

**MINUTES  
LOCAL PLANNING AGENCY  
THURSDAY, MARCH 17, 2016 - 5:30 P.M.  
DESTIN CITY HALL BOARDROOM**

**1. CALL TO ORDER:**

Vice Chairman Link called the Local Planning Agency meeting to order on Thursday, March 17, 2016 at 5:30 p.m., in the Destin City Hall Boardroom.

**2. ROLL CALL:**

**Members Present**

James Link  
Donald David  
Scott Jacobs  
Corey Ledbetter  
Travis Ralph

**Staff**

Kim Montgomery, Deputy City Clerk  
Ashley Grana, Planning Manager  
Hank Woollard, Planner  
Scott Shirley, Land Use Attorney  
Jerry Miller, City Attorney

**3. APPROVAL OF MINUTES: February 18, 2016**

**Motion by Agency member Jacobs, seconded by Agency member Ledbetter; to approve both the minutes of the February 18, 2016 meeting minutes, passed unanimously with a 5-0 vote.**

**\*\* The Planner and Vice Chairman welcomed new member Travis Ralph to the board. \*\***

**4. NEW BUSINESS:**

- A. A Public Hearing in which the City of Destin Local Planning Agency proposes to consider a recommendation to adopt the following proposed Ordinance No. 16-05-PC. The proposed Ordinance would amend Map 1-1 Future Land Use Map of Comprehensive Plan: 2020. Specifically, the Ordinance would change the Future Land Use Map (FLUM) designation of the easterly 150' of 802 (Okaloosa County Parcel ID # 00-2S-22-0310-000G-2010) Cross Street from Bay Estates to Low Density Residential (LDR). This is an applicant-initiated amendment. The proposed Ordinance title is as follows:

**ORDINANCE NO. 16-05-PC**

**AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING COMPREHENSIVE PLAN: 2020; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR THE ADOPTION OF A SMALL SCALE AMENDMENT TO COMPREHENSIVE PLAN FUTURE LAND USE MAP 1-1, TO INCLUDE A CHANGE IN FUTURE LAND USE DESIGNATION OF A PARCEL OF LAND FROM BAY ESTATES (BE) TO LOW DENSITY RESIDENTIAL (LDR); PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

The City Attorney read the title of the ordinance into the record. The Vice Chairman asked staff for input on the ordinance. According to the Land Use Attorney, Exhibit C in the packet shows the highlighted area being the lot that the owner is requesting the change to the zoning to Low Density Residential.

The Planner added that both ordinances are companion ordinances to each other where one changes the Future Land Use Map and the other changes the Zoning Map.

Agency member David asked if only half of parcel 802 is being divided. The Planner replied yes that is correct.

The Vice Chairman opened the hearing to the public to speak. With no one coming forward to speak, he closed the public portion of the hearing and asked the Agency members for any comments.

Agency member Ralph asked that since no one spoke on the ordinance should the assumption be made that the local populous is not worried about a precedence being set and other Bay area's trying to convert or create a higher density area along the bay.

In providing advice, the City Attorney explained each of these applications stands on their own and Comprehensive Plan Amendment cases, such as this one, are legislative functions by the Local Planning Agency and then the City Council. In order to support their action for this particular matter, the conclusion they draw should be debatable and each case is treated on its own merits.

The Vice Chairman asked if this type of ordinance has come before them in the past. According to the Land Use Attorney, they have heard similar ones in the past and especially when there is a larger parcel, where there is a want to redevelop adding that it is legally permissible to have two different zoning designations on the same parcel that will be subdivided in the future.

**Motion by Agency member Jacobs, seconded by Agency member Ledbetter that the Local Planning Agency find the proposed small scale Future Land Use Map amendment provided for in 16-05-PC is consistent with the Comprehensive Plan: 2020 and recommends adoption by City Council. The motion passes with a unanimous vote of 5-0.**

- B. A public hearing regarding Ordinance No. 16-06-LC which is an ordinance changing the Official Zoning Map designation of the easterly 150' of 802 Cross Street (Okaloosa County Parcel ID # 00-2S-22-0310-000G-2010) from Bay Estates (BE) to Low Density Residential-Village (LDR-V). This is an applicant-initiated amendment.

#### **ORDINANCE NO. 16-06-LC**

**AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATION OF THE EASTERLY 150 FEET OF 802 CROSS STREET, DESTIN, FLORIDA FROM BAY ESTATES (BE) TO LOW DENSITY RESIDENTIAL-VILLAGE (LDR-V); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND**

**PROVIDING FOR AN EFFECTIVE DATE.**

The City Attorney read the title into the record. The Land Use Attorney explained this is a companion ordinance to the one just heard to bring the Zoning Map up-to-date.

The Vice Chairman opened the hearing to the public. With there being no one to speak for or against the ordinance, he closed the hearing and asked for any additional comment or a motion.

**Agency member Ledbetter made the recommended motion that the Local Planning Agency finds the proposed Ordinance 16-06-LC consistent with the Comprehensive Plan: 2020 and to recommend the City Council adopt Ordinance 16-06-LC amending the Official Zoning Map to change the zoning designation for the easterly ½ of 802 Cross Street from Bay Estates to Low Density Residential-Village. Agency member David provided the second to the motion and with a roll call vote of 5-0, the motion passed unanimously.**

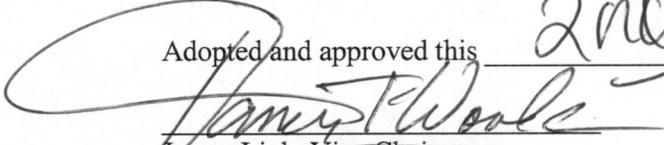
The City Attorney provided the members with direction relating to this ordinance regarding this one being a Quasi-Judicial that affects property rights on a specific parcel and how a different standard applies for their approval process. He informed them that fact, law must support their decision, which is Competence of Substantial Evidence, and in this matter, the evidence before them is the application and supporting report by Staff.

- C. A public hearing to review proposed Ordinance No. 16-07-LC which is an Ordinance that amends the City of Destin Land Development Code to allow land use “4412 Other motor vehicle dealers” as a permitted used in the Town Center Mixed Use (TCMU) zoning district. The proposed Ordinance title is as follows: **WITHDRAWN**

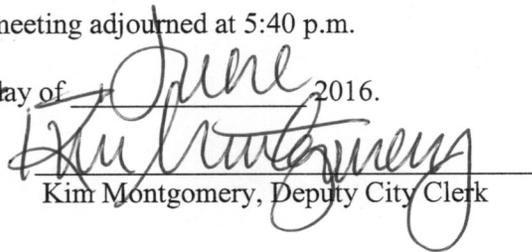
**5. ADJOURNMENT:**

Having no further discussion at this time, the meeting adjourned at 5:40 p.m.

Adopted and approved this 2nd day of June, 2016.



James Link, Vice Chairman



Kim Montgomery, Deputy City Clerk

Jim Wood, Chairman

James T. Wood