

**MINUTES  
SPECIAL WORKSHOP  
DESTIN CITY COUNCIL  
FACILITATED BY THE WEST FLORIDA REGIONAL PLANNING COUNCIL  
JUNE 9, 2016  
CITY HALL ANNEX COUNCIL CHAMBERS  
6:00 PM**

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

**Destin City Council**

Mayor Scott Fischer	Councilmember Jim Foreman
Councilmember Chatham Morgan	Councilmember Tuffy Dixon
Councilmember Parker Destin	Councilmember Prebble Ramswell
Councilmember Cyron Marler	Councilmember Rodney Braden

**Destin City Staff**

Interim City Manager Clarisse LeJeune	City Clerk Rey Bailey
Public Information Manager Doug Rainer	City Planner Hank Woollard
Comm. Dev. Dept. Interim Dir. Steven Schmidt	City Planning Manager Ashley Grana
Finance Director Bragg Farmer	IT Manager Webb Warren
Land Use Attorney Scott Shirley	City Attorney Jerry Miller

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Scott Fischer called the meeting to order at 6:00 PM.

**A) Welcome/Introduction/Outline of the Workshop Program and Objectives**

The Interim City Manager Clarisse Lejeune welcomed everyone to the meeting and announced that representatives from the West Florida Regional Planning Council (WFRPC) will facilitate this meeting. She then discussed the meeting format and ground rules as follows:

- The City Council will be working directly with the West Florida Regional Planning Council
- Public comments will be allowed towards the end of the meeting
- The public will only be allowed to comment on the subject; there will be no question and answer period. Each speaker will be allowed 3 minutes
- Individuals wishing to speak must fill out a blue speaker card and give to the City Clerk
- Individuals can write their questions on the back of the speaker card and she will make sure City staff responds to the questions promptly

At this time, Ms. LeJeune turned the matter over to WFRPC.

Ms. Cathy Saldana, Public Involvement Coordinator with WFRPC, stated they are a neutral third party and their role is to facilitate this workshop for the City Council working on the Comprehensive Plan: 2020. She then talked about the layout and objectives of tonight's meeting which are as follows:

- Provide high level overview of comprehensive planning in Florida
- Discuss comprehensive planning in the City of Destin
- Focus on the 3 specific topics of interest that generated tonight's meeting:
  - ❖ Total Floor Area Ratio
  - ❖ Multi-Modal Transportation District
  - ❖ Parking
- City Council discussion following the presentation
- Entertain public comments
- Final City Council discussion to seek guidance from each individual Council member regarding 3 specific questions that will be posed
  - ❖ Purpose: To get a clear understanding of what action will be taken and obtain clear direction for City staff on the 3 areas of the comprehensive plan; or to determine what other actions are needed to get to that point

At this time, Ms. Caitlin Cerame, Economic Development Planner with WFRPC, came forward and provided the following Power Point presentation:

- Comprehensive Planning in Florida
  - ❖ 1985 – Growth Management Act was passed
    - Required that local plans be consistent with the goals and policies of both the regional and state plans; and that local governments implement their plans through consistent local land development regulations
  - ❖ 1992 – Chapter 163 Florida Statutes requires governments to adopt detailed comprehensive plan
    - Required adopted plans provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental and fiscal development of the area that reflects community commitments to implement the plan and its elements
  - ❖ Comprehensive Plans implement the community's vision through a series of elements that provide a framework for development to achieve and maintain a desired quality of life
- Future Land Use Element
  - ❖ Each future land use category must be defined in terms of use, and must include standards to be followed in the control and distribution of population densities and building and structure intensities. The future land use plan and plan amendments shall be based upon surveys, studies, and data regarding the area, as applicable, including:

- The amount of land required to accommodate anticipated growth
- The projected permanent and seasonal population of the area
- The character of undeveloped land
- The availability of water supplies, public facilities, and services
- The need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community
- The discouragement of urban sprawl
- Transportation Element
  - ❖ 163.3164.11. (b) Florida Statute requires a transportation element to address mobility issues in relationship to the size and character of the local government. The purpose of the transportation element is to plan for a multimodal transportation system that places emphasis on public transportation systems, where feasible
  - ❖ Article 2 of the Destin Comprehensive Plan: 2020 focuses on projects and developments designed to support the Multi-Modal Transportation District and reductions in vehicle miles traveled
- Comprehensive Planning in Destin
  - ❖ Comprehensive Plan: 2000
    - Compatibility review for proposed developments
  - ❖ Comprehensive Plan: 2010
    - Approved in 2005 and created the Tier System
      - ▲ The Tier System granted incentives for actions that are consistent with design criteria that are not otherwise mandated
      - ▲ Tier 3 developments required negotiation with City Manager to determine public benefit. Tier 3 developments also required approval by the City Council
      - ▲ Created new mixed use future land use designation known as Town Center Mixed Use (TCMU)
      - ▲ Approved Multi-Modal Transportation District
        - Height was reduced by 25% except future land use designation Gulf Resort Mixed Use
  - ❖ Comprehensive Plan: 2020
    - Approved in 2014 to update chapters 2-13 in order to satisfy Evaluation and Appraisal Report (EAR) state requirements
    - Amended in 2016 to update Chapter 1 (Future Land Use Element) and Chapter 13 (Glossary). Amendment removed the Tier System from the Comprehensive Plan
- Land Use Planning Tools & Best Practices
  - ❖ Total Floor Area Ratio (FAR)
    - Definition: The gross floor area of all buildings and structures on a development site divided by the gross land area of the site

- Total FAR can be an effective way to calculate the bulk or mass of building volume on a development site, and is often used in conjunction with other development standards, such as building heights, lot coverage and lot area to encourage a community's desired arrangement and forms of development

## Tier System from Comprehensive Plan: 2010

The intent of the bonus provisions in the tiered land use system is to offer applicants incentives for investing in quality, innovative development that enhances site and building design, enhances compatibility, enhances non-motorized mobility, and provides the opportunities for achieving extraordinary public benefit.

South Harbor Mixed Use	Max. Height			Max. Density			Max. Floor Area Ratio		
	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3
Short-Term S/F and M/F Residential	35'/3 stories	100'/9 stories	160'/15 stories	Up to 19.90	Up to 26.00	Up to 36.00	N/A	N/A	N/A
Long-Term S/F and M/F Residential	35'/3 stories	100'/9 stories	100'/9 stories	Up to 19.90	N/A	N/A	N/A	N/A	N/A
Hotel/Motel/Retail/Service/Restaurant/Office/Similar Commercial Uses	35'/3 stories	100'/9 stories	100'/9 stories	N/A	N/A	N/A	.60	1.75	2.50

16

## T-FAR in Comprehensive Plan: 2020

### South Harbor Mixed Use

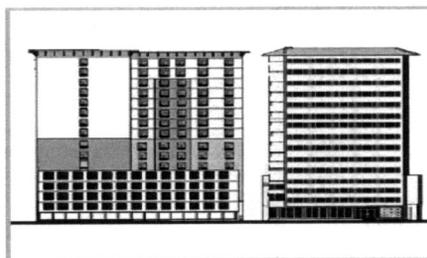
Use	Max. Height	Max. Density (units/per acre)	Max. Total Floor Area Ratio*
All permitted uses and mixes of uses as described in Policy 1-2.4.3 subsection	110'/10 stories	N/A	3.0

\*A bonus FAR of .5 is available for properties which create high quality, pedestrian-oriented frontage on U.S. 98. Specific minimum criteria for quantity and quality of frontage required shall be specified in the Land Development Code.

