A new “Town Center mixed use” zoning district creates the opportunity and incentives for retail, office and residential uses that are compatible in scale for the Town Center. The street cross sections in the Town Center area also define the character of development. The Main Street corridor south of the Post Office, Main Street north of the Post Office, the

interior shopping streets and 98 Palms Blvd. each provide driving and pedestrian environments that supplement the differing uses and development patterns in those areas. Additional explanation of these cross sections is included in the Streetscape Elements section of this plan.

OFFICE/RESIDENTIAL MIXED USES

The northeastern portion of the redevelopment area includes existing medical, office and residential uses. Each of these uses is an important component of this sub-area and can be expanded in a manner that creates compatibility of uses. In order to encourage these uses to expand, a “mixed use” office/residential zoning district needs to be established. This would allow for the expansion of medical services in the area, which would build on the existing health related uses in the area. The district would also allow for general office use. Due to the heavy emphasis on the tourist and seasonal business, opportunities to expand the area’s economic base is limited. This area could accommodate office park development which would provide additional employment and business opportunities which are limited in the City. In addition to these uses, a mixed-use district would allow for infill multi-family residential opportunities. Destin and the surrounding area have limited housing choices for permanent residents. This area provides the opportunity to locate additional housing. The development of the mixed-use district should allow increased base density and provide incentives for a portion of housing developments to address affordable housing needs.

LINEAR PARK

An extension of 98 Palms Boulevard to the east, connecting to portions of the Gulf Power easement provides an opportunity to create a “linear park/multi-use trail” connecting main Street to Airport Road including the existing Jewel Melvin Park, currently accessible only from Cordgrass Court in the rear of the Twin Lakes subdivision off Airport Road. The trail would provide a safe area for walking, jogging, biking and exercise, with rest areas and vegetation, and provide an alternate means of transportation from the residential areas off Airport Road to shops, restaurants and other amenities in the redesigned Town Center.

CONSERVATION AREA

An existing wetland area currently exists east of the industrial area and west of the proposed mixed-use district. The area extends from Airport Road to the north to the electric power line easement on the south, adjacent to the Twin Lakes development. This area should be preserved for its natural drainage benefits and for the buffering affect between uses. This area also provides visual relief from the built environment and creates an opportunity for additional passive uses such as pedestrian or bike path use.

GRID STREET PATTERN

A key element of the redevelopment plan is to provide alternative transportation corridors that provide relief from the capacity problems on U.S. 98 and also create an internal, community oriented network of streets within the redevelopment area. Without this system of new street corridors the Town Center area will be permanently oriented to U.S. 98 and either by-passed or restricted by vehicle traffic. In order to avoid a permanent commitment to U.S. 98 and provide redevelopment

opportunities, a new east/west corridor is proposed that runs through the center of the redevelopment area. The mixed use potential of the Town Center zoning district would allow office or multi-family residential to occur in this area in addition to retail. This allows development to utilize both sides of the corridor. East of the 98 Palms property the corridor moves north to align with the electric power line corridor until it intersects with Airport Road. It should be noted that City Council has endorsed a study of an east/west corridor that would run farther west that the redevelopment area boundary on Beach Drive. The TPO and Florida Department of Transportation are strongly encouraged to incorporate the design and community redevelopment intent that is reflected in the redevelopment plan.

Three other north/south streets are being proposed in addition to the new east/west corridor. Mattie Kelly Drive is proposed to extend from Airport Road south to U.S. 98. A second north/south corridor is proposed to run along the eastern edge of the conservation area between Airport Road and U.S. 98. Finally, a third north/south corridor is proposed to run south from the new east/west corridor to U.S. 98. The general location of this corridor is east of the Shores Shopping Center.

STREETSCAPE ELEMENTS

The elements of the streetscape system are a powerful tool that affects the attractiveness and general atmosphere of an area. The key components of a streetscape system are:

- Street Lighting (with banner arms)
- Bike Lanes
- Sidewalks
- Landscaping

-
- Street Furniture (including bike racks, benches and trash receptacles)
 - Medians with trees and landscaping
 - Parking

The redevelopment plan defines four streetscape types for:

- Main Street – south of the Post Office
- Main Street – north of the Post Office
- “98 Palms Boulevard” – the new east/west corridor
- Interior Shopping Street

Main Street south of the Post Office utilizes the current one hundred feet of right-of-way by providing four moving lanes of traffic separated by a landscaped median. A landscaped parkway exists on each side separating the pavement from an expanded sidewalk. The intent of this treatment is to allow traffic to move through the area to and from U.S. 98 while signaling that a slower speed and pedestrian atmosphere exists. A major entry/gateway feature should be located at the Main Street/U.S. 98. New and existing buildings should be oriented close to the sidewalk on Main Street between U.S. 98 and the Post Office. A banner system, “period street lighting” or other type of monummentation may be added.

The property north of the Post Office on Main Street takes on a different character. This area is more suburban in nature as opposed to the urban character of the South Main Street area. Bicycle lanes are not included. The option exists to apply a more urban treatment to this area similar to the south Main Street area if continuity of treatment is desired.

The “98 Palms Blvd.” or new east/west corridor is similar to Main Street except that the median and side landscape treatment would be less concentrated. As of this Plan update, main Street has been redeveloped, substantially incorporating the design elements of the plan.

The “Interior Shopping streets” reflects the slow pace of traffic and close building front to the pavement that often exists in interior retail shopping streets. This treatment would be appropriate for redevelopment with the existing shopping centers or 98 Palms.

The following pages reflect the streetscapes described above.

ENTRY GATEWAYS

Entry gateways in various forms convey a special place and pride that a community wants to communicate about an area. The Town Center area specifically and the overall redevelopment area provide a number of natural locations for entry gateway treatment. The locations in order of priority defined for this type of treatment include:

- Main Street and U.S. 98
- Airport Road and U.S. 98
- Main Street and Airport Road/Legion Drive
- Beach Drive and U.S. 98
- Airport Road and Commons Drive
- Beach Drive and Legion Drive

An illustration of arches above the Main Street intersection with U.S. 98 was previously provided in the streetscape section.

OTHER INFRASTRUCTURE IMPROVEMENTS

If the Town Center mixed use concept is to be successful, pedestrian traffic is essential. As mentioned previously, the residential component is a significant one in the town center, offering residents the opportunity to live, work and shop, all without commuting by car. But residents will not be attracted to the area if the environment does not appear to be friendly to the pedestrian. The shortfalls, such as lack of street lighting and complete sidewalks, which were listed in the Findings of Necessity Study, must be corrected if the grid network is to function successfully and help reduce the amount and length of automobile trips, and attract the pedestrian traffic required for a vibrant town center.

Both existing and proposed streets must contain several essential elements. First, adequate street lighting is critical to foster a feeling of security for both walkers and bikers. Gaps must be filled along existing roads and lights must be required along new roads. Second, bike lanes should be installed along busier streets to provide some separation of users sharing the roadway. Bike lanes are proposed along Main Street, 98 Palms Blvd., the other new streets, and proposed to be retrofitted onto Airport, Legion and Beach. Third, and perhaps most critical, expansive sidewalks are necessary to create a pleasant walking experience. Many in the redevelopment area were built to the city's previous standards. A five-foot minimum width is recommended here to allow at least two people to walk comfortably side by side. It is recommended that sidewalks be included on both sides of all new streets, and that gaps be filled along existing streets. Where existing sidewalks are less than five feet, which is the current city standard, it is recommended that additional width be added to bring them up to code. In the event the sidewalk is approaching its useful life span, it is recommended it be replaced with a new five-foot walk, or larger, as appropriate for multi-

modal considerations. Fourth, pedestrian crosswalks are critical to ensure that pedestrian and vehicular conflicts are minimized at potentially busy intersections. Currently, few crosswalks exist within the redevelopment area. They are recommended for Airport and Main Street, Airport and U.S. 98, Main and U.S. 98 and Beach and U.S. 98. It is also recommended that cross walks and/or signalized pedestrian crossings be installed at the intersections of the proposed new north/south streets and U.S. 98 to ensure that people on the south side of U.S. 98 can safely cross into the town center district by foot. These elements should be included in any plans for new roadway development or rehabilitation of existing roadways, and are listed along with the street improvements in the Public Improvements section which follows. Crosswalk designs should be consistent with the existing crosswalks within the TC CRA. City staff will dictate the design criteria for crosswalks.

