



# CITY of DESTIN

4200 Two Trees Road • Destin, Florida 32541



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**February 28, 2008**

**Order No. 08-09**

## **Final Development Order:**

### **“BIG KAHUNA’S PHASE I RENOVATIONS” A MINOR DEVELOPMENT (SP-07-26)**

Based upon the City's approval and issuance of this Development Order, on February 26, 2008, this document will serve as your Final Development Order, and includes all of the provisions and conditions in the attached Technical Review Committee Report.

## **BACKGROUND / ISSUE:**

**Applicant:** Choctaw Engineering, Inc., on behalf of BK of Destin Inc. dba Festival Fun Parks, LLC is requesting approval of “Big Kahuna’s Phase I Renovations,” a Minor Development.

**Request:** The proposed development consists of the removal of accessory buildings and attractions within the park to include retail, concessions, arcade, offices, ticket sale buildings and the go-kart track. These buildings will be replaced with new ticket sale booths, restrooms, concessions, locker rentals, offices, retail buildings and a new 1,646 S.F. “Flow Rider 2000” water attraction. The overall development is a reduction of 30,142 S.F. of attractions but an increase of 10,707 S.F. of Floor Area Ratio (F.A.R.). The increases of F.A.R. are all accessory uses to the water park.

**Location:** The proposed development is located at 1007 Highway 98 East in the City of Destin of Okaloosa County, Florida, more specifically identified with the following Tax Parcel I.D. Numbers: 00-2S-22-0000-0013-0100, 00-2S-22-0000-0013-0120, 00-2S-22-0000-0013-0160, 00-2S-22-0000-0013-0170, 00-2S-22-0000-0017-0000, 00-2S-22-0000-0017-0010, 00-2S-22-0000-0018-000X and 00-2S-22-0000-0018-0010.

**Parcel Size:** The current site area is 23.31 acres, more or less.

**Future Land Use:** Commercial General (CG)

**Zoning District:** Commercial General (CG)

**Density:** Allowed: N/A  
Proposed: N/A

**Intensity:** Allowed: 1.30 Floor Area Ratio (FAR)  
Proposed: 0.026 FAR

**Application Date:** September 26, 2007

**TRC Date:** October 17, 2007

**Approved Site Plan Date:** February 26, 2008

## **DETERMINATIONS:**

1. All the findings of the Technical Review Committee report dated February 26, 2008 are incorporated herein.

**CONDITIONS OF APPROVAL FOR “BIG KAHUNA’S PHASE I RENOVATIONS” A MINOR DEVELOPMENT (SP-07-26):**

1. Pursuant to the City of Destin Land Development Code:

Construction of infrastructure must commence within one (1) year of approval date (date from which the Final Development Order is issued by the Community Development Department) of the Final Development Order on February 26, 2008 (no later than February 26, 2009), and must be completed as shown on plans approved by the Technical Review Committee.

**WARNING: If the applicant/owner has not obtained a building permit(s) for either the construction of infrastructure or construction of the entire project and that construction has not commenced within one (1) year of issuance of the final development order, the final development order will become null and void and the application for development order approval must be re-initiated. (Article 2, Section 2.21.00)**

**NOTE: Construction of infrastructure shall be defined as site work, grading, or other construction activity (not including clearing and grubbing or demolition of existing structures) related to installation of roadways, access drives, parking lots, underground utilities, stormwater or drainage facilities, or building foundations. (Article 2, Section 2.21.00)**

**NOTE: An applicant/owner who desires to extend the twelve (12) month (1 year) deadline for either the construction of infrastructure or construction of the entire project must submit a written request to the Community Development Department, no less than thirty (30) days prior to the expiration of the twelve (12) month deadline to obtain a building permit and commence construction of infrastructure or construction of the entire project. The applicant may receive only one extension, and such extension shall not exceed one year. The applicant /owner should review Article 2, Section 2.21.00, of the Destin Land Development Code for further explanation of the Development Order extension process.**

2. If the applicant fully complies with the requirements of Condition No. 1 above, the concurrency capacity allocation status for “Big Kahuna’s Phase I Renovations” will be protected. However, the protected concurrency status will be lost and the application for development order approval must be re-initiated if:
  - A. Construction permit(s) in association with construction of infrastructure or construction of the entire project are not obtained in accordance with Article 2, Section 2.10.00 of the Land Development Code to maintain concurrency, or
  - B. Construction activity ceases for a period of one (1) year after a building permit for construction of infrastructure or construction of the entire project has been issued so that concurrency is not maintained under Article 6 of the Destin Land Development Code.

3. The applicant must obtain City of Destin permits for the following activities on and off site (These may require appropriate bonding):
  - A. Disturbance of the City's right-of-way (Note: Applicant must obtain the proper ROW permit(s) from the Engineering Department prior to issuance of building permits, unless otherwise exempted by the City Engineer.)
  - B. Pavement cuts.
  - C. Construction of any kind.
  - D. Clearing, grubbing, or demolition.
  - E. Paving, grading, drainage, sidewalks.
  - F. Signage.
  - G. Installation of utilities.
  - H. Construction trailers.
4. **Conditions Per Community Development Department:** Refer to pages 11 thru 13 of the attached TRC Report dated February 26, 2008.
5. **Conditions Per Engineering Department:** Refer to page 13 thru 14 of the attached TRC report dated February 26, 2008.
6. **Conditions Per Destin Water Users, Inc.:** Refer to page 14 of the attached TRC Report dated February 26, 2008.