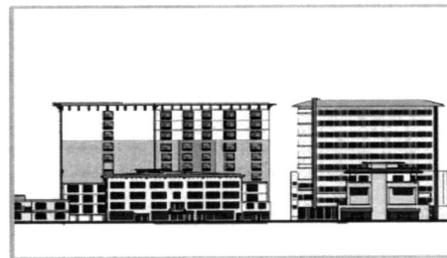
17

## Total Floor Area Ratio

### South Harbor Mixed Use



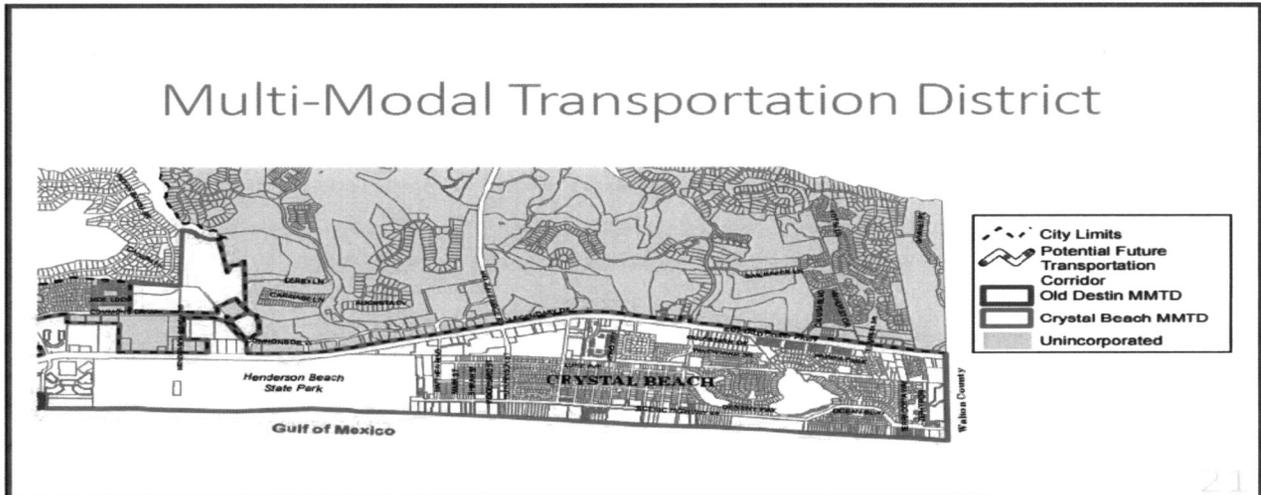
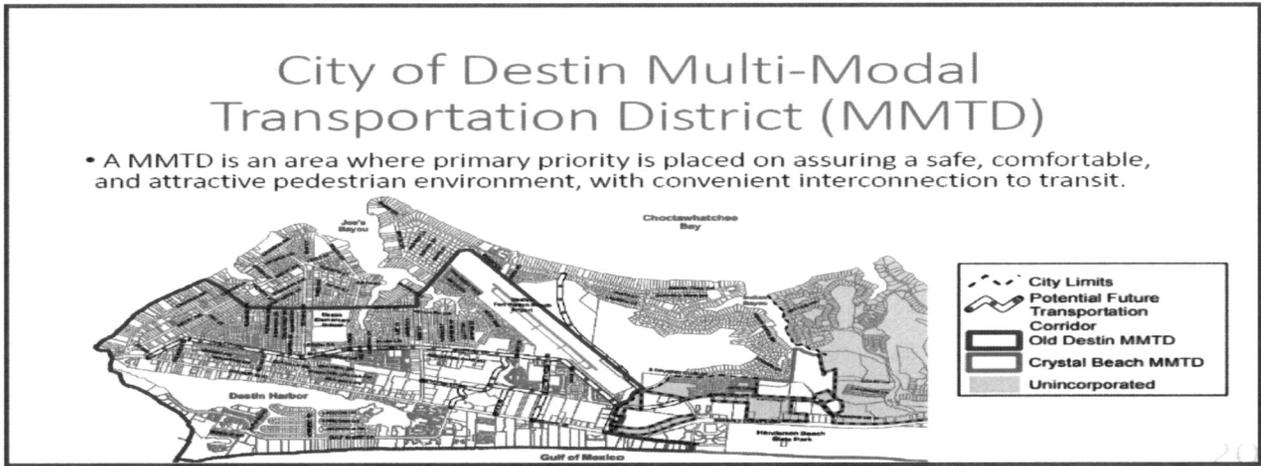
Tier 3



Adopted 3.0 FAR

18

➤ Multi-Modal Transportation District (MMTD)



➤ Features and Impact of MMTD

❖ Features

- Pedestrian-oriented building design
- Maximum block lengths
- Alternative parking options
- Functional pathways network
- Connection to transit

❖ Impact

- Reduces cars on U.S. 98
- Promotes economic development
- Provides safe and comfortable environment
- Creates a built environment for the people

➤ Parking

- ❖ Number of required parking spaces is based on use

- ❖ Minimum parking space requirement is the maximum parking allowed in Old Destin MMTD sub-area
- ❖ Bicycle parking required in both Old Destin and Crystal Beach MMTD
- ❖ Joint use of parking allowed for compatible uses pursuant to City Manager or designee authorization
- Parking Lot Location
  - ❖ On-site parking shall be located to the rear or side of a building to minimize the distance and barriers between the right-of-way and the building entrance
- Parking Lot Screening
  - ❖ Where surface parking lots must abut the right-of-way, screening shall be provided to block the view of the surface parking lot from the right-of-way

## **B) City Council Discussion**

Councilmember Foreman stated that transportation and parking are two of the areas in the comprehensive plan that concerns him the most; adding these two items go together and they need to be addressed right away. He also noted there is a major road which they have no control over that goes through the center of town. In most cases, they have to find a way for their permanent residents and tourists to get from one point to another without using their cars. This means providing public transportation, with which they are currently struggling. They also have to find every available place in town for people to park if they use their cars.

Ms. Cerame explained they will not be providing any recommendations tonight; but, they will be trying to capture Council's sentiments about the major issues and use that information to provide directions to City staff.

Councilmember Destin expressed his dissatisfaction with the newly adopted comprehensive plan. He stated they had a compatibility review process in place from about 1985 to the early part of 2000 when all projects came before Council for review and approval. However, during transition periods with new memberships at the Council level, there was always a constant attempt to move up the square footage that would trigger a review and a constant push to turn lower square footage of smaller buildings over to staff for review. He continued he is not absolutely certain if the public preferred it this way or if it was simply an effort by interest groups to maximize development and get the Council out of the process to avoid being rejected.

Councilmember Destin also mentioned that when Comprehensive Plan: 2010 was adopted in 2005, the State informed the City they could not issue any more development orders because they were short of about 1500 parking spaces in the South Harbor District; however, the multi-modal plan enabled them to get around the fact they are over capacity then and extremely over capacity now. He also stated there are parts of the multi-modal plan that make no sense. For instance, there are maximum rather than minimum parking requirements. There are outdoor seating credits that make no sense. They also have bike credits based on a false assumption that by putting in bike racks people will start riding bicycles and utilizing these bike racks. He

continued that having all these amenities in place will not necessarily entice people to stop driving their vehicles.

Councilmember Destin also pointed out that in Comprehensive Plan: 2010, Tier 3 required Council's analysis from the public benefit standpoint; but Tier 1 or Tier 2 development only required staff's review and approval. This was a drastic change from Comprehensive Plan: 2000. He also stated the biggest complaint they get from people is the size of the Emerald Grande building. It was a Tier 2 development; but, it should actually be a Tier 3 because it is a Tier 2 building stacked on top of a parking garage, and it exacerbates the City's parking problem. They have had to inform people this development was approved by City staff. He further stated there was a problem with this system because it did not include a review by the public. In addition, they had given the City Manager or his designee a lot of power ending up with more building heights. He added that Comprehensive Plan: 2020 has completely taken Council out of the development review process; and the re-insertion of the Council in this process is his foremost interest.

The Mayor stated he agrees with Councilmember Destin's statement in its entirety; but, he would also like the City Council to have some control over the impact fee process, particularly on the larger projects. He continued Council has been completely removed from this process and they should at least have the ability to advise and consent if the impact fees are to be modified, reduced, or waived. He also stated they will not be able to solve the traffic issues unless they forcefully administer or possibly increase the impact fees.

