



**AGENDA
LOCAL PLANNING AGENCY
THURSDAY, MAY 6, 2021
5:30 PM
DESTIN CITY HALL ANNEX CHAMBERS**

- 1. CALL TO ORDER**
- 2. ROLL CALL/PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MINUTES**
 - A. April 15, 2021 Minutes**
- 4. NEW BUSINESS**
 - A. Presentation on Approach to LDC Update**
- 5. DIRECTOR'S REPORT**
- 6. NEXT MEETING DATE: May 27, 2021**
- 7. ADJOURNMENT**

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the City Clerk at (850) 837-4242 at least 48 hours prior to the hearing. If a person decides to appeal any decision made with respect to any matter considered at such meeting, such person will need a record of the proceeding and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. (Sec. 286.0105, Florida Statutes)

**LOCAL PLANNING AGENCY
MEETING MINUTES
APRIL 15, 2021 - 5:30 P.M.
DESTIN CITY HALL BOARDROOM**

1. CALL TO ORDER:

Chairman Wood called the Local Planning Agency Meeting to order on Thursday, April 15, 2021 at 5:30 p.m., in the Destin City Hall Boardroom; with the Pledge of Allegiance immediately following.

2. ROLL CALL:

<u>Members Present</u>	<u>Members Absent</u>	<u>Staff Members Present</u>
James T. Wood, Jr.	Darryl Shelton	Rey Bailey City Clerk
Marcie Bell	Jason Klosterman	Lauren Witt Senior Planner
Don David		Daniel Butler Planner
Corey Ledbetter		Don Smith Engineer
Karen Drexler		Louis Zunguze CD Director
		Kyle Bauman City Attorney

3. APPROVAL OF MINUTES:

March 18, 2021

Motion by Agency member Bell, seconded by Agency member Ledbetter to approve the March 18, 2021 minutes as written. The motion passed 5-0.

4. OLD BUSINESS:

None

5. NEW BUSINESS:

A. Proposed Ordinance 21-09-LC – Regulation of Breweries, Distilleries, and Restaurants

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

ORDINANCE NO. 21-09-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AMENDMENTS TO ARTICLE 7 OF THE LAND DEVELOPMENT CODE “LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS”; AMENDING TABLE 7-2 “TABLE OF ALLOWABLE USES” RELATING TO BREWERIES, MICROBREWERIES, BREWPUBS, DISTILLERIES, CRAFT DISTILLERIES, AND RESTAURANTS; PROVIDING FOR CONSISTENCY WITH THE CITY’S COMPREHENSIVE PLAN; PROVIDING FOR

INCORPORATION INTO THE LAND DEVELOPMENT CODE, CONFLICTING PROVISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Mr. Butler explained how this ordinance will designate in table 7-2 of the Land Development Code (LDC), breweries, microbreweries, brew pubs, distilleries and craft distilleries. And will allow the city to regulate the locations for permitted or conditional uses. And staff is proposing that breweries and microbreweries distilleries, and craft distilleries to be permitted uses within the industrial zoning district, and as a conditional use within the CTS, which is Commercial Trade, and Services Zoning District. Additionally, brewpubs would be a permitted use within the South Harbor Mixed Use, the North Harbor Mixed Use and Commercial General Zoning Districts, and they would be Conditional Uses within the Town Center Mixed Use and Commercial General Mixed Use Zoning Districts. And lastly, this ordinance would allow restaurants to be permitted uses within the Commercial Trade Zoning District as well. These additions will provide consistency with the city's Comprehensive Plan, Future Land Use Elements, and the LDC as well as providing staff with the ability to further regulate brewpubs and distilleries.

Agency member Ledbetter asked if this ordinance was triggered by anything specifically.

According to Mrs. Witt, there have been inquiries for these uses and there is an existing brewery in the CTS zone that is currently inconsistent, and this would bring it into a conforming use.

The Chairman opened the hearing to the public. With no one coming forward to speak, he closed the public and asked the Agency members for any additional comments or a motion.

Agency member Bell asked if this is currently an allowable use at the old Hog's Breath property. According to Mrs. Witt, currently restaurants are allowed, and this would open it up to allow Brew Pubs as well.