In addition to transportation issues, other infrastructure improvements are needed to further the redevelopment process. For example, as cited in the Findings of Necessity Study, drainage is a citywide problem which needs to be addressed. As they currently exist, several residential subdivisions in the Town Center area do not have adequate drainage. The city's codes regarding drainage have been changed over the years and have resulted in conflicting drainage patterns among subdivisions. It is recommended that a comprehensive study be conducted to assess the extent of the problem and determine a comprehensive solution.

Another infrastructure improvement recommended is placing utilities underground. Today, existing power lines criss-cross Destin's Streets, detracting from the visual appeal of the streetscape. Moving overhead wires underground over a period of time will allow the other improvements to the redevelopment area's streetscape to clearly show through, and will also increase the safety and continuity of electrical service. It is therefore

recommended that agreements be pursued with Gulf Power for locating wires underground as soon as possible.

DESIGN AND SIGNAGE

The TC CRA Advisory Committee recognized that in addition to streetscape improvements certain design considerations should be encouraged and assessed in order to provide the most appealing atmosphere for the area. Decisions regarding architectural theme and signage were determined to be two areas that should receive more study upon plan adoption. An architectural theme or set of design guidelines assists in visually unifying an area. Several existing and proposed developments utilize elements of a “Florida Vernacular” style of development. The plan encourages continuation of this architectural style.

Similarly, incompatible signage in terms of style, size and location can negatively impact an area. Clearly, the tourism oriented signage along U.S. 98 is not the appropriate style or scale for the Town Center area. The plan recommends that the current sign regulations be addressed in more detail in conjunction with the review and recommendations regarding architectural considerations.

GOALS AND OBJECTIVES

The development of the Town Center Concepts, Alternative Plans, the Selected Plan and a plan update have led to the identification of five major goals and series of objectives that are the basis for the redevelopment plan and reflect intended actions needed to continue implement of the plan.

GOAL ONE

Establish a Town Center for the City of Destin that has a community orientation and is anchored by the Main Street corridor.

- Coordinate and work with property owners and the development community to implement building forms. Support a more concentrated development pattern and that provide external and internal linkages with the grid street pattern and/or contiguous uses.
- Implement the streetscape program for Main Street consistent with the street cross section illustrations for Main Street, both south and north of the Post Office.
- Evaluate the feasibility of establishing a linear park and multi-use trail utilizing 98 Palms Blvd. right-of-way and the electric power easement, to connect Main Street with Airport Road.
- Establish a pedestrian friendly environment that is attractive and entertaining for local residents and community guests.

- Development should be, to the extent feasible, internally oriented, rather than exclusively facing the U.S. 98 corridor.

GOAL TWO

Create an identity and image for the Town Center area that provides needed services and positive experiences for the residents of Destin, community guests and the business community.

- Design, locate and construct a gateway entry program for the Town Center area using major intersections as identified in the redevelopment plan.
- Implement the streetscape program for the redevelopment area based on cross-section illustrations as identified in the redevelopment plan.
- Evaluate the use of architectural design guidelines to ensure the area provides a pleasant, interesting and compatible design atmosphere.
- Establish a marketing program for the Town Center redevelopment area that will attract residents, community, visitors and the business community to patronize and invest in the area.
- Maintain an on-going committee from the redevelopment area that is assigned the task of encouraging the on-going participation of property owners in the area to implement the plan, define special events, participate in fund raising and generally serve as catalysts for the area.

-
- Promote initiatives that encourage property owners to keep their property from becoming unsightly and/or blighted through code compliance efforts.

GOAL THREE

Develop a “grid system” street network within the Redevelopment Area, with particular emphasis on an east/west corridor through the middle of the area, which intersects with Main Street.

- Work with the Florida Department of Transportation and the local Transportation Planning Organization (TPO) to coordinate the location of the new east/west corridor (98 Palms Blvd. and/or extension) in a manner consistent with the location and street cross-section identified in the redevelopment plan.
- Implement the extension of Mattie Kelly Road from Airport Road south to U.S. 98.
- Establish a new north/south multi-use trail east of the conservation area that extends from Airport Road to U.S. 98.
- Establish a north/south corridor (Palms Street) from the new east/west corridor (98 Palms Blvd.) south to U.S. 98. The location of this corridor is generally east of the 98 Palms Shopping Center.
- Continue to promote and retain internal roadways within shopping centers to encourage inter-parcel access and mobility which promote multi-modal transportation.

GOAL FOUR

Implement a program of public infrastructure improvements that address the needs identified in the Findings of Necessity Study and the Redevelopment Plan.

- Implement a program to install missing sections of sidewalk and to upgrade and repair all sidewalks in substandard condition.
- Implement a program to install streetlights in locations where needed. Evaluate the use of special street light design in the Town Center mixed use district.
- Evaluate the drainage problems identified in the Findings of Necessity Study and implement recommendations to resolve those problems.
- Design and construct streets, streetscape improvements and entry gateways as defined in the redevelopment plan.

GOAL FIVE

Create a land use pattern and development regulations that provide mixed uses, are sustainable and allow a range of intensity for land use in the area.

- Create a Town Center Redevelopment land use category that will be applied to the entire redevelopment plan area.
- Create a Town Center mixed use district that allows and encourages a compatible mix of retail, office and residential uses.
- Create an office/residential mixed use district for the northeast area of the redevelopment planning area that allows

and encourages a compatible mix of office and multi-family residential uses and establishes incentives for affordable housing.

- Evaluate the sign ordinance as it may apply to the redevelopment area, particularly in the Town Center mixed use district, to determine whether sign ordinance modifications will assist in improving the quality and design features of the area.

PUBLIC IMPROVEMENTS

Public improvement projects are a physical expression of the City's commitment to the Redevelopment Plan. Following is a series of crucial projects that establish the public framework to stimulate future private investment. These projects, not listed in any particular order, address image, roadway improvements, park enhancements, the pedestrian environment and drainage problems. They reflect the current and future issues and opportunities facing the City.

PUBLIC IMPROVEMENT PROJECT NO. 1

Project Description: Main Street Redesign and Enhancement

In order to improve the image of Destin's Main Street and create a unique and positive identity for Destin's town center, a new street design was proposed for Main Street. The Main Street improvement project was completed in 2008, but additional changes and improvements such as landscape and other streetscape efforts shall be included to provide continuous improvement to the Main Street area.

Project Costs and Future Potential Funding Source:

Tax increment funds were utilized for this project. Project cost estimates were based on recent similar projects. Future funding sources could be those indicated in the Comprehensive Fund Sources paragraph of the "Implementation" section.

PUBLIC IMPROVEMENT PROJECT NO. 2

Project Description: Entry Gateways

This project involves creating memorable gateways at strategic points of entry into the town center area. Gateway monuments are recommended for the following intersections:

- Main Street and U.S. 98
- Airport Road and U.S. 98
- Main Street and Airport Road/Legion Drive
- Beach Drive and U.S.
- Airport Road and Commons Drive
- Beach Drive and Legion Drive

The first step in this process is the selection of a monument design by the community and the City. Cost estimates for the specific monument design would be made at that time.

Project Costs and Future Potential Funding Source:

Assuming for general estimating purposes that gateway monumentation would cost approximately \$50,000 per intersection, for the six intersections listed, the total cost would be \$300,000. Future funding sources could be those indicated in the Comprehensive Fund Sources paragraph of the "Implementation" section.