Ms. Cerame provided a summary of the foregoing statements:

- Explore ways for the Council to be part of the process; to be more involved and to take final action on certain projects
- Having maximum rather than minimum parking requirements, outdoor seating credits and bike credits are not the way Council wants to go in implementing their multi-modal transportation district

Councilmember Destin expressed concern with the language in Policy 1-2.1.7: *Density and Intensity of Development*, on page 14 of Comprehensive Plan: 2020. He stated that some of the changes in this policy are quite alarming and do not seem to really promote any of the things they want from the multi-modal transportation district standpoint. He then alluded to the portion of this policy that reads, "*The primary means of controlling quantity of development in mixed use areas shall be maximum Total Floor Area Ratio (FAR) as defined in the Glossary. Where living accommodations are part of a mixed use or high intensity residential development the number of units shall be constrained by maximum Total Floor Area Ratio rather than maximum density as described in the FLUM section. Where a zone permits both density and intensity, that density and intensity shall not be applied to the same acreage.*" He expressed concern that by changing "may" to "shall" in the above statement, developers could break their development out in phases and get their calculations done as if they are not currently on a parcel that has already been developed. He suggests this language be stricken. He then read the remaining portion of the policy, "*A developer may separate a portion of the property to be calculated as density*

*(generally for single-family development) and a different portion of the property to be calculated as intensity. Density and intensity shall be calculated using the amount of "gross land area" as defined in the glossary.*" He stated they have removed Council in the process and handed everything to City staff, which is not what the citizens of Destin want. He continued even though they have gotten rid of Tier 3 and lowered the heights, they have almost tripled the density in certain areas. He added they have not solved the parking garage stacking issue and they will have the same net effect or worse from cars on the road.

Ms. Cerame stated that based on the foregoing comments, using Total Floor Area Ratio by combining the intensity and density does not seem the appropriate way; adding it could significantly impact the infrastructure because they are no longer accounting for the units per acre.

Councilmember Destin also added that each unit probably comes with two cars; and so it will have a severe amount of impact. The current comprehensive plan does not provide a way of preventing future issues from intensity and density standpoint.

Councilmember Dixon noted they approved this plan in good faith. They were not trying to increase the potential for development or anything similar; and that his main focus was eliminating the Tier 3 process and preventing 170 story buildings from being built. He is in favor of fair and responsible development, and he does not want to get into a situation where they are basically taking 50 percent of the value of somebody's property; adding they could only reduce somebody's ability to develop their property before they ended up in court. He continued he is not against Council conducting development reviews, but if a developer meets all the terms required for a certain type of development, they need to establish some type of objective criteria to use in making a determination whether to deny or approve this project.

According to Councilmember Destin, the intent of his comment was not to put anything in place that would take 50 percent of someone's development value. He stated that he gets several phone calls each time a Tier 2, 300-unit development project that staff approved is being developed. He recommends changing the standard where staff can only approve a certain amount of minor development, acknowledging the fact where that line is drawn is going to be a debatable threshold.

Ms. Cerame stated that based on the foregoing comments, there need to be some criteria or straight forward objectives Council can go by during a development review process. She continued that a lot of times when a project comes before Council, it needs to be in compliance with certain criteria, meets the intent and harmony of the Land Development Code and is consistent with the Comprehensive Plan. She also heard that the intent in approving this comprehensive plan is by reducing some of the heights and some of the intensity issues; but, at the same time they have to balance some of the legal ramifications with issues that may come with reducing people's entitlements or property rights.

The Mayor stated they need to have a method of establishing basic maximum number of units per acre either for each area or for the City overall.

Ms. Cerame stated they could establish a maximum number of units per acre, and if anyone wants to exceed that threshold, they could then come before the City Council for approval.

Councilmember Dixon stated he is not too concern about the number of units; but, he feels that anything above the maximum number of square footage for each unit for non-residential projects should come before Council for approval.

Councilmember Braden noted there was a provision in the past that anything over 10,000 square feet had to go before Council; but, Emerald Grande with a minor change in their development in excess of 80,000 was not brought before Council.

Ms. Cerame stated she understood the foregoing statements to mean there ought to be procedures in place to review a request for adjustment to an approved development order and it should depend on the intensity. Small adjustment sometimes requires a staff review and major adjustment needs to come before Council. She asked Council to consider at what point they should get involved.

Councilmember Destin notes that with regards to parking concurrency, the idea is for everybody to park on the north harbor district and then cross Hwy 98 to get to the south harbor district. He suggests they start thinking about building parking garages because there is a legitimate demand for them and start exploring some options for funding. One idea is a public-private partnership where they can incentivize people wanting to develop in the South Harbor District by giving them an opportunity to perhaps have 10 percent of their off-site parking to be allocated in the parking garage until the parking garage reaches its capacity.

Councilmember Marler mentioned that they used to hold quasi-judicial hearings when development went for review before the Local Planning Agency. This process would last for months; and then they come to Council for another quasi-judicial hearing. He stated that the Emerald Grande was developed before the tiering system ever started; and that it was the development that brought the tiering system into fruition after it was built, and anything in the Tier 3 category had to come before Council for approval. He noted there was a development linked to the Emerald Grande that people now called "Baby Grande" that was in the Tier 3 category that went before Council sometime in 2008. It was disapproved by Council and so it automatically dropped down to the Tier 2 level in accordance with the previous comprehensive plan. He further stated that the problem with Tier 3 is public benefit where every member of the Council, the public, and the developer each has their own idea what constitute public benefit. He added that he works for a company that owns part of Emerald Grande; however, as Council member he represents the citizens and not Emerald Grande.

Councilmember Marler also stated that for Council to review every development would require scheduling more meetings which would create a burden because they are not getting paid as members of Council and most of them are gainfully employed. They also have varied field of knowledge and so they would need to establish some type of objective criteria to use in making a determination whether to deny or approve a project or they would end up in court. He further stated they have qualified staff members who are trained to perform this task.

Councilmember Marler also mentioned that Council previously promised developers they would build parking garages when they established the tiering system and the Harbor CRA. He stated the idea of a private-public partnership is a good one; however, they need to find a developer willing to build and manage a parking garage.

Councilmember Foreman stated that Destin is 99 percent built out and they are committed to the properties that are in place within the city limits. Their focus should be on redevelopments. In most cases, for a larger structure they have to assemble multiple parcels and so they need to have a plan on dealing with this kind of situation and establishing the rules.

Ms. Cerame stated where there are opportunities for redevelopment that they could try to implement some of these things they are having issues with such as parking.

Councilmember Morgan stated that he agrees with a lot of what Councilmember Destin had said. He expressed that as a business owner in the harbor and Holiday Isle, he is most concern about parking; and that he feels this conversation is better suited 20 years ago. He also agrees with Councilmember Foreman that the City is 99 percent built out; and with redevelopment being the key moving forward, one of the ways to achieve the idea of a lower density is to fix their parking regulations. He mentioned that his restaurant on Holiday Isle, with 20 employees, has 90 parking spaces; and that he had to pay someone \$14,000 to redo his parking lot in order to obtain compliance with the code. In the meantime Harry T's and Margarita Ville, which are larger restaurants on the harbor, were permitted with only about 18 parking spaces each. They have a lot more employees than parking spaces. They should not have permitted restaurants that do not have enough parking for their employees. He also mentioned that the Emerald Grande, which he considers as the main source of their parking problems in the harbor district, has a parking attendant that prevents their own employees from parking at their lots. And so they either park on someone else's lot or the City lot without compensation.

Councilmember Morgan also stated that he agrees they have an obligation to build parking garages. They owe it to the property owners on the harbor for the easement they provided. However, he cannot support spending any more money on City parking until they fix their parking regulations, which he considers the root of most of their parking problems.