Motion by Agency member Bell to recommend City Council approve proposed Ordinance 21-09-LC with Agency member Drexler providing the second. A roll call vote of 5-0 was taken and the motion passed.

B. Proposed Ordinance 21-10-CC - Regulation of Drones.

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

ORDINANCE NO. 21-10-CC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO THE OPERATION OF UNMANNED AERIAL VEHICLES COMMONLY REFERRED TO AS "DRONES"; PROVIDING FOR DEFINITIONS, PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE, CONFLICTING PROVISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Mr. Butler explained the ordinance allows operators of drones to familiarize themselves with any

applicable regulations, including any FAA requirements, prior to operating them within 5-miles of the airport in the city. This ordinance also provides restrictions and exceptions, as well as enforcement for the use of these drones or UAV's within the city of Destin. And staff recommends approval of the proposed ordinance.

Chairman Wood opened the public portion of the hearing and seeing no one, he then closed the public and turned the discussion over to the Agency members for comment or a motion.

Chairman Wood asked if there will be a permit process put in place for drone operations.

According to Mr. Butler, there is a special permit process in place for public facilities and is noted in the ordinance. The Chairman asked if someone wanted to have a wedding the beach and wanted a drone, would that qualify for a special event?

According to Mr. Zunguze, only if it was located at a city owned property, then it would constitute a special event permit.

The Chairman pointed out how there is difference between some of the language in ordinances that state the approval process is by the City Manager or his designee and others state the approval must come from City Council, who only meets every two weeks and why.

Mr. Zunguze stated that staff will take a look into the statement and will bring it up at the City Council level to get their input.

Agency member Ledbetter asked if someone wanted to fly a drone to take pictures of their home would that be allowed to without having to obtain a special permit.

According to Ms. Witt, the types of exceptions are noted in the ordinance and typically recreational use within one's own property is allowed, as long as it's under 500-feet.

Agency member Bell stated that she is confused why this issue is even being addresses since there are FAA rules that are already in place that prohibit the flying of drones without the proper FAA license. Such as, the people that use drones for housing in the real estate market or weddings are supposed to get approval through the FAA first.

According to Mr. Zunguze, they can operate as long as they are not within 5-miles of the airport.

Motion by Agency member Bell to recommend City Council approve proposed Ordinance 21-10-CC with Agency member David providing the second. A roll call vote of 5-0 was taken and the motion passed.

6. DIRECTOR'S REPORT:

➤ Land Development Code Update

Mr. Zunguze explained that at the April 5, 2021 City Council meeting, Council unanimously approved for staff to move forward with the task of aligning the Land Development Code with the Comprehensive Plan. He explained how this has been a 2-year journey of hard work by his staff. He spoke of the three key components of an aligned city are:

- Sound Infrastructure
- Livable Neighborhoods
- Vibrant Economic Development

And how those three components are driven by the Comprehensive Plan, the Zoning Map, and the Land Development Code, that outlines the rules and regulations. Adding that this will be the first time in the City's history for them all to be alignment. And the benefits of having all the documents in alignment to the city are:

- Simplicity
- Easy to Navigate
- Enhance Livability Elements of City's Planning Areas
- Implement the City's Comprehensive Plan development policies

Mr. Zunguze also explained that with the documents being all in alignment with each other they will:

- Deliver customer-oriented development review service to residents and the development community.
- Enhance quality of life and showcase investment opportunities in the city.
- Enable Council and Administration to guide current and future development towards the City's vision.

7. NEXT MEETING: May 6, 2020

Mrs. Witt reminded the members that their meetings will start being twice a month in May and they will now be the first and fourth Thursday's.

8. ADJOURNMENT:

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

Adopted and approved this _____ day of _____ 2021.