PUBLIC IMPROVEMENT PROJECT NO. 3

Project Description: Sidewalk Improvement Program

Improvements to the existing sidewalk network are an essential factor in the overall improvement to the city's pedestrian environment. This project involves filling in existing gaps in the sidewalk network, as well as upgrading existing sidewalks to the current standard width, which is at least five feet.

Project Costs and Future Potential Funding Source:

This cost estimate includes adding new, five foot (or larger, as appropriate) sidewalks where they are missing and removing and replacing existing sidewalks to the current standard five foot (or larger) width. The cost for a new 5' sidewalk is estimated at \$2,000 per 100 linear feet. The cost to remove and replace a 5' sidewalk with an 8' sidewalk is estimated at \$3,700 per 100 linear feet, plus the additional cost for truncated dome mats. Future funding sources could be those indicated in the Comprehensive Fund Sources paragraph of the "Implementation" section.

	Linear Feet (new)	Linear Feet (upgrade)
Beach Drive		2,794 (\$108,547)
Industrial Park		
Road/Lane		2,365 (\$91,880)
Quail Circle		1,500 (\$31,500)
Quail Lake Blvd.		1,233 (\$25,893)
Mattie Kelly Dr.	850 (\$27,200)	1,450 (\$56,332)
Total	850 (\$27,200)	9,342 (\$314,152)

Issues:

In cases where existing sidewalks have reached the end of their useful lifespan, they should be completely replaced.

PUBLIC IMPROVEMENT PROJECT NO. 4

Project Description: Bike Lane Improvements

Bicycle lanes are currently not a part of the transportation network within the redevelopment area. Because of the many benefits associated with getting people out of their cars to get around town, it is important that biking be encouraged. The most effective way to offer this encouragement is to make the environment for cyclists safer and more convenient with dedicated bicycle lanes.

Project Costs and Future Potential Funding Source:

This cost estimate includes adding 4' bicycle lanes to both sides of the following roadways. No right of way acquisition is assumed and lengths are approximate. It is assumed that bike lanes will be included in all new roadway construction projects where appropriate. Future funding sources could be those indicated in the Comprehensive Fund Sources paragraph of the "Implementation" section; however, installation of bicycle lanes on U.S. 98 should be coordinated with the Florida Department of Transportation, utilizing state and/or federal funding.

New 4' bike lane: \$221.90 per 100 Linear Ft.

Beach Drive	2,000' x 2 = 4,000' = \$36,000
U.S. 98	9,200' x 2 = 18,400' = \$41,000
Total	4000' = \$36,000

PUBLIC IMPROVEMENT PROJECT NO. 5

Project Description: Street Light Program

Streetlights are a critical component of the pedestrian network. They can also be a source of character and image for the town center, if lights of a unique design are selected. Currently, streetlighting throughout the redevelopment area is inconsistent. This project involves filling in lighting gaps along the redevelopment area's roads, assuming approximately 200 feet between light poles. Lighting cost estimates will vary with the type of light fixture selected and the interval distance chosen. Costs are not shown for new or redesigned streets as these are included in the streetscaping estimate of the road construction.

Project Costs and Future Potential Funding Source:

This cost estimate assumes lighting both sides of the given streets, with an interval of approximately 200 feet between light poles. The cost per light pole is estimated at \$2,000 for a standard, plain street light. Future funding sources could be those indicated in the Comprehensive Fund Sources paragraph of the "Implementation" section.

	Poles needed	Estimated Cost
Airport Road	60	\$120,000
Legion Road	17	\$ 34,000
Beach Drive	17	\$ 34,000
Quail Circle	4	\$ 8,000
Quail Lake Blvd.	5	\$ 10,000
Mattie Kelly Drive	7	\$ 14,000
U.S. 98	49	\$ 98,000
Total	159	\$318,000

PUBLIC IMPROVEMENT PROJECT NO. 6

Project Description: Pedestrian Crosswalks

Pedestrian crosswalks are recommended for busy intersections to facilitate easy movement on foot into and throughout the town center area. Pedestrian signals are recommended at all traffic lights. Since signalization of new roads is unknown at this point, no estimates are given for pedestrian crossings at new roads. The addition of pedestrian crossing signals at several existing intersections has been completed as a part of the Main Street and Airport Road improvement projects. Pedestrian crossing signals have been added to the remaining signals at Beach Drive and U.S. 98, and at Gulf Shore Drive and U.S. 98.

Project Costs and Future Potential Funding Source:

All of the previously proposed signals are not needed at the time of this update of the Redevelopment Plan. Future funding sources could be those indicated in the Comprehensive Fund Sources paragraph of the "Implementation" section.

PUBLIC IMPROVEMENT PROJECT NO. 7

Project Description: New East/West Road ("98 Palms Blvd.")

As mentioned throughout the redevelopment plan text, the new east/west road is critical to the successful development of Destin's Town Center area. In addition to its functional roles, the new boulevard will greatly enhance the character of the town center area. 98 Palms Blvd. includes two travel lanes, a median, bike lanes, planting strips, wide sidewalks, and streetscaping.

Project Costs and Future Potential Funding Source:

The total cost for the construction of 98 Palms Blvd. is estimated to be \$2,000,000. Based on an estimated length of 5,000 feet, the

approximate cost is \$400.00 per lineal foot. Costs for streetscaping (landscaping, street furniture, special lighting) are included. This estimate does not include any right-of-way acquisition costs, signalization or signage.

The proposed alignment for 98 Palms Blvd. follows an existing power line easement and a portion has been completed as a part of the 98 Palms shopping center project. Consistent with the adopted Corridor management Plan, it is recommended that additional donation of land adjacent to the easement be sought from developers of those properties and that construction of this road be coordinated with the developer. Additional extension could be made west, to Beach Drive, or as far as possible. Since the Florida Department of Transportation is considering an alignment very similar to 98 Palms Blvd. to help alleviate some of the congestion along U.S. 98, it is recommended that complete or supplemental funding be sought from the D.O.T. In the absence of this possibility, future funding sources could be those indicated in the Comprehensive Fund Sources paragraph of the “Implementation” section.

PUBLIC IMPROVEMENT PROJECT NO. 8

Project Description: Extension of Mattie M. Kelly Boulevard to U.S. 98

The extension of Mattie M. Kelly Boulevard to U.S. 98 is important to help complete the grid street network discussed throughout this plan. In particular, this project will help facilitate the development of the Office/Residential area of the town center area and is consistent with the adopted Corridor Management Plan. The extension is planned to include two travel lanes, bike lanes, sidewalks, planting strips and streetscaping.

Project Costs and Future Potential Funding Source:

The total cost for the construction of the Mattie Kelly Extension is estimated to be \$680,000. Based on an estimated length of 1,700 feet, the approximate cost is \$400.00 per lineal foot. Costs for streetscaping (landscaping, street furniture, special lighting) are included. This estimate does not include any right-of-way acquisition costs. Future funding sources could be those indicated in the Comprehensive Fund Sources paragraph of the “Implementation” section, with unfunded portions being prioritized as part of the City’s Capital Improvements Program.

PUBLIC IMPROVEMENT PROJECT NO. 9

Project Description: New Multi-Use Trail from 98 Palms Boulevard north to Airport Road (along Preservation Area)

This new trail will help complete the grid form planned for the town center area. Its proposed course along the preservation area should provide a pleasant scenic route for biking, jogging or walking.

Project Costs and Future Potential Funding Source:

The total cost for the construction of this new trail is estimated to be \$225,000. Based on an estimated length of 1,700 feet, the cost is approximately \$150.00 per lineal foot. Costs for hardscaping (landscaping, street furniture, special lighting) are included. This estimate does not include any right-of-way acquisition costs. Future funding sources could be those indicated in the Comprehensive Fund Sources paragraph of the “Implementation” section, with unfunded portions being prioritized in the City’s Capital Improvements Plan.