Councilmember Ramswell stated that she concurs with many of the statements made tonight, starting with the issue of Council being removed from the development review process; which she had already spoken against several times during the process. She noted she has

highlighted many of the sections in the current comprehensive plan where Council was removed and someone from staff was placed in, but she would rather not go over them section by section. She continued with all that they have in terms of development and members of the community coming forward with concerns, it is even more vital for Council to be involved in the process in some form or fashion.

Referencing comprehensive plan Policy 1-3.6.4: Identification of Land Use and Zoning Inconsistencies and under paragraph 1 – Undeveloped Lands; Councilmember Ramswell noted this section states “*property shall be administratively rezoned.*” She stated she has a problem with this statement because it is one area where they have had significant discussion about a particular piece of land and when and why it was rezoned from Conservation. She continued that anything that involves rezoning of property should come before Council for approval; adding they need to be aware of the facts surrounding the property.

Councilmember Ramswell also expressed concern about the language in the current comprehensive plan; noting she had identified a multitude of loop holes and word changes that may seem nitpicky but could have legal ramifications. She continued “may” and “shall” have quite a different meaning as noted earlier; as well as “could”, “would” and “should.” There are also several instances where they note “other permitted uses”, “certain size thresholds”, “and limited uses”; but nowhere in the plan where “threshold” and “limited uses” are explained and they are left open for interpretations. She also pointed out they talk about “similar developments may be exempt”; “parking structure where feasible”; and “parking lots when feasible”; which are very objective because they do not say whose idea of feasibility it is. Furthermore, they provide the option to combine projects if they fall below a certain threshold; but nowhere in the document is the threshold stipulated and who makes the decision.

Referencing comprehensive plan Policy 1-1.2.1: Protect Residential Areas; Councilmember Ramswell noted that in previous versions of the comprehensive plan they were protecting all residential areas in Destin and not designating certain areas or locations. However, the current comprehensive plan specifically states protection of residential areas that are within the Village Planning Area. She continued that residential quality issues affect many other neighborhoods specifically Crystal Beach and Holiday Isle. In this case they are allowing instances of protecting tourists, builders, and developers but overlooking the residents; which leads to many other issues including occupancy and nuisances surrounding short term rentals, which this section is clearly directed to preventing.

Also, according to Councilmember Ramswell, another problem with the current plan is the increase in density and intensity; adding there are 4 areas in particular in which greater than Tier 3 levels are now in place. She stated that all the Envision Destin public meetings that were held, an overwhelming number of people voiced their desire for less intensity and density. They had boards up at those meetings and this fact is clearly documented on those boards. Members of the City Council also received phone calls and e-mails from citizens on this subject. Nevertheless, the current plan still significantly increases intensity and density in some areas of the City. She added there have been some claims they cannot attract people to this location if

they do not allow more heights; however, South Walton have done well and they are not getting the same height.

Councilmember Ramswell also noted she had heard from several different individuals – citizens, developers, or people just wanting to redevelop their own homes – that there is a practice of people having two sets of plans; one that they present to the City and gets approved, and the real plan. The real plan comes forth in several different phases, variances or amendments. It is a way to bypass or circumvent the system.

Ms. Cerame noted this goes back to a previous statement when a development gets approved, and then they come back afterwards and try to modify the site plan and Council is not aware of it. She continued if the desire is to move towards having things reviewed by Council based on specific criteria, it would perhaps alleviate some of these instances.

Councilmember Ramswell stated that Council is answerable to the public; and that they were elected to represent the public and their wishes. They cannot do this if they are not empowered to do so.

Councilmember Ramswell noted they have discussed the occupancy issue surrounding short term rentals many times before. They have had issues with short term rentals in terms of massive occupancy. They have also had trash, noise, and parking issues. But, there may actually be a remedy within the comprehensive plan as well as their land development code. The land development code describes single family residences as a maximum of 5 people not related by blood or one or more if blood or marriage related. It appears this might actually be a solution to their problem; however, provisions that are within their comprehensive plan and Land Development Code are sometimes not being enforced. Either it did not have the power to force compliance or they needed an accompanying ordinance.

The Land Use Attorney explained that the comprehensive plan as well as the land development is an ordinance; however, there are certain circumstance, in particular the comprehensive plan, where it is not self-implementing and would call for something to be accomplished through the land development code. Those circumstances would require a corresponding land development code provision to implement the comprehensive plan provision. He added it is an issue by issue and provision by provision basis.

Councilmember Ramswell noted they have homes with 9 bedrooms sleeping 36 people; but with only 4 parking spaces. If they need to address these types of issues further in their comprehensive plan and land development code, and adopt any ordinance that may have to come forth from these documents, then they should do so.

Ms. Cerame noted they have 3 major topics they are discussing in tonight's workshop; but, the short term rental and occupancy issue definitely sounds like an ongoing issue and something they could put down as one of those ongoing issues that need to be explored further.

Councilmember Morgan noted there are 9-bedroom microtels that sleep 36 people but with only 4 parking spaces located at Crystal Beach, and creating serious parking issues in that area.

The Mayor stated there are various classifications for these mini hotels, such as bed and breakfast. But, but if a single family home is designed for 5 people, and there are 12 bedrooms in it, then it should automatically slide into one of the other classifications. He also stated there are loopholes in the way the code is written; but, many of these problems could be solved if the code is written better and interpreted more tightly.

Ms. Cerame noted they have to possibly reevaluate the parking standards and maybe finding ways to accommodate some of these uses that are not really being properly classified.

Councilmember Ramswell stated they have multiple instances of commercial activity in single family residences; they have wedding venue homes in single-family residences; and charter boat operations out of residential homes on the bayou. She asks if this is an enforcement issue or a need to have a more enforceable code.

Councilmember Foreman asks if a business license could be an answer to what could operate in the residence since it separates the different kinds of commercial activity. The owner of the property would show up in person to obtain the license and sign an affidavit stating they would provide certain things in order to operate the property.

The City Attorney noted they have an occupational and business license tax. It is not fundamentally a regulatory process. It is one of the very limited numbers of general revenue sources they have in the City. Something that is commonly referred to as a business license is actually a receipt for the payment of a tax. They presently have very little that actually relates to business regulations in their municipal functions.

According to the Land Use Attorney, they do a minimum level of review when there is a business license application. They issue a license for a use that is in appropriate zoning district. It goes for commercial uses that are allowed in particular commercial districts as well as commercial uses that are allowed in residential districts. He added there are two schools of thought on this subject; one being it is only a tax the other school of thought being there is still a little bit of authority to regulate that use under their zoning code.

The Mayor stated a single family home is not designed to be used for a wedding venue where they put up 150 to 300 people. It does not meet any of the fire code requirements for that amount of people. It needs to be better defined and place into a true commercial category where they have proper parking and meet the proper fire safety code.

Ms. Cerame noted they have to look at ways to review these types of buildings that are designed for single family but are being used for something other than 5 unrelated people living

together due to impacts whether it be for parking, noise, compatibility leaving next to this other actual single family homes with permanent residents.

Councilmember Marler stated that one of the issues that need to come up in the comprehensive plan and development code is the issue of what constitutes spot zoning; adding they have certain unique areas in Destin where one property is zoned one way and another property next to it is zoned another.

The Land Use Attorney remarked he does not really consider it in terms of spot zoning, but think of it in terms of relationships between adjacent uses. They have usage transition from a more intense category to a less intense category bearing a rational relationship between compatibilities as they go between those uses. The Future Land Use Map shows intense uses along the harbor, and as they move north, they transition into less intense uses. The Bay Estates land use category has the least intense land uses and dense land uses in the City. That logical progression is the opposite of spot zoning. He added spot zoning is when they basically force a use that bears no logical or justifiable relationship to the surrounding uses. He also added there is a tremendous degree of variability among land uses all across the State; and that if they go into any small town in North Florida, they will see a residential area with a factory next to it.