James Wood, Jr. Chairman

Kim Montgomery, Destin City Clerk



Land Development Code

Revise, Reorganize and Update

TOPICS

- CONTEXT and GOALS
- ITEMS TO BE ADDRESSED
- POLICIES FOR DISCUSSION
- EXISTING AND PROPOSED LDC STRUCTURE

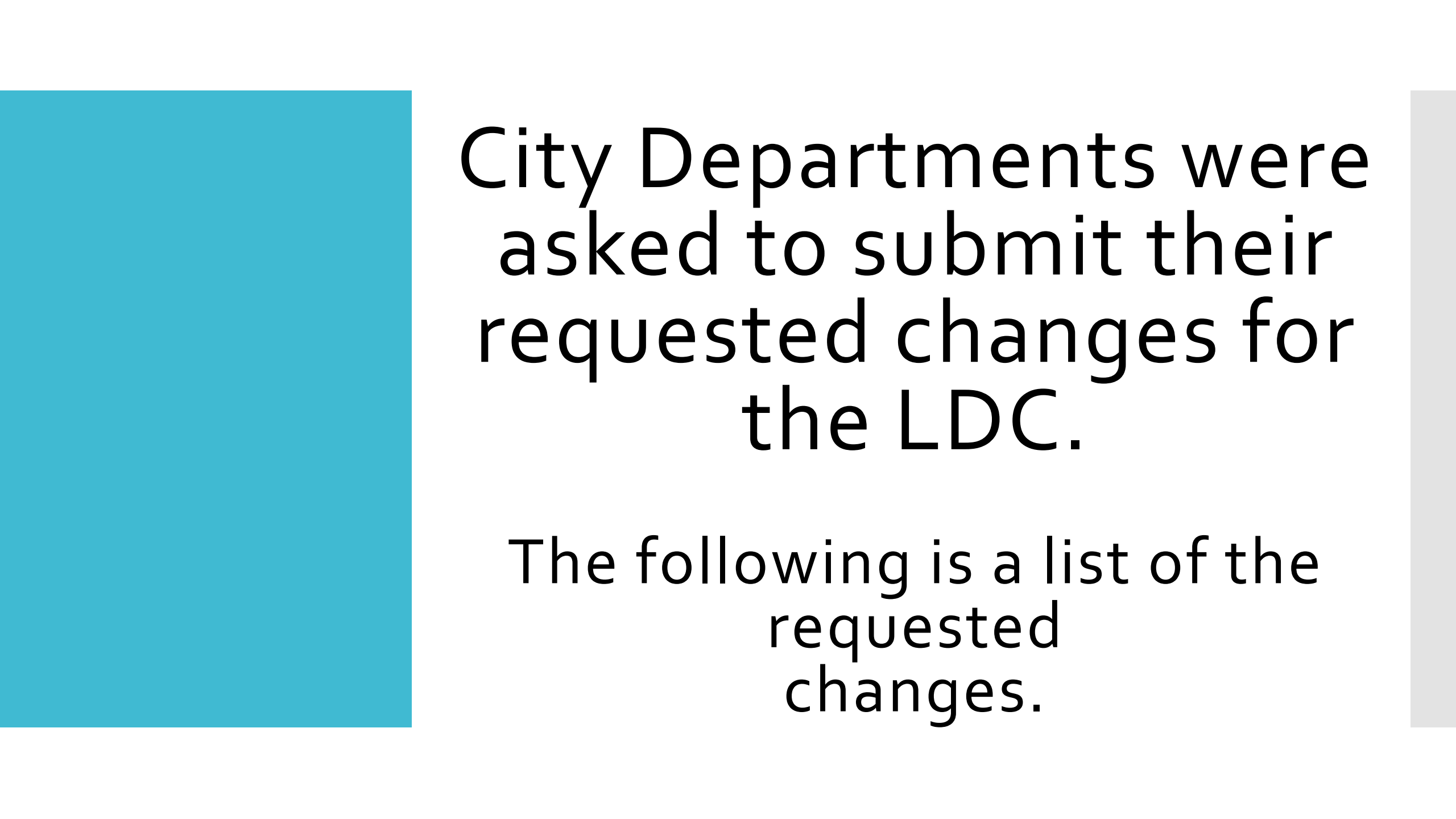
CONTEXT AND GOAL



Now that the Future Land Use Map and Zoning Map are aligned, our next step is to revise, reorganize and update the Land Development Code (LDC).



The goal of this endeavor is to align the LDC with the policies of the Comprehensive Plan, the Future Land Use Map and Zoning Map.



City Departments were asked to submit their requested changes for the LDC.

The following is a list of the requested changes.