PUBLIC IMPROVEMENT PROJECT NO. 10

Project Description: Extension of Palms Street north to the Extension of 98 Palms Blvd.

This new road forms an important link in the town center's grid street system. The road is proposed to include two travel lanes, bike lanes, a planting strip, sidewalks and streetscaping.

Project Costs and Future Potential Funding Source:

The total cost for the construction of this new road is estimated to be \$200,000. Based on an estimated length of 500 feet, the cost is approximately \$400.00 per lineal foot. Costs for streetscaping (landscaping, street furniture, special lighting) are included. This estimate does not include any right-of-way acquisition costs. Future funding sources could be those indicated in the Comprehensive Fund Sources paragraph of the "Implementation" section, with unfunded portions being prioritized as part of the City's Capital Improvements Plan.

PUBLIC IMPROVEMENT PROJECT NO. 11

Project Description: Conversion to Underground Utilities

Overhead utility wires are currently detracting from the town center area's visual appeal. Coordinating with Gulf Power to have power lines placed underground will go a long way toward enhancing the character of the town center. Since the southern portion of Main Street is a focal area and primary gateway into the Town Center, it should receive priority for power line burial. Overhead crossings were eliminated as part of the Legion Drive project, possibly reducing the remaining cost for that roadway segment.

Project Costs and Future Potential Funding Source:

The updated cost for burying utilities was estimated at \$1,000 per foot in a recent project estimate made just prior to the update of this plan. Costs may vary considerably, depending on the current and future use of the electrical facilities and potential future needs.

Airport Road	9,500' = 1.8 miles = \$7.2 to 9.2 million
Legion Drive	2,350' = .45 miles = \$1.3 to 1.8 million
Beach Drive	2,250' = .43 miles = \$1.7 to 2.3 million
U.S. 98	9,200' = 1.7 miles = \$6.8 to 9.2 million

Total	4.38 miles = \$17.0 to 22.5 million
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The City should negotiate with Gulf Power to cover the cost of placing utilities underground. Sharing the cost with Gulf Power, future funding sources could be those indicated in the Comprehensive Fund Sources paragraph of the "Implementation" section.. To the greatest extent possible, having utilities placed underground should be coordinated with road construction and redesign projects to minimize cost and inconvenience.

PUBLIC IMPROVEMENT PROJECT NO. 12

Project Description: Park Feasibility Study

The proposed linear park and multi-use trail along the Gulf Power easement could provide a desirable civic feature and multi-modal access from residential areas to shopping in the Main Street area. However, some of the property between 98 Palms Blvd. and the Gulf Power easement is currently privately owned. A study should be undertaken by the city to assess in greater detail the owner's willingness to sell a portion to accommodate the extension of 98 Palms Blvd. and pathway. Pending a favorable conclusion to the initial research, the study should address the potential cost for acquisition and improvement. Once this information is gathered, the potential

project should be considered in light of other proposed public improvements.

Project Costs and Future Potential Funding Source:

Assuming the City undertakes the feasibility study, there should be little or no cost involved. If acquisition and improvement are pursued, grant funds should be sought for greenway acquisition, and funding sources indicated in the Comprehensive Fund Sources paragraph of the “Implementation” section. should be used for the remainder.

PUBLIC IMPROVEMENT PROJECT NO. 13

Project Description: Need for Drainage Problem Assessment

Drainage problems are documented throughout the redevelopment area. Given the extent of the problems, it is important to get a comprehensive assessment and recommendations on how to address the problems in order to avoid exacerbating the conflicts in drainage patterns with future development. Since the City of Destin is experiencing stormwater problems in other sectors of the city, it may make sense to undertake a comprehensive look at the entire city.

Project Costs and Future Potential Funding Source:

Without a specific project scope, it is difficult to estimate a complete study’s cost. A second phase assessment of the drainage in the redevelopment area, involving an overview of problems, probable causes and recommended next steps, is estimated to cost approximately \$25,000 to \$35,000.

SUMMARY OF PUBLIC IMPROVEMENTS

The total cost of all public improvements is between \$21,155,352 and \$26,665,352. The bulk of this estimate is derived from the

cost of burying utilities (\$17,000,000 to \$22,500,000). Excluding burying utilities, the total public improvements amount to between \$4,155,352 and \$4,165,352. These totals do not take into consideration any funding from grants, funding from the Florida Department of Transportation, cooperation from Gulf Power with power lines, or shared costs with developers for roadway construction. Nor do these estimates in acquisition costs for street rights-of-way.

It will be the responsibility of the Town Center Advisory Committee to work with the Redevelopment Agency and the City to prioritize public improvements for use of tax increment funds and appropriations in the Capital Improvements Plan. Initiation of key public improvements is a clear sign that the community is taking steps to improve itself and its quality of life and will induce private investment to follow suit.

CATALYST PROJECTS

Catalyst projects are projects which will work to “kick start” the redevelopment process and accelerate the growth of the tax increment. These projects are both public and private, and some are already proposed and “in the works” in the area. In the case of the latter, the redevelopment area stands to benefit immediately from the conversion of vacant land into income-producing property. Where an existing use is obsolete or underutilizing a site, the redevelopment area benefits from the rehabilitation or redevelopment of the property. In some cases, a project may require a partnership of public and private interests to become a reality.

Since many components of the Redevelopment Plan rely on tax increment funds, catalyst projects are a critical stimulus for plan implementation. Following is a brief description of these projects.

98 PALMS

This project has been substantially completed, located just east of the existing Shores Shopping Center and features mixed office and retail uses in its first phase. This portion of the approximately 80 acre parcel features a major grocery store, a bank, and other retail and office uses. Since this project occupies a large portion of formerly vacant land, it will have a significant impact on the tax increment. The planned mixed uses mesh nicely with the parcel's Town Center proposed land use district.

REDEVELOPMENT OF DOWNTOWN DESTIN SHOPPING CENTER

This shopping center is newer than the Shores Shopping Center, but has not been as successful. Several vacancies exist and the center overall appears to be struggling. It is likely its current configuration is largely to blame since occupied outparcels along U.S. 98 block highway exposure and awkwardly "chop up" the site.

With its potentially prominent location near the intersection of U.S. 98 and Main Street, the shopping center is a prime location for redevelopment and reinvestment. In the Redevelopment Plan, this shopping center is featured, reconfigured into a more traditional town form, taking advantage of the grid street form and the connectivity offered by the concept of shopping streets. Such a radical change would likely require the cooperation of public and private entities, but stands to benefit all involved, including the community, the developer and tax increment. It could also serve as an example for a new approach to old-fashioned shopping centers to be repeated elsewhere, perhaps among the redevelopment area's smaller strip shopping centers.

NEW EAST/WEST ROAD ("98 PALMS BLVD.")

This project is a catalyst in the sense that it is an essential component of the grid form on which the Redevelopment Plan is based. The City's initiative to develop this road as a priority could pave the way, literally, to many of the other projects proposed, such as in the Town Center district east of Main Street, the Office/Residential and associated medical complex, and the reconfiguration/redevelopment of the Downtown Destin Shopping Center mentioned above. With the Department of Transportation's interest in an east/west alternative to the existing U.S. 98, the project could involve significant state funding, while increasing the development options, land values and the tax increment for the redevelopment area.

STREETSCAPING

Streetscaping is included in the cost of new road construction and the redesign of Main Street, but at this time does not fully exist on current roads. Streetscaping generally encompasses landscaping, street furniture, and special lighting. Since it is not critical to the actual function of a road, it is included here as a public catalyst project. Improvement of the streetscape is a proof of the community's commitment to the redevelopment process. It is a unifying feature that makes the Town Center a special place in which people are comfortable working, living and playing. This public investment serves to increase pedestrian traffic in the Town Center, boost property values and inspire private investment in properties to upgrade their appearances, all of which contribute to healthy increment growth.