Councilmember Destin noted they have an issue in Destin where they take a previously large lot inside the residential areas of the village part of Destin and sub-divide them into smaller lots; which could result in a severe infrastructure issues for this community. The pressure now is to rezone the larger lots and subdivide them to make money. But, each time a request comes to Council, they are not given the big picture scenario, making it hard for them to conceptualize or aggregate the impact. He also does not feel they are doing a good job of really measuring how this practice will affect the City from the infrastructure standpoint. He further stated that Bay Estates is designated as Low Density Residential; and the question is whether or not they want it to remain that way knowing that a lot of residents of Bay Estates are not quite happy with the idea of having larger lots constantly being sub-divided. Each one of these lots comes with at least two cars. He added they need to seriously consider this issue if they want to preserve the City's heritage.

Councilmember Ramswell noted when she was researching this issue she noticed in the zoning where it describes Bay Estates that it specifically states land designated Bay Estates shall not include development or redevelopment of short term residential or non-residential uses.

Ms. Cerame stated the goal here is being able to track the cumulative impacts of sub-dividing the property and establishing control of this issue overtime.

Councilmember Foreman commented that because of the limited land, and the infill lots available throughout the City, these vacant lots are attractive now for building mostly single-family residential.

### C) Public Comments

The following individuals submitted a "Request to Speak Card" and were afforded the opportunity to speak and/or read a written statement for the record.

Mr. Josh Reiker, a Destin resident:

With regards to the process in place when any type of development order application comes before the City Council, the applicant as well as the public is allowed to speak. There is a flaw the Council needs to look at for future applicants. After the public comment portion is closed, it is unfair to the applicant when members of the Council can say whatever they want, whether that statement is true or false, and the applicant and the public can only sit and listen. The Council should consider changing the process so that if a member of the Council makes a false statement, the applicant and/or a member of the public who has knowledge of the issue should be allowed to go back and issue a rebuttal statement. Otherwise, Council proceeds to voting and the false statement is never corrected.

Ms. Diana Lynn Monson, a Destin resident:

Six months previously I shared with council important knowledge on the land lying east of the pass that seemed to have disappeared from your records. A federal official followed in a city presentation that under "an act of congress", dated October 27, 1965, perpetual use & control was assigned to the US Army Corps of Engineers 100% of all the land designated were state owned, parcels C & B. No future building would ever be allowed over any of the three. I bring this up again to our new manager and council as the city has of yet, corrected the zone recorded over the parcels. This congress act provides our protection & it's under the federal easement 101-E-6 that Destin is still alive and thriving today. I would be happy to discuss this anytime with anyone.

Our city maps once showed conservation zoning over Parcels C & B reflecting this protection even to city 2000 FLUM. Yet zone on Parcels B & C were removed by staff and for years it followed as a blank parcel. Then the zone appeared as high density residential while the Okaloosa County tax record clearly shows it as single-family residential and also Destin Point where that parcel lies and it belongs in the parcel as single-family residential. Even today, not one past or present council members can find where, when or why the land zone map became blank. Nor did council find one single reference to a parcel number or a name in any ordinance or amendment relating to that zone. Council referenced confusion, as the city at that time was actually addressing another mis-zoned area over state "public" conservation in Crystal Beach. The state and owners joined against the city in a lawsuit, and the settlement and ordered that the mis-zoned state, a "public" conservation land be corrected. It could have been here that public and private wording interchanged but not once but twice city staff mis-zoned conservation lands, creating multiple lawsuits, incorrect appraisals followed by foreclosures.

City future land use elements read: each future land use category defines allowed uses and the standards to be followed in the control and distribution of population density and

building intensities. The Future Land Use Map 2020 specifies the geographic distribution and extent of each land use.

How can council submit their FLUM map in the 2020 comp plan showing a land zone that is not allowed usable? That legal city definition makes Parcels B & C zone incorrect. Please correct this zone by reflecting an appropriate use land zone as it once was in your city records. Then and not until then, will our future city members, planning staff and all land appraisers understand that perpetual easement lies over all of Parcels B & C protecting and preserving coastal environmental area. Our State of Florida map 2016 designates Parcels B & C "conservation."

Past land buyers knew about this encumbered land prior to purchase. All tax and title searches provide these documents. Six developers believed they had influence to remove this easement for their own building financial gains. Despite the destruction to community all six have failed? USACE legal attorneys said no!

Our State of Florida map 2016 designates zone over Parcels B & C as "conservation." There is a reason for that being environmental protected besides federal easements (dep map reference).

Your refreshing interest, support and personal efforts are greatly appreciated.

Ms. Gayle Sherrill, a Destin resident:

She had lived in Destin for 4 years and has attended many council meetings and workshops as well as the Envision Destin meetings. She has met many intelligent people in Destin. Many of them say they have lived in Destin for many years but the hassle of living here is no longer worth it. This city just seems to care about money and not its citizens. Citizens feel like they are told one thing and then the opposite is done. They provide input but they are not heard. However, she feels that from the comments made tonight, that the new council has heard the citizens.

Citizens also feel like they are given one plan, but then that plan is not carried through (she then shared a drawing of what the citizens was previously shown the Destin Harbor would look like, and a picture of what the Destin Harbor actually looks like). Destin needs to retain these outstanding citizens and prevent them from leaving the city. The citizens need the Council. They are the governing body. The citizens want this Council to develop a well-designed comprehensive plan and control it so that they would not experience similar problems that exist now; such as things that are taking place or being approved without the Council's knowledge. The content of the comprehensive plan will decide which path Destin is going to follow.

Ms. Barbara Comes, a Destin resident:

She and her husband are relatively new residents. They purchased their condo unit in 2007 as a vacation home and a rental property. She spoke with the Army Corps of Engineers before purchasing their home, and she was under the understanding the Corps

has a perpetual easement on Parcels B and C. They invested in this neighborhood with a certainty they would always have a view with the dunes and the Pass, and that the sand dike from the Jetties over Parcels B and C will protect their investment. Through the years there were rumors and ownership change. She contacted the Corps and they verified there were no changes on their part and no plans to give up their easement. This easement is important to Holiday Isle's stability and safety. It is important to the dredging of the Pass, to the future of the harbor and to the City of Destin. Since nothing can be developed on Parcels B and C, as guaranteed by the Corps, it should be converted back to Conservation, since it was changed to HDR with no thought process about this piece of land. She asked that if the zone change for this parcel ever comes to a vote, any Council member that has anything to do with Parcels B and C abstained from voting. Since there is not a submerged land lease with the State to land a boat or a ferry on the east pass with riparian rights over to Parcel B, this operation should not be allowed to continue. She would like the City to address this issue with the State.

Ms. Leslie Mimms Sherrick, a Destin resident:

They purchased their property 16 years ago knowing the Army Corps of Engineers had an easement over Parcels B and C, which was zoned Conservation. When the zoning was changed to High Density Residential without public notice it resulted in lawsuits, fraud, and foreclosures. As a homeowner whose property depends on the abutting beach, she had filed a petition last year that zoning be returned to Conservation. A representative from the Corps spoke last year and provided all the facts on this subject. If city staff erroneously changed the zoning of this parcel to High Density Residential, this Council should correct that error by changing it back to Conservation.