## TECHNICAL REVIEW COMMITTEE REPORT

### “BIG KAHUNA’S PHASE I RENOVATIONS” A MINOR DEVELOPMENT (SP-07-26)

TRC Report: February 26, 2008

#### ISSUE:

**Applicant:** Choctaw Engineering, Inc., on behalf of BK of Destin Inc. dba Festival Fun Parks, LLC is requesting approval of “Big Kahuna’s Phase I Renovations,” a Minor Development.

**Request:** The proposed development consists of the removal of accessory buildings and attractions within the park to include retail, concessions, arcade, offices, ticket sale buildings and the go-kart track. These buildings will be replaced with new ticket sale booths, restrooms, concessions, locker rentals, offices, retail buildings and a new 1,646 S.F. “Flow Rider 2000” water attraction. The overall development is a reduction of 30,142 S.F. of attractions but an increase of 10,707 S.F. of Floor Area Ratio (F.A.R.). The increases of F.A.R. are all accessory uses to the water park.

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**Zoning District:** Commercial General (CG)

**Density:** Allowed: N/A  
Proposed: N/A

**Intensity:** Allowed: 1.30 Floor Area Ratio (FAR)  
Proposed: 0.026 FAR

**Application Date:** September 26, 2007

**TRC Date:** October 17, 2007

**Approved Site Plan Date:** February 26, 2008

#### DISCUSSION/FINDINGS:

Choctaw Engineering, Inc., on behalf of BK of Destin Inc. dba Festival Fun Parks, LLC is requesting approval of “Big Kahuna’s Phase I Renovations,” a Minor Development. The proposed development consists of the removal of accessory buildings and attractions within the park to include retail, concessions, arcade, offices, ticket sale buildings and the go-kart track. These buildings will be replaced with new ticket sale booths, restrooms, concessions, locker rentals, offices, retail buildings and a new 1,646 S.F. “Flow Rider 2000” water attraction. The overall development is a reduction of 30,142 S.F. of attractions but an increase of 10,707 S.F. of Floor Area Ratio (F.A.R.). The increases of F.A.R. are all accessory uses to the water park. The proposed development is located at 1007 Highway 98 East in the City of Destin of Okaloosa County, Florida, more specifically identified with the following Tax Parcel I.D. Numbers: 00-2S-22-0000-0013-0100, 00-2S-22-0000-0013-0120, 00-2S-22-0000-0013-0160, 00-2S-22-0000-0013-0170, 00-2S-22-0000-0017-0000, 00-2S-22-0000-0017-0010, 00-2S-22-0000-0018-000X and 00-2S-22-0000-0018-0010. The current site area is 23.31 acres, more or less.

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which includes a technical and Concurrency Management review.

The Technical Review Committee (TRC) reviewed and approved the project with specific conditions as stated below.

**COMPREHENSIVE PLAN/ZONING:**

The property currently has a Future Land Use designation of Commercial General (CG) and a Zoning designation of Commercial General (CG). The proposed use is consistent with the Commercial General (CG) Future Land Use designation and is a permitted principal use within the Commercial General (CG) Zoning District.

**LAND USE TRANSITION & SPECIAL DESIGN CRITERIA:**

Comprehensive Plan: 2010 Policy 1-2.1.7 requires that *“All property designated for nonresidential use on the FLUM shall be developed and designed to ensure a smooth land use transition between the said nonresidentially designated property and any directly abutting low rise residential property, either existing or identified on the FLUM.”* The LDC requirements regulating “special design criteria” are *“...to establish design criteria to preserve, protect, and enhance the economic vitality and character of the City of Destin.”* This section also states, *“These standards and regulations are intended to promote and protect the desired character of the City, including promoting multimodal transportation opportunities, and that ensure compatibility with surrounding development.”* [LDC, §7.09.00].

Criteria for consideration to ensure smooth land use transition and special design include:

- Surrounding development
- Mechanical equipment
- Outdoor storage and display
- Solid waste collection areas
- Parking, loading, or accessway areas

**Surrounding development:**

The proposed development consists of two 1-story buildings, a proposed 2,986 square foot new car sales building and an existing 6,450 square foot automobile care center. The following is a description of the surrounding area:

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
North	Residential, Office, Institutional (ROI)	Residential, Office, Institutional – General Development (ROI – GD)	North: Multi-family Residential
South	Gulf Resort Mixed Use (GRMU)	Gulf Resort Mixed Use (GRMU)	South: Commercial (Retail merchandise and convenience store)
East	Commercial General (CG)	Commercial General (CG)	East: Commercial (Convenience store) and vacant
West	Commercial General (CG)	Commercial General (CG)	West: Vacant

As described herein, the surrounding uses include multi-family residential, retail merchandise, convenience store and vacant land. The intensity and density of development is below the maximum intensity provided for in the Land Development Code and density provided in the Comprehensive Plan. The density and Floor Area Ratio of the project is detailed below.