INDUCED PROJECTS

Many redevelopment projects are "induced" through policy and/or regulatory recommendations of the Redevelopment Plan.

These can range from economic development and marketing efforts to affordable housing to design related initiatives. Several induced projects may result from new mixed use districts being proposed for the redevelopment area. Specifically, a new Town Center Mixed Use district which allows a compatible mix of retail, office and residential, and an Office/Residential Mixed Use district are being proposed in appropriate locations within the redevelopment area.

OFFICE/MEDICAL COMPLEX

The redevelopment area already contains the beginnings of an office/medical complex, and offers the opportunity to diversify Destin's tourism-based economy. In addition, Destin is in need of a fully-functional hospital to serve its residents. In order to encourage the development of these community features, the Office/Residential Mixed Use District has been created and applied to a large area in the vicinity of the existing facilities and Mattie Kelly Drive. The combination of office with residential is a compatible one that is frequently found in urban areas. It also offers developers flexibility in selecting project mix, and greater certainty than under the present, more general zoning designations about what other uses will locate nearby.

HIGH DENSITY HOUSING

High density housing is proposed as an induced project because of Destin's ongoing need for housing for permanent residents, especially that which is affordable. Destin's success as a vacation and second home community has made it a difficult market for many permanent residents to compete in. To encourage developers to meet this demand, the Redevelopment Plan proposes higher density residential uses in some new combinations and forms. Currently in Destin's Comprehensive Plan, high density residential is between 10 and 20 units per acre, so the recommended housing, although not

high density by many communities' standards, is within the realm of high density here.

The Redevelopment Plan seeks to encourage the development of high density housing in the form of townhouses and garden apartments in the range of 12 to 15 units per acre within the Office/Residential Mixed Use District. Since offices operating generally under regular business hours are compatible with apartment and townhouse uses, this combination is ideal. In the Town Center Mixed Use District, the combination of flats over shops and offices is suggested as a new housing form. In this form, the residential and retail mix is mutually beneficial as residents add vitality to the area and retail provides convenience to the residents. As an additional inducement, the Redevelopment Plan recommends bonuses for developers who include affordable units within their developments.

COMMUNITY ENTERTAINMENT COMMERCIAL

The concept of community entertainment commercial uses involves building on the Town Center Mixed Use District and the existing theatres in this area to create a more vibrant, integrated feature for the Town Center. A movie theater use has the potential to keep people in the Town Center area in the evenings after regular business hours, adding vitality and life to nearby retail and restaurant uses, which might otherwise wind down. In its current form, however, the movie theater is located in an awkward position at the far west end of the Downtown Destin Shopping Center, set behind the anchoring stores. Given the large expanse of asphalt parking in front of the theatres, there is no connectivity between the theater and other nearby uses, even within the same shopping center. As an induced project, the theater would become a focal point of the redesign of the Downtown Destin Shopping Center. Because of the complexity of this proposal, it would require inducement in the form of regulatory incentives and public/private cooperation.

IMPLEMENTATION

The success or failure of the Redevelopment Plan hinges on the ability of the City to stimulate re-investment, to undertake public improvement projects, and to engender community support. Destin has taken its first steps by identifying needs, evaluating alternatives, and preparing a Plan to guide efforts into the next century. The City must recognize that its most important role in the implementation of the Plan is that of facilitator. The City's responsibilities include being the catalyst to stimulate, market, and encourage both public support and private participation.

This section of the Plan identifies a series of implementation strategies which have the highest potential for aiding Destin to reach its goals.

MANAGEMENT PLAN

Implementation of the Plan will require both human and financial resources. The City must assess its manpower needs and internal funding sources to promote and market the area, review development plans, create new regulatory frameworks, leverage investment, assist small businesses, provide for special events, maintain financial integrity and, in general, provide day-to-day management and review. Two key areas are highlighted for work under the management plan:

1. Responsibility for project administration.
2. Target funds for project implementation, creating marketing materials, new development codes, and public and private project review.

COMPREHENSIVE FUND SOURCES

Planning for the income and expenditures within the TC CRA is integral to Plan implementation. Separate sections are devoted to the actual financial plan and yearly budget estimates, project cost estimates and proposed time frames. However, a variety of funding sources should be considered, such as (but not limited to):

1. Tax Increment Trust Fund.
2. Special Assessments.
3. General Obligation Bonds.
4. Special Revenue Bonds.
5. Grants and Loans to the TC CRA.
6. Public and private grants and loans using CDBG funds, Community Reinvestment Act funds, historic preservation funds, Small Business Administration loans, and small business facility rehabilitation loan programs, etc.
7. Fees and charges.

FINANCIAL INCENTIVES

Financial incentives may be considered as the Trust Fund gains dollars to stimulate location of new/expanding business opportunities. These would include:

1. Public partnership with private development wherein the public sector installs roads, water, sewer and other infrastructure necessary to make the project feasible.

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2. Establishing a Community Development District, Foreign Trade Zone, Community Development Corporation, etc.
 3. Grants and loans to businesses/property owners.

MARKETING AND PROMOTION

The effectiveness of the Plan will largely depend on the perception of the Plan by the public, prospective developers and financial backers. Colorful illustrative materials are necessary throughout plan implementation. A strong citizen involvement and public information program can only aid in the success of the entire plan. The TC CRA should establish a community theme or slogan for use on City articles, or sponsor a contest for logo submittals, publish “TC CRA News” to residents/businesses to keep them informed, and prepare and manage an on-going “events program” to stimulate and maintain the public interest. Finally, utilize “success stories” as they develop to show that Destin is on the move.

DEVELOPER SOLICITATION AND SELECTION

The developer solicitation process will occur if the City is given or acquires property within the area that would be used for private development. The solicitation process begins with the preparation of detailed Request for Proposals (RFP) for targeted private development projects. The RFP must specifically detail all of the conditions and requirements that pertain to the developer/development process. Once selected, a General Development Agreement should be drafted and adopted by the TC CRA and Council to assure that all terms and conditions are met. Upon completion, land acquisition/assemblage and other actions can commence.

PUBLIC IMPROVEMENTS

Another section of the Plan has identified a series of public improvements which must be installed in conjunction with new development. This action will serve as the impetus for private sector return and reinvestment into the TC CRA. Many of the improvements are necessary from purely aesthetic, functional, or practical needs, such as streetscape, lighting, new signage, improved access/signalization, monummentation, identity features. Other possibilities include expanding recreational opportunities, funding drainage studies and developing new land use and zoning categories. Development of urban design criteria to guide physical design, landscaping, beautification and promotion, much like the Streetscape Plan, would aid in public and private development.

LAND USE AND REGULATIONS

An effort must be undertaken, in conjunction with overall management and implementation, to evaluate current land use and regulatory frameworks. To stimulate private investment, create opportunities for new development, encourage parcel aggregation, foster property rehabilitation, and promote user-friendly development, new regulations must be considered that transcend the traditional approaches to land development.

DESIGN GUIDELINES/STANDARDS

A necessity for encouraging quality development, design guidelines give specific guidance regulating height, bulk, lot sizes/dimensions, floor area ratios, and the like. Such standards would reflect architectural, landscape architectural, signage, and site design criteria for new developments and change-overs in property uses.