Mr. Steven Menchel, a Destin resident:

Some members of Council who previously stated they had to vote on the comprehensive plan because they needed to pass it prior to the election, this is a chance to listen to the people they represent and make the necessary changes that serve the best interest of all residents of Destin. The previously approved comprehensive plan needs attention as evident by a previous meeting with Council members stating it is something to be discussed in a comprehensive plan workshop. Council should consider the following as they work towards the revised comprehensive plan:

- Parking problems had been discussed and it is a work in progress. Immediate steps should be put in place to ensure compliance with existing ordinance and laws. Status updates should be provided in each Council meeting
- Increased and in some cases uncontrolled growth has placed a burden over the City's current infrastructure. A sense of balance is critical and needs to be factored in any revisions or updates of the comprehensive plan. Council should consider a temporary moratorium until the comprehensive plan is changed or revisions are made
- The comprehensive plan needs to re-establish the Council's oversight which had been removed
- The comprehensive plan needs to incorporate the will of the people as evidenced in workshops and public meetings with less intensity and density, less height; and special attention needs to be given to future redevelopments

- Information from various sources indicates that in some cases City processes are not user friendly and take too long that resulted in persons or businesses proceeding without the required permits. Steps have to be put in place to resolve these issues immediately
- This Council needs to be aware that improprieties cannot all be placed on a previous Community Development Director or City Manager. Some may fall on current staff. Council should schedule a workshop and afford the citizens of Destin the opportunity to voice their issues and problems. It should only be for Council to listen to the citizens and then have the opportunity to discuss the information and offer ideas on how to best resolve these issues and problems.

Mr. Dewey Destin, a Destin resident:

Council needs to reinsert itself into the comprehensive planning process. They incorporated this town 32 years ago because they had the desire to have the elected officials they voted into office to make decisions on developments. With Comprehensive Plan: 2020 they have returned to the situation from 32 years ago when decisions were made by people not elected into office. The multi-modal system has been a disaster mainly because of its effect on parking. They changed the parking regulations before they built the parking garages. They went from minimum parking required to maximum parking allowed; and reduced parking by about 40 percent. They still need to build the parking garages, and they can finance them by going back to the minimum parking allowed and allow people who want to develop their property to pay for a certain number of parking spaces in the parking garage, with the percentage to be decided by this Council. Council is not expected to review all developments; but, they are expected to review the things that change the very nature and quality of life in Destin.

Ms. Leigh Moore representing the Howard Group:

The information that follows is a critique from a substantial professional planning firm out of Colorado we hired to review the Comp Plan amendments along with minor amounts of input from us. We didn't have time to have a professional planning firm provide a thorough review and analyze it like we wanted to when the last changes were made, but we were thrilled Tier 3 was eliminated. Height of buildings was a big issue before which was partially addressed with the removal of Tier 3; however, it appears other things were added or changed that concern us.

- Lack of Vision Element

A Vision Element needs to be added at the beginning of the Comp Plan to document a public process identifying the desired Brand for the City of Destin. All Comp Plan and LDC elements should reinforce and be in keeping with this vision.

- Building Heights in Key Districts

Even though the tiered system was removed, the maximum heights for key

districts now reflect heights that exceed the old tier two standard. The result appears to be a win-win for developer who now can develop a more intense development without having to implement Design Principals. Yes, the LDC contains design criteria, but still under the tier system.

- Basis for Floor Area Ratios in Key Districts
  - What was the basis for establishing the FAR's. Why a 3.0 in one district and a 2.0 in another?
  - What was the justification for doubling the intensity of development in the SHMU and NHMU districts as well as significant increases in other districts/zones (See charts beginning on Page 3)? Yes, the tiered system was removed but the intensity allowed doubled and the design criteria was removed (deferred to the LDC). The result appears to be a win-win for developers who now can develop a more intense development without having to implement Design Principals. Yes, the LDC contains design criteria, but still under the tier system.
- Deferring Design Criteria/Standards to LDC
  - Until Design Criteria/Standards are accomplished the Current LDC and Comp Plan are in conflict opening the door to unintended consequences due to compromise, misinterpretation, and political will to enforce the intent of the Comp Plan.
  - Design Criteria/Standards take time and will to draft. The public process alone can be intense and tedious.
  - The will of property owners and citizens often are in conflict. Leadership will be challenged to find a balance between property rights and community social and economic vitality.
  - Which document will rule if they are in conflict with each other in the meantime?
- Within One Year
  - The capacity for the planning staff to accomplish all the directives specified in the Comp Plan that need to be completed in one year needs to be assessed.
- Maximum Roof Height and Style
  - Maximum Roof Height and Style
  - Guidelines for roof styles and pitches are needed.
  - Maximum roof heights are needed.
- Long Term Planning
  - Needed to ensure maximum building does not exceed available infrastructure and service capacity

- Example: Transportation Level of Service (LOS)
  - There is a maximum that no amount of parking garages, alternative modes of transportation can offset

**Policy 1-2.1.8: Intensity Bonus Provisions.** Total FAR bonus provisions are provided in the SHMU and NHMU Land Use Designations. These provisions shall be initiated to stimulate investment in quality design oriented towards Harbor Boulevard. The outcome shall be high quality development that enhances the brand of Harbor Boulevard and promotes non-motorized mobility and a “park once” strategy. The bonus system shall not be interpreted as establishing a guarantee of an increase in density or intensity.

Mr. Steve Bennett, representing Harbor Landing LLC:

- ▲ The Emerald Grande was approved under compatibility review. It is not a Tier 2 building. Council listened to expert witnesses in a quasi-judicial hearing. They kept themselves from public comments by ex-parte rules.
- ▲ The Sides Marina Point West has 7 stories. The City’s Planning Commission finds it not compatible; but, the Council ruled it was compatible.
- ▲ Home Depot was ruled incompatible based on sloppy language and Floor Area Ratio. Home Depot moved to Okaloosa County.
- ▲ Windward Marine, a big boat storage that was planned at one time could have been a successful working harbor building; but, it fragmented the huge lot that is the source of much of this City’s angst.

Tier 2 has clearly stated objective criteria for design. Tier 3 had they kept it would have been argumentative for the Council to determine if it is compatible and whether there is enough public benefits to justify it. They have established several years of a clearly stated objective criteria compatibility system; but, now Council is talking about entertaining compatibility review again. They are planning on possibly going off into another subjective review, listening to social media comments, when they should be defending the clearly stated boundaries within which each type of development can be done. If a 10 story is the maximum at a certain setback, they should defend that just like they defended Bay Estates at their previous meeting. They should defend each parcel based on future land use map's clearly stated boundaries and past Council's decision. He feels a negative decision in this case would not stand up in a court of law.

Mrs. Mary Ann Windes, representing the Destin Fishing Fleet:

I represent the Destin Fishing Fleet which owns over 3 acres on the Destin Harbor. We have 40 boat slips – 37 of which moor vessels for hire, the very lifeblood on which Destin was founded.

When we purchased the property, our goal was to protect the charter fleet from being run out of Destin. Not only have we done that, but we are the biggest marina in Destin owned by fishermen who are protecting the heritage of Destin – their heritage.

It was never the Fleet's intention to develop anything more than a place to house the fuel Co-op and as many charter boats as we could save. But when we were offered a large sum by a local developer who wanted to redevelop the property but required that the charter boats be moved out to make way for private boats, we opted to keep our property, protect the fishermen, and make up the loss by doing our own development around the fishing fleet – rather than at their demise.

The last change to the Comp Plan took away over 25% of the buildable space allowed. As an example, if you purchased a lot to build a 2,000 square foot home but the Code changed and you were only allowed to build a 1,500 square foot home, you would be disappointed and probably really, really angry, and that would be horrific to you. But when you're in business and someone takes away 25% of your potential to make income, that's pretty much your entire profit. Why would you bother! I've run the numbers, that's what business people do, and it's not pretty.

I appreciate that some people want no development at all in Destin. That's unreasonable. You could also say there are too many restaurants or too many grocery stores – we've all heard that, too. To disallow these things is wrong. The bottom line is that people who put themselves out there and purchase property and plan to develop, whether it's a small home, marina, or shopping center expect their city to NOT take those rights away from them as long as they build within the correct zoning districts.

I'm sure that most of you have good intentions. I'm pleased you are holding this workshop. It would be beneficial for all of you to have a better grasp of the Comp Plan.

The Destin Fishing Fleet supported the Canin Plan. We didn't support it because it helped us – quite the contrary. We lost a whopping 25% of buildable space. We supported it not only because we felt it was the right thing to do, but also because it was prepared by experts in the field of urban planning and not shaped by local politics - professional planners who were trained to balance property rights with typical “not in my backyard” naysayers who will always protest everything. “I'm here – I've got mine – stop everything else!” Every city hears it all the time. It's common so don't let that worry you too much.