City Manager's Office

- Require recycling facilities to be shown on plans at the time of development

Code Compliance Department

- Consolidated Citation Authority
- Revise types of allowable Signs
- Solicitation on the Beach

Public Services Department

- Low Speed Vehicles
- Street Classifications
- ROW Protections
- Clear visibility triangle

Community Development Department

- **Engineering Division**

- Stormwater Requirements
- Refuse Collection in ROW
- Add change of use requirements for residential uses (STRs)
- Allowed surfaces for parking lots
- Hold Harmless agreements for residential driveways

- **Building Division**

- Redefine Building Height
- Clarify Public Lodging Facility requirements
- Require Code Compliance Inspections for Short Term Rentals
- Revise Building related definitions
- Revise requirements of pool enclosures
- Add exemption for Foundation and "As-Built" surveys
- Add Special Events Section and criteria
- Revise Floodplain Section

- **Planning Division**
 - Clarify Accessory Use requirements
 - Clarify Noticing/Sign Requirements for Development Projects
 - Update Use Table to current NAICS manual
 - Street Classifications – Restrict accessways of specific uses on certain roadways
 - Strengthen criteria for PUDs
 - Clarify Mobile Home definitions
 - Clarify residential uses: single family attached/detached vs. Multifamily
 - Incorporate standards based on Planning Areas
 - Outdoor Dining/Seating Parking Standards
 - Specify requirements for nonconforming uses
 - Parking Agreement/Analysis criteria
 - Common Boundary Buffer

POLICIES NEEDING FURTHER DISCUSSION

The following policies will need to be discussed with City Council prior to update of the LDC.

- **Planning Areas-** There are areas of the City that are not included in a planning area at all.
- **Multi-Modal Transportation District-** There are several policies within the Comprehensive Plan which outline City initiatives to provide facilities related to the MMTD, and support community parking initiatives, etc. Is this still the intended direction for these areas? *Staff has received direction from City Council.
- **Impact Fees-** Now that the City's Future Land Use Map and Zoning Map are consistent, the City's Impact Fee Schedule needs to be revised based on the impact of future development. *Staff has received direction from City Council.

POLICIES NEEDING FURTHER DISCUSSION

The following policies will need to be discussed with City Council prior to update of the LDC.

- **Building Height-** Currently, there is an inconsistency between the method of measuring building height per the Florida Building Code, and the City's Comprehensive Plan.

Current LDC - Linear Format

- 1. Legal**
- 2. Administration**
- 3. Definitions**
- 4. Public Participation**
- 5. General Provisions**
- 6. Concurrency
Management System**
- 7. Land Use, Type, Density,
Intensity, Zoning and
Regulatory Controls**
- 8. Transportation**
- 9. Housing**
- 10. Infrastructure**
- 11. Coastal Management and
Conservation**
- 12. Recreation and
Landscape Development**
- 13. Intergovernmental
Coordination Element**
- 14. Capital Improvements**
- 15. Levels of Service**
- 16. Signs**
- 17. Checklists**
- 18. Schedule of Fees**
- 19. Impact Fees**
- 20. Building Regulations**

Challenges of the current LDC format

- * Conflicting code language
- * Similar requirements in different locations within the LDC and Code of Ordinances
- * Policies outlined in the Comprehensive Plan that are not adequately implemented through the Land Development Code

PROPOSED LDC FORMAT

- **General Provisions/Legal**
- **Planning Area**
 - Zoning District(s)
 - Permissions: Permitted/Conditional Uses
 - Lot Dimensional Requirements
 - Transportation
 - Corridors
 - Access Management
 - Capital Improvement Projects
 - Site Development Conditions
 - Parking Requirements
 - Landscape Requirements
 - Signs
 - Building Standards
 - Special Design Criteria – Uses/Structures
 - Infrastructure/Stormwater Management
 - Coastal Management
- **Natural Resources**
 - Recreation
 - Conservation
- **Conflicting Ordinances**
- **Concurrency Management System/Levels of Service**
- **Glossary**
- **Administration**
 - Checklists
 - Schedule of Fees
 - Impact Fees
 - Public Participation
 - Intergovernmental Coordination
- **Building Regulations**
- **Citation Authority**

NEXT STEPS

We are requesting any further input regarding the items potentially to be revised or included in the LDC and the proposed layout of the new Code.

QUESTIONS