GRANTS AND LOANS

The City may offer, through the TC CRA, restricted matching grants and low-interest loans to owners of business property in the TC CRA. The purpose of this financial aid is to encourage frontage improvements and major economic development projects. The basic concepts are outlined as follows:

- **Grants:** Exterior beautification of private property is the initial purpose of a grant program, which would provide funds only if they are available. The focus is on frontage improvements, especially landscaping on private property facing and along the public rights-of-way. A grant would not exceed 50% of the approved project cost, with the property owner paying the remainder (50% or more) of the cost. The maximum amount of a grant will depend upon a determined formula. Grant applications would be evaluated and prioritized. Highest ranking applications would be funded first.
- **Loans:** Economic development is the purpose of the loan program, which would make low-interest loans only to the extent that funds are available for that purpose. Initially, economic development loans may be made to businesses for projects meeting certain minimum criteria, e.g. the project must be approved by the TC CRA; the business must pay a significant portion of the project costs; the project must involve construction of a new building on vacant land; the new building must be for a new business or expansion of an existing business; and a significant number of new permanent full-time jobs must be created by the new business or expansion. Loans may be made by the TC CRA up to a maximum of \$100,000, with the exact loan amount dependent upon the availability of loan funds and the magnitude of project impact. Loans would be made at an interest rate comparable to those charged by certain federal

assistance programs, such as the SBA loan program. The term of the loan would not exceed ten years, and the loan must be collateralized. Loan applications would be evaluated and prioritized, with highest ranking applications to be funded first – prioritization criteria may include such factors as: number of new jobs created and amount of value added to the tax base.

NON-CRA PLANNING OR REGULATORY COMPLEMENTARY PROJECTS

There are areas which are important to, but outside of, the current boundaries for the TC CRA. The TC CRA does not exist in a vacuum, but is influenced by land uses, economic opportunities, and development programs which can enhance or support the TC CRA efforts. There are several supporting projects which could strategically aid the success of the TC CRA:

- Conduct Neighborhood or sector plans for areas abutting the district, particularly the north area residential areas, the medical community, and residential support locations in the south area.
- Undertake roadway improvements, which would include extending the proposed east/west corridor to provide access and transportation route to serve the larger Destin community. Such a project would need support of the Transportation Planning Organization, City Council, FDOT and is an extensive acquisition, permitting and construction project.
- Invest in sidewalk, bike lanes, street lighting, etc. installation program for the residential neighborhoods surrounding the TC CRA to provide a physical linkage between the areas so that it becomes user friendly.

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- Evaluate the need for and collaborate with the Medical community to create a Medical district plan.
 - Create a Master Stormwater Management Plan for the lands in and out of the TC CRA to produce a system that meets current standards and environmental enhancements.

FINANCIAL PLAN

The Redevelopment Plan lists publicly-funded redevelopment projects which the City proposes to undertake in pursuit of its redevelopment goals. The City intends to fund these projects through all available sources, such as, tax increment financing, FDOT funding, grants, loans, and gifts among others.

TAX INCREMENT FINANCING (TIF)

The ability to use tax increment revenues for community redevelopment is authorized by Chapter 163, Part III, Florida Statutes. Once the City designates an area as the Redevelopment Area, the assessed valuation of the area is "frozen" commencing with the certified tax rolls as of a specified date, as the base year, in order to derive tax increment revenues. Such revenues must be used by the agency to pay for approved projects within the Redevelopment Area, either on a pay-as-you-go basis or as security for bonds, the proceeds of which must be used for such lawful purposes as described in Chapter 163, Florida Statutes.

Upon the adoption of this Plan, a Tax Increment Financing Plan may be implemented with the creation of a Redevelopment Trust Fund, as specified in Section 163.387, Florida Statutes. Once the tax increment funds are deposited into the Redevelopment Trust Fund as a result of Tax Increment Financing, an assessment of long-term revenue stability needs to be conducted and the use for

bonds based upon the tax increment revenues needs to be reviewed as a long term capital improvement source. Upon the completion of this analysis, the TC CRA shall establish a time certain for completing all redevelopment financed by increment revenues, which shall occur not later than 30 years after the fiscal year in which the plan is adopted, as required by Section 163.362(10), Florida Statutes.

The financial assessment shall determine whether revenue bonds will be necessary to maximize the efforts to complete infrastructure projects within the 30 year completion period as required by Florida Statute. Revenue bonds issued by the TC CRA shall comply with the requirements of Sections 163.387(4) and 163.387(5), Florida Statutes.

The estimate of TIF revenues proposes approximate increments of assessed values and resultant tax increment for general planning purposes. Variables of millage increases, increased assessed values and new development will yield greater returns. These are estimates only and subject to variance, dependent on changes from year-to-year. The exact increment will not be determined until an accounting is finalized with the City and County tax offices.

The TIF estimate is based on variable percentage increases over a 30 year period. Changes in annual percentage increases reflect estimates of when major projects come on line and general value increases.

**City of Destin
Community Redevelopment Area
Tax Differential Analysis**

Year	Annual Tax Base	Increment Above Base Year	Revenue On Increment	Available Revenue	Cumulative Revenue
1998 (Base)	\$94,996,840				
2002	\$133,138,133	\$38,141,293	\$219,217	\$42,176	\$193,291
2005	\$223,653,542	\$128,656,702	\$739,454	\$105,108	\$646,929
2007	\$342,170,900	\$247,174,060	\$1,126,949	\$1,092,987	\$2,244,456
2008	\$305,865,087	\$210,868,247	\$952,445	(\$1,522,152)	\$722,304
2009	\$271,182,544	\$176,185,704	\$815,839	\$589,725	\$903,978
2010	\$235,383,015	\$140,386,175	\$638,028	(\$174,849)	\$720,654
2011	\$228,586,334	\$133,589,494	\$602,175	(\$683,208)	\$33,682
2012	\$194,779,186	\$99,782,346	\$449,784	(\$783,779)	(\$750,097)
2013	\$196,198,759	\$101,201,919	\$394,045	(\$657,572)	(\$1,407,669)
2014	\$198,160,747	\$103,163,907	\$468,467	(\$926,532)	(\$2,334,201)
2018	\$214,495,565	\$119,498,725	\$542,644	(\$682,367)	(\$5,157,111)
2021	\$234,385,095	\$139,388,255	\$632,962	(\$611,913)	(\$7,074,792)
2026	\$271,716,564	\$176,719,724	\$802,484	\$873,293	(\$8,343,267)
2028	\$288,264,103	\$193,267,263	\$871,182	\$740,538	(\$6,896,180)

OTHER FUND SOURCES

The following funding sources are based on identification of need and should not be considered an exhaustive list of financial sources:

■ **Community Development Block Grant (CDBG)**

This program provides financial assistance to eligible local governments in the areas of housing rehabilitation, neighborhood revitalization, public infrastructure improvements, commercial revitalization and economic development.

■ **Community Contribution Tax Incentive Program**

This program was created by the Florida Legislature to encourage corporate involvement in community revitalization. It allows businesses a fifty-percent credit on Florida corporate income tax or insurance premium tax for donations to local community development projects. Donations must be made through an eligible non-profit corporation conducting an approved community development project. This program can address the revitalization of historic structures identified in the TC CRA. Eligible historic preservation projects have as their goals the improvement or substantial rehabilitation of housing, commercial, industrial or public facilities in a "historic preservation district". The City of Destin can promote private participation by utilizing this incentive program if it is feasible to do so.

■ **Florida Department of Transportation Highway Beautification Grants**

These grants are available for landscape and irrigation improvements along FDOT roadways. The grant may be applied for in each project phase and requires "construction ready" landscape and irrigation plans as an integral part.

■ **State of Florida Historic Preservation Grants**

These may be obtained for rehabilitating designated historic structures or development programs related to historic preservation activities.

■ **Florida Greenways and Trails System Grants**

The Office of Greenways and Trails within the Division of Recreation and Parks provides statewide leadership and coordination to establish, expand and promote the Florida Greenways and Trails System (FGTS) pursuant to the Florida Greenways and Trails Act (Ch. 260 FS).

■ **Small Business Administration (SBA)**

Most SBA financing is done under the 7-A program which focuses on working capital needs. Under this program, banks loan capital to small business and the federal government guarantees 90% of the loan amount. The loans usually extend for 5 to 7 years.