I'm reminded of the Mid-Bay Bridge when it was proposed being called the Bridge to Nowhere. I can only wish that those same people were never allowed to use it. It happens everywhere, people complain, but once it arrives, they're all over it. You can't base your decisions on the people who have not made the public contributions to our city. I'm talking about investment of time, money, and personal service. If their only contribution is negativity and anti-growth, it's not a contribution.

I would respectfully encourage you to NOT take away any additional land use privileges, including clear cut parameters without council interference, from existing land owners from whom have already lost much.

Ms. Sandra Williams, a Destin resident:

Presented a few traffic statistics about Hwy 98. An FDOT study conducted in 2015 showed the area between Marler Bridge and Indian Trail facilitates 40,000 vehicles per day. A traffic study from 2007 to 2013 showed Destin recorded 617 vehicle accidents 18 percent of which involved pedestrians. Since 2015, record shows 24 pedestrians and bicyclist have been hit by vehicles on Hwy 98 in Destin. On June 6, 2016, in an article published in the Daily News regarding a recent marathon, Okaloosa County Sheriff Ashley commented that Hwy 98 is now over capacity. She asked Council imposes a no built moratorium immediately until they could conduct a study of the City infrastructure and determine how they could accommodate the additional people and vehicles new developments will bring to this area. They should also review the City's sewer plan.

Mr. Guy Tadlock, a Destin resident:

Comprehensive Plan: 2020 addresses most of their concerns; however, many people still have concerns about the very liberal FAR, especially in the North Harbor and South Harbor Mixed Use areas. These are the most intense areas of the City and have the biggest problem in traffic and parking; and yet the current plan allows a bonus of .5 FAR in these areas. Council needs to reconsider this issue as there should not be any incentives to allow for a greater FAR. He is concern about the MMTD. They have not reached the success they expected to see in MMTD the last 5 years. Even though the City hired an independent contractor with a lot of experience, he still is not very optimistic they are going to have a lot of success in reducing traffic on Hwy 98. They learned at the Canin meetings that out of 100 people in Destin, only 18 at local residents; and so from that they can say that 82 out of every 100 cars on Hwy 98 belong to non-residents or tourists. These people do not intend to give up driving their cars and start riding bicycles. The only solution for reducing traffic in Destin is to add bridge lanes to the north and to the west. It takes about 10 to 15 years to see a bridge concept through to completion and so they better start now. It is better to err on the side of safety when refining the comprehensive plan.

Mr. Scott Monson, a Destin resident:

Council needs to make sure all the parking structures above grades are counted in the intensity and density in the final comprehensive plan. Since they all seem to agree the City's infrastructure is broken, Council should consider a moratorium on high density development. Also, Council should not extend any development orders until they have a final plan to address this issue. Council needs to also review and revise their delegation of authority to limit the decision making of City staff, and to provide greater oversight of the decision making of the staff. They need to enforce the current code or any refinement of the comprehensive plan will not make any difference.

Mr. Gary Troop, a Destin resident:

The 9-bedroom homes that sleeps 36 that was discussed earlier really creates a great disruption in their neighborhood at Crystal Beach. He agrees that City is built out and it is ripe for the redevelopments. Each of the 3-6,000 square foot houses with 9 bedrooms and sleep 36 but with only 4 parking spaces each are redevelopments. More people will replicate this business model unless it is stopped; and so Council needs to put a code in place now to control this practice. Just because some land owners have gotten away with irresponsible developments, it does not mean they are being unfair to other owners who have yet to be irresponsible. The City Council must protect the City of Destin by putting in new and more restrictive development and redevelopment codes in place. They should stop the approval of splitting lots. Properties that advertise sleeping more than 20 people should be classified as commercial hotels and be regulated as such with bed tax, fire inspections, and special permits than can be revoked if rules are not followed. Existing properties should be heavily sanctioned and fined for excessive illegal parking and noise violations; and the fine should be large enough to make an impact. Rental agreements should specify total number of vehicles allowed to be parked on site.

Ms. Carrie Harberger, a Destin resident:

People who live in the Destin proper have no beach access. Suggests someone from the Council or City staff negotiate with the military for the NCO parking, which has more than 150 parking spaces, for beach access for the Destin proper.

Mrs. Retha Shreve, a Destin resident:

Rezoning Parcel B back to Conservation should be a priority. The danger of the holes that has developed from the Emerald Grande shuttle landing on Parcel B is well documented as more and more people have issues related to what has been referred to as the "Death Hole." The Google Master has shown from 2012 to the present there is a significant size hole 10 to 12 feet deep and very large in diameter. As to who is responsible should someone gets injured or drowned should never be debated. The DEP has opined the City of Destin has jurisdiction over Parcel B. There have been almost 25 near drownings in that hole the last two summers. She has had a bad experience with this hole as well. The owners of Parcel B have been informed by the State that they are not supposed to land the shuttle on the beach the way they do. They have also been told they have to have a submerged land lease with the State for it to be legal. To date it has not been applied for nor the shuttle has stopped landing on Parcel B. This need to stop until they figure everything out to ensure the safety, not only for visitors, but also for residents.

#### **D) Final City Council Discussion and Development of Staff Direction**

At this time, members of the City Council were asked to respond to three questions and provide some directions to City staff.

**1. What Total Floor Area Ratio (FAR) best aligns with the community's vision for the City of Destin?**

Councilmember Destin states it needs to be combined with intensity and density analysis. They need a clear justification for whatever FAR that has been designated.

Ms. Cerame (Clarification): They want to see something to determine what is appropriate for the different future land use designations and not just feel they are randomly choosing certain floor area ratio.

Councilmember Foreman stated that he likes the approach that was taken for the FAR designation because it provided for open space, green space, setbacks and worked it into one formula; adding that the old process had one rule for commercial and one rule for residential.

Ms. Cerame (Clarification): Re-examining the numbers that are currently designated for each future land use designation and what is appropriate.

Councilmember Ramswell wants to make sure it is compatible with existing structures and buildings depending on the area; and that they are not over compensating in that area because of the takeaway from height or density. She added that in some zoning district, because the height has to be reduced from what perhaps it once was or what might have been expected, that they are given more FAR to try to compensate for a loss in a different area.

Ms. Cerame (Clarification): To look at everything comprehensively. There may be a height reduction, but they also should consider the overall bulk and mass of the structure.

**2. How would you describe a preferred Multi-Modal Transportation District (MMTD) based upon the community's vision for the City of Destin?**

Councilmember Braden wants to eliminate the MMTD because he does not feel it is working for Destin.

Councilmember Destin suggests an incremental approach. He stated they should not completely remove the MMTD; but only the parts that do not make sense and they know will not work. Parking and bike credit basically give the developer the opportunity to pack more than what they could feasibly be able to accommodate from the parking and density standpoint under the guise that people will be riding their bicycles. He continued nothing can happen until they slow traffic down and find safer ways for people to cross Hwy 98; and until they have large pedestrian walkways that are properly landscaped.

Councilmember Morgan stated that removing bike credits is not a bad idea because there are many areas in the City, especially on Hwy 98, that are not pedestrian friendly and not safe for people to ride their bicycles.

Councilmember Marler stated he concurs with Council members Destin and Morgan. He also noted that two years ago he requested the speed limit on Hwy 98, from Marler Bridge to at least Main Street, be reduced from 35 mph to 25 mph; but FDOT denied the request.

Councilmember Dixon stated he does not believe the MMTD is working; but, he is not suggesting a complete removal. They should not provide incentives to developers that give them some leeway to overextend their development.

Councilmember Foreman stated that the multi-modal plan is ideal for walking and bicycling, and it is clearly working in some parts of the City. For instance, the area he lives in is perfect for it. He also stated that progress is being made even on Calhoun Avenue, with projects underway there to provide access to parks. He added he would agree with some refinements but not for the complete removal of MMTD.

According to Councilmember Morgan, they are not equipped to handle the multi-modal plan at this point; and they should not be giving allowances or credits until they are prepared from the infrastructure standpoint.

Ms. Cerame (Clarification): The MMTD needs to be seriously reconsidered. It is working in some areas, especially in the South Harbor area, and so they do not want to get rid of it completely. They need to reconsider some of the incentives and bonuses they are offering because they currently do not have the infrastructure to support reducing the parking and having other people use other modes of transportation at this time.

**3. How would you describe effective parking standards for the City of Destin, specifically considering: minimum and maximum parking requirements; outdoor seating capacity; design standards; and aesthetics?**

Councilmember Destin stated that he likes the fact there are parking standards that take some of the parking off of the front view of the actual highway and puts it near the interior. It is the only way they could get a pedestrian friendly causeway. He suggests going back to minimum parking requirements and getting rid of maximum parking requirements. He also stated the outdoor seating capacity being tied to parking makes no sense. It makes it very convenient for people who want to build restaurants but do not have the required parking. He further stated he has no problem with the design standards and aesthetics if they could get the developers to do it.

Councilmember Ramswell noted this is an issue that overlaps into so many other issues; adding it is hard to correct one aspect without correcting other aspects that are contributing factors. She also stated that parking will continue to be a problem as long as they have people trying to go down to the south harbor but do not want to have to cross Hwy 98. She continued they are installing pedestrian crosswalks which would help encourage people to park on the north harbor. She added that it is hard to isolate one solution because there are so many factors they

have to consider; but, she concurs with going back to minimum parking and getting rid of maximum parking.

Councilmember Marler stated they created a good thing with the boardwalk but did not follow it up with the proper infrastructure. They have not provided enough parking for people who want to use the boardwalk. He added they want to continue the boardwalk underneath the bridge and connect it to the north side.

Councilmember Morgan noted they have parking lots that are not being properly utilized because people do not want to cross Hwy 98. In addition, irresponsible parking code and irresponsible businesses have created this parking problem in the first place. He also stated he will not support spending a lot of money for more parking just to benefit employees of businesses.

Councilmember Foreman stated that he agrees with Councilmember Marler regarding extending the boardwalk underneath the bridge because it will allow people to safely access the north side parking. He also stated they need to have a short range and long range parking plan. He continued the short range plan is identifying every piece of property, leasing some property and using them for short term parking. The long-term plan is more complicated and it involves building parking garages, which would probably require a public-private partnership.

Councilmember Marler suggests that as part of the parking requirements for businesses, they have to provide certain amount of parking for their employees and certain amount of parking for their customers.

Ms. Cerame stated that recapping topic #1 (Total FAR) some of the trends they heard tonight were:

- They need more objective clarifications instead of so much subjective language
- A lot of comments about reinsertion of Council into the development review process

At this point, Councilmember Destin asked if WFRPC could come up with FAR appropriate for each zoning district and help Council understand exactly what would happen and what would be the actual effect if somebody actually met the maximum FAR in any particular zoning district; and then come back to Council with that information.

Councilmember Braden noted that because of the increased FAR, people can build structure even bigger than the Emerald Grande.

Ms. Cerame (Clarification): The Council wants actual visualization and comparisons of what the total FAR is going to look like and possibly make some analysis of why total FAR was chosen for a particular zoning district.

According to Councilmember Destin, they may no longer have Tier 3 but they will still get Tier 3 impacts; adding this is what they are trying to avoid if it means bringing everything down to what previously a Tier 1 level and then figuring out a way to reinsert Council into the process for any development larger than Tier 1.

Councilmember Ramswell noted there have been some discussions relating to the measurement of height and what is included in that height; if it should count if it is within the roof line, below a parking structure or if it is below ground level. She suggests measuring and establishing the maximum height from the highest point of the structure.

The Mayor stated their infrastructure is overloaded, and they would need to focus on how to reduce intensity and density. And whether they are talking about subdividing individual residential lots to increase the number of houses in a residential area, building high rise condo, or mini hotels, they would need to examine the effect of that structure on density and intensity.

The Mayor also stated if Destin is truly about 95 percent built out, and they are discussing redevelopments, they need to figure out how to take that same focus and whether they could retroactively apply it to the existing structures. For instance, for structures those do not have enough parking or do not have the proper infrastructure, to figure out some methods of implementing funding for other parking area; and instead of applying it all to the 5 percent that had not been developed, if it could it be spread over those that may have abused the process in the past.

Councilmember Dixon wants to make sure the Mayor is suggesting not making people that had done things according to what the City has allowed to retroactively fix anything; instead, if there are any more developments in that particular piece of property, it would have to come to compliance.

The Mayor replied affirmatively.

Ms. Cerame (Clarification): In addition to total FAR, they need to be looking at intensity and density issues as they relate to redevelopment in terms of subdividing property and how to control it.

Councilmember Marler noted that currently if the structure is 50 percent destroyed by a natural disaster, they cannot build it back the same way before. They could be looking at a different redevelopment and implementing a lot of the different aspects of what they are discussing today.

Councilmember Ramswell stated that a lot of the variances that have been issued completely changed the face of a previously approved, reviewed or agreed upon development. She continued they should consider changing this process.

Ms. Cerame stated that with regards to a preferred MMTD, it appears Council wants staff to review some of the incentives that are currently being offered mostly as they relate to parking.

According to a WFRPC representative, the MMTD allowed a development to have more capacity than FDOT provided so they could continue developing and going through the comprehensive plan. There is a way of supporting the map amendments and the changes to the comprehensive plan back in 2005.

Councilmember Dixon stated they should not provide any incentives unless it is a fully functioning MMTD.

A WFRPC representative explained incentives include the parking reduction to try to get fewer trips and to have more people walking and biking and a mixture of use; adding it has not come into fruition of what they thought it would be in 2005. He also added there are some methods and they have recommended some evaluation of how this would be implemented.

Councilmember Morgan stated before they give allowances for MMTD they would need to have the infrastructure in place.

A WFRPC representative noted they designed it to start getting some of the infrastructure; that is why they have the multi-modal concurrency form. Otherwise, there would not be enough funding to build the infrastructure.

Councilmember Dixon suggests they re-evaluate the whole MMTD system.

Councilmember Foreman stated doing away with MMTD will not reduce traffic.

Councilmember Morgan noted that traffic on Hwy 98 may not have gotten worse; however, they are compounding another problem, which is parking.

Councilmember Ramswell noted the City was the first to implement the MMTD; however, others have had more success than Destin.

The Land Use Attorney stated that MMTD works better in a denser environment; adding some of the bigger cities can implement it more easily than Destin. He also stated they need additional urban development features to support the MMTD. It is funded by direct development improvement. Most of the multi-modal features indicated in the design criteria are all things the developers are required to build as part of their development plan. Those are the things they need to keep in the plan. He added if the developer cannot meet all the multi-modal specifications, the developer can basically pay a fee to not have to comply with everything that is multi-modal. He also added if they do not want people to be able to do this, they could do away with the fees and credits and require they build the multi-modal as part of their development.

Ms. Cerase stated that with the parking, Council seems to want staff to look and reconsider some of the minimum and maximum and outdoor seating issues.

Councilmember Morgan does not feel outdoor seating should be held to the same standard as indoor seating; however, it needs to be higher than it is now.

Having no further business at this time, the meeting was adjourned at 9:45 PM.

**ADOPTED THIS 20<sup>TH</sup> DAY OF JUNE 2016**

**By:**

A handwritten signature in cursive script that reads "Scott Fischer". The signature is written in black ink and is positioned above a horizontal line.

**Scott Fischer, Mayor**

**ATTEST:**

A handwritten signature in cursive script that reads "Rey Bailey". The signature is written in black ink and is positioned above a horizontal line.

**Rey Bailey, City Clerk**