The other SBA program is known as "SBA 503". This program provides existing viable small businesses with long-term, below-market-rate financing for the acquisition of land and buildings, machinery and equipment, and construction and renovation which results in job creation. These programs are administered through the Florida Department of Commerce which is willing to provide on-site technical training and educational presentations.

■ **Special Assessment District**

The area intended for improvements can be established as special assessment district where the individuals receiving benefit from the improvements will be assessed for their share of the improvements. This is usually done on a "front-foot" basis but can be done on an area-wide basis. Bonds can be issued using the revenues to be generated by the

assessment district as security. The revenues raised are dependent upon the size of the assessment and project. Further analysis of this financing option will need to be included in future updates to this Plan.

■ **Local Contributions**

Local organizations and non-profits can raise funds for specific projects identified in this Plan. Funds raised specifically for needs identified in this Plan by local organizations or non-profits may be deposited into the Redevelopment Trust Fund. The City may wish to encourage the formation of a “Greening Destin” organization to focus on signage, streetscaping and the appearance/visual quality issues.

BUDGETARY REVIEW

At the first quarterly meeting after the Tax Increment funds have been deposited into the Trust Fund, the TC CRA shall develop a budget for the upcoming year. The budget shall specifically establish spending categories and budgetary amounts. Any remaining unencumbered funds from the preceding budget year shall be deposited into an interest bearing escrow account on the last day of the fiscal year of the TC CRA for the purpose of later reducing any indebtedness to which increment revenues are pledged or to fund improvement projects scheduled in the next three successive years. The TC CRA shall evaluate the programs and revenue sources listed above during the budgetary review process to insure maximum utilization of available resources.

Revisions to the budget during the fiscal year shall be preceded by public notice (Chapter 120, Florida Statutes) and a public hearing, and shall be approved by the majority of the TC CRA members.

Assets in the Redevelopment Trust Fund may be expended for

the following purposes, in accordance with Section 163.387 (6), Florida Statutes:

1. Administrative and overhead expenses necessary or incidental to the implementation of the Community Redevelopment Plan.
2. Expenses for redevelopment planning, surveys and financial analysis, including reimbursement to the City Council or the TC CRA for such expenses incurred before the Redevelopment Plan was approved and adopted.
3. Acquisition of real property in the TC CRA.
4. Clearance of real property for redevelopment.
5. Repayment of principal and interest for loans, advances, bonds, bond anticipation notes and any other form of indebtedness.

LEGAL/REGULATORY ISSUES

NEIGHBORHOOD IMPACT ASSESSMENT

This assessment provides a detailed description of the impact of the proposed Redevelopment Plan upon the neighborhood residents of the TC CRA and the surrounding areas as required by Chapter 163.362 (3) FS. Therefore, the Plan does not specifically provide for additions to that type of housing .

■ **Relocation**

The Plan does not propose any acquisition of land by the TC CRA at this time. Therefore, displacement and relocation of residents by the City is not contemplated.

■ **Environmental Quality**

The Plan asserts the need for a stormwater management plan to evaluate and provide a system which would meet the needs of the redevelopment area and provide for community drainage facilities. There are no plans to introduce any type of land use or business that would be a “pollution” producer. On-site stormwater management systems will be required to adequately handle runoff from new developments.

■ **Availability of Community Services and Facilities**

The Plan will result in enhanced community services and facilities in the TC CRA. Such enhancements will include: added streetscaping for beautification; modifications to several intersections to make them safer and more user friendly; some street, sidewalk, and drainage improvements; and monumentation for beautification/identification and the addition of identified new streets within the area.

■ **Effect on School Population**

The Plan will have little direct impact on the school population. Infill residential development is not anticipated to generate school age children in numbers that would significantly impact area schools.

■ **Affordable Housing**

The Plan identifies five new mixed use zoning districts: Town Center Mixed Use and Office/Residential Mixed Use. Incentives for affordable housing are proposed for inclusion in these districts.

COMPREHENSIVE PLAN CONSISTENCY

The Redevelopment Plan is determined to be in compliance and consistent with the City’s adopted Comprehensive Plan, including the Future Land Use Map (FLUM) and Plan, and the Goals, Objectives and Policies of all the Elements. A Comprehensive Plan amendment will be required to change the FLUM in order to include the Redevelopment Area and proposed changes in future land use designations. The City has completed its Evaluation and Appraisal Report, which will necessitate other Comprehensive Plan amendments. Priority should be given to those amendments which facilitate the implementation of the Redevelopment Plan. The ordinances and resolutions make findings of fact as to the conformance of the Plan, adding legal backing to the changes.

PLAN DURATION

The redevelopment provisions, controls, restrictions and covenants of the Redevelopment Plan shall be effective for 30 years from the date of adoption. Some consideration should be

given to extension of the Redevelopment Plan at the end of the current term, due to the economic constraints placed on the Plan by the economic downturn of 2006 through 2014.

PLAN MODIFICATION

The Redevelopment Plan may be amended or modified at any time subject to approval and adoption requirements imposed by Chapter 163.361 Florida Statutes.

SEVERABILITY

If any provision, section or clause of the Redevelopment Plan is held to be invalid, unconstitutional, or otherwise illegal, such decision shall not affect the validity of the remaining portions of the Redevelopment Plan.

CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: January 20, 2021

BOARD/COMMITTEE: Town Center Community Redevelopment Agency Advisory Committee

TYPE OF AGENDA ITEM: Presentation

TO: Town Center Community Redevelopment Agency Advisory Committee

THRU: Louis Zunguze, Community Development Director

FROM: Lauren Witt, Principal Planner

DATE: January 15, 2021

SUBJECT: FY 2020 Work Plans

I. BACKGROUND:

II. DISCUSSION:

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

1. 2021 Work Plan A - Easement Trail Linear Park
2. 2021 Work Plan B - Implement Landscape Improvements
3. 2021 Work Plan C - Review and revise the Town Center CRA Plan
4. 2021 Work Plan D - Research Possible Grants for CRA Projects



City of Destin

Committee FY 2021 Work Plan

Strategic Goal:

3 IMPROVED MOBILITY AND CONNECTIVITY

Organizational Objective:

3A Implement Multiple Innovative Methods of Transportation Throughout the City

Performance Objective:

3A3 Implement Master Pathways Plan: Plan/Design Gulf Power Easement Trail/Linear Park

Measurable Outcome(s):

Outcomes	Fiscal Year		
	2020	2021	2022
Review and assist with creation of concept plan	100%		
Recommendation to CRA Board	100%		
Identify scope and funding source/input for 2019 budget	100%		
Construction of the pathway		50%	50%

Action Plan:

Task	Resource Needs (persons/organization)	Target Completion Date
Provide input, recommendations to staff concept plan	TC CRAAC & Staff	Winter/Spring
Conduct outreach to property owners	TC CRAAC & Staff	Spring/Summer
Review concept plan for park & trail	TC CRAAC & Staff	Summer
Review and recommend scope and plan to CRA Board	Staff/CRA Board	Fall

Process Improvement:

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Stakeholders:

Internal	External
- City Manager and CRA/CD Staff - CRA Board/City Council	- TC CRAAC Members - Residents, Business Owners, Property Owners in TC CRA
	Potential grant administrators

Process Owner: Lockwood Wernet- TC-CRAAC



City of Destin

Committee FY 2021 Work Plan

Strategic Goal:

5 ECONOMIC DEVELOPMENT AND REVITALIZATION

Organizational Objective:

5A Update and Implement Town Center CRA Master Plan

Performance Objective:

5A2 Implement landscape improvements for Town Center CRA

Measurable Outcome(s):

Outcomes	Fiscal Year		
	2020	2021	2022
Work with private partners to fund landscaping on Airport Road	50%		
Install landscaping on Airport Road	50%		

Action Plan:

Task	Resource Needs (persons/organization)	Target Completion Date
Provide input, approval for landscape plan	TC CRAAC/Staff/Owners	Complete
Assist in coordination of public/private partnership for landscape installation	TC CRAAC/Staff/Owners	Winter
Installation of landscaping for phase I	TC CRAAC/Staff/Partners	Winter/Spring

Process Improvement:

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Stakeholders:

Internal	External
City Manager and CRA/CD Staff	TC CRAAC Members
CRA Board	Residents, Business Owners, Property Owners in TC CRA
	Private partners (Trees on the Coast)

Process Owner: Michele Sandstead, TC-CRAAC



City of Destin

Committee FY 2021 Work Plan

Strategic Goal:

5 ECONOMIC DEVELOPMENT AND REVITALIZATION

Organizational Objective:

5A Update and Implement Town Center CRA Master Plan

Performance Objective:

5A4 Review and revise the Town Center CRA Plan

Measurable Outcome(s):

Outcomes	Fiscal Year		
	2020	2021	2022
Improved look of CRA		50%	50%
Improved property owner participation and cooperation	20%	30%	50%
Improved property values	Ongoing	Ongoing	

Action Plan:

Task	Resource Needs (persons/organization)	Target Completion Date
Conduct outreach to property owners and tenants	TC CRAAC/Staff/Owners	Spring/Summer
Complete revised plan and submit to Board/Council	TC CRAAC/Staff	Winter

Process Improvement:

--

Stakeholders:

Internal	External
City Manager and CRA/CD Staff	TC CRAAC Members
CRA Board	Residents, Business Owners, Property Owners in TC CRA

Process Owner: Delores Morrell, TC-CRAAC



City of Destin

Committee FY 2021 Work Plan

Strategic Goal:

5 ECONOMIC DEVELOPMENT AND REVITALIZATION

Organizational Objective:

Performance Objective:

Research possible grants for CRA projects

Measurable Outcome(s):

Outcomes	Fiscal Year		
	2020	2021	2022
Seek grant funding for CRA projects	Ongoing	Ongoing	Ongoing

Action Plan:

Task	Resource Needs (persons/organization)	Target Completion Date
Research grants	TC CRAAC & Staff	Winter/Spring
Submit grant applications	TC CRAAC & Staff	Summer/Fall

Process Improvement:

Stakeholders:

Internal	External
City Manager and CRA/CD Staff	TC CRAAC Members

Process Owner: TC-CRAAC

CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: January 20, 2021

BOARD/COMMITTEE: Town Center Community Redevelopment Agency Advisory Committee

TYPE OF AGENDA ITEM: Ordinance

TO: Town Center Community Redevelopment Agency Advisory Committee

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

FROM: Traci Goodhart, Planner/Stormwater Manager
Daniel Butler, City Planner
Himangi Mutha, Planner

DATE: January 15, 2021

SUBJECT: Mobile Vendor - Proposed Ordinances 20-16-LC & 20-17-CC

I. BACKGROUND: Currently, the Land Development Code does not address the duration of “short-term,” “long-term,” and “special event” mobile vendors.

Ordinance 20-16-LC defines the duration and modifies the mixed-use zoning districts where mobile vendors are permitted to operate.

City staff is updating **Chapter 13, Article IX Mobile Vendor, Code of Ordinances per Florida State Statue, Section 509.102** which excludes municipalities from requiring additional permitting for mobile vendors.

Ordinance 20-17-CC removes mobile vendor permitting requirements and includes a revised definition for food truck and trailers to match the State of Florida Division of Hotels and Restaurant definition for Mobile food dispensing vehicle.

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 7.21.00 – Mobile Vendors, Land Development Code to include:**

- Remove permitting requirements for Mobile Vendors per **Section 509.102. F.S.**

- Add language 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:

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

- Enforcement – Class II Violation in accordance with **Section 14-401 of the City’s Code of Ordinances**

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

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 and removed the permitting requirement for Mobile Vendors per **Section 509.102 F.S.**

At the regularly scheduled public meeting on November 18, 2020, the Town Center CRA Committee recommended City Council approval of proposed Ordinances 20-16-LC and 20-17-CC with caveat the definitions between the Code of Ordinances and Land Development Code be clarified.

At the regularly scheduled public meeting on January 13, 2021, the Harbor CRA Committee recommended City Council approval of proposed Ordinances 20-16-LC and 20-17-CC with the change of removing the length of a season from May to September.

IV. RECOMMENDED MOTION: I move the Town Center CRA Committee recommend City Council approval of proposed Ordinances 20-16-LC and 20-17-CC with the following changes:

1. The definitions between the Code of Ordinances and Land Development Code

are clarified, and

2. The length of season from May through September is removed.

Attachments:

1. Ordinance 20-16-LC Mobile Vending
LDC
2. Ordinance 20-17-CC Mobile Vending

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; 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 (ROI-GD),~~ Town Center Mixed Use (TCMU), Gulf Resort Mixed Use (GRMU), and Crystal Beach Resort (CBR).
- 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), Town Center Mixed Use (TCMU), Gulf Resort Mixed Use (GRMU), and Crystal Beach Resort (CBR). A temporary Change of Use application is required to be submitted to the City for review prior to conducting any special event operations.
- E. Seasonal marine operations (more than 72 hours and/or recurring anytime from May thru September). Marine mobile vendors may operate from the surface waters adjacent to the following zoning districts: South Harbor Mixed Use (SHMU), Calhoun Mixed Use (CMU), Gulf Resort Mixed Use (GRMU), and Crystal Beach Resort (CBR).

7.21.12. *Enforcement.* Failure to comply with the provisions of this section is a Class II Violation, in accordance with Section 14-401 of the City Code of Ordinances and shall be grounds for denial or revocation of a mobile vendor permit in accordance with section 13-162 of the City Code, denial of a business tax receipt, revocation an existing business tax receipt or may result in code enforcement or civil action against the mobile vendor or the owner of the subject property, or both.

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

SECTION 5. CONFLICTING PROVISIONS. Special Acts of the Florida Legislature applicable to the incorporated area of the City of Destin, City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superseded by this ordinance to the extent of such conflict.

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

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

ADOPTED THIS _____ DAY OF _____, 2020.

By: _____
Gary Jarvis, Mayor

ATTEST:

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

Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: _____
Second Reading: _____

ORDINANCE NO. 20-17-CC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, RELATING TO MOBILE VENDING; AMENDING CHAPTER 13, ARTICLE IX OF THE CODE OF ORDINANCES TO EXCLUDE “MOBILE FOOD DISPENSING VEHICLES” FROM PERMITTING REQUIREMENTS FOR MOBILE VENDORS, DUE TO PREEMPTION BY THE STATE PURSUANT TO SECTION 509.102, FLORIDA STATUTES (2020); PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR 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, on July 1, 2020, House Bill 1193 became effective, and created section 509.102, Florida Statutes; and

WHEREAS, section 509.102 Florida Statutes preempted to the state the licensure, registration, and permitting of mobile food dispensing vendors and disallowed local governments from prohibiting mobile food dispensing vendors from operating within their jurisdictions; and

WHEREAS, section 509.102, Florida Statutes defines the term "mobile food dispensing vehicle" to mean any vehicle that is a public food service establishment and that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal; and

WHEREAS, the City may no longer require licenses, registration or permitting of mobile food dispensing vendors except for permitting in the context of land use regulations; and

WHEREAS, the City Council has determined that its existing permitting requirements in Chapter 13, Article IX of the Code of Ordinances have become obsolete with respect to “mobile food dispensing vehicles” due to the newly enacted state law, 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. DELETION 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 any vehicle, including a motorized or non-motorized vehicle, except, however, that the provisions of this ordinance shall not apply to any “mobile food dispensing vehicle”, which is eaterers, generally defined as any vehicle that is a public food service establishment and that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal. ~~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.~~

SECTION 4. INCORPORATION INTO 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: _____