**Mechanical equipment:**

**Condition:** Outdoor mechanical equipment, such as heating, air conditioning, and ventilation systems, must be placed on the roof, in the rear or to the side of the building, or otherwise visually screened. In no case shall mechanical equipment be located between the principal structure and the front property line facing a right-of-way. All mechanical equipment located on the roof shall not be visible from adjacent properties or rights-of-way from heights equal to or less than the equipment. All mechanical equipment located in the rear or to the side of the building shall be enclosed by opaque fence, wall or hedge a minimum of six (6) feet in height or to the highest point of the equipment, whichever is lower. For air conditioning or other equipment requiring airflow, a lattice screen of at least 50 percent opacity shall be sufficient to meet this requirement.

**Solid waste collection areas:**

All non-construction related dumpsters, trashcans, and recycling bins are to be placed in solid waste collection areas or inside a building. Solid waste collection areas are to be set back a minimum of ten feet from any property line that abuts single-family, duplex or townhome uses.

**Condition:** All solid waste collection areas shall be enclosed by a 100 percent opaque fence, wall, or hedge that is a minimum of six feet in height. All enclosures shall have gates that are 100 percent opaque. These gates shall remain closed at all times except for when waste management services are collecting refuse from the site. If necessary, please post a sign on the gates requesting that these gates remain closed.

**Parking, loading, or accessway areas (abutting residential uses):**

Areas used or set aside for parking, loading, accessways or service and utility areas are separated by at least ten feet from the property line abutting single-family residential homes.

**The site plan for “Big Kahuna’s Phase I Renovations” complies with the City of Destin Comprehensive Plan Policy 1-2.1.7 and the Land Development Code §7.09.00.**

Any additional revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members and may be subject to further analysis if required pursuant to provisions of the Comprehensive Plan [Policy 1-2.1.7] and Land Development Code [LDC, §7.09].

**MASSING (WIDTH AND DEPTH) AND HEIGHT:**

The proposed development consists of several 1-story buildings (3 cabanas, 6 ticket booths, 1 equipment room, one customer service building and 1 restaurant/restroom building). All buildings are well within the property boundaries and constitute an overall increase of 10,707 square feet of gross floor area. The largest building is an approximate width of 70.0’ and a depth of 67.8’.

**DENSITY:**

Not applicable.

**INTENSITY:**

The FAR calculation methodology results in a FAR of .026, which is also below 1.30 and is calculated as follows:

**Total sq. ft. of existing and proposed buildings / sq. ft. of subject parcel = FAR**

**26,513 sq. ft. /1,015,383 sq. ft. = 0.026 FAR**

**SETBACKS AND BUFFERS:**

The proposed development meets all of the required setbacks for the CG Zoning Districts.

	<b><u>Required</u></b>	<b><u>Buffers</u></b>	<b><u>Provided</u></b>
Front (South):	5' – 15'	N/A	approx. 404' (for proposed structures)
Side (East):	0'	N/A	approx. 355'(for proposed structures)
Side (West):	0'	N/A	approx. 314' (for proposed structures)
Rear (North):	0'	N/A	approx. 391' (for proposed structures)

Note: All proposed structures and improvements are within the middle of site. The existing development has adequate buffers in place.

**CONCURRENCY MANAGEMENT:**

Concurrency requirements have been met:

- Solid Waste: **X**
- Potable Water: **X**
- Sanitary Sewer: **X**
- Traffic: **X**
- Stormwater Management: **X**

**TRAFFIC ANALYSIS:**

According to the transportation/traffic concurrency review conducted by the City's Transportation Manager, currently represented by Renaissance Planning Group (RPG), Inc., and approved on February 26, 2008, the proposed development will not degrade the level of service of those major transportation modes and facilities in the City of Destin and complies with the goals, objectives, and policies of the multimodal transportation district as found in the City's Comprehensive Plan: 2010.

As a requirements of the City's multimodal transportation district, as adopted in Comprehensive Plan: 2010, the City's Transportation Manager has reviewed and approved the applicant's traffic impact analysis dated September 20, 2007.

**SUBDIVISION OR PUD - PLAT:**

Not applicable.

**AIRPORT PROTECTION:**

As proposed, this project is not affected by nor affects the Destin – Ft. Walton Beach Airport. The applicant has indicated on the development order application that the proposed project is not within the Airport Expansion Area. NOTE: If construction necessitates the use of a crane, or other obstruction, which exceeds Federal Aviation Administration FAR 77 Standards (normally 200 feet above ground level), the applicant must request a variance from the FAA for temporary encroachment into this restrictive area and a copy of a completed FAA Form 7460, must be placed on file with the City of Destin prior to the crane, or other obstruction, penetrating the restricted airspace.

**WHITE SANDS ZONE:**

The proposed project is located within White Sands Zone II. All fill material will have to comply with the White Sands Ordinance for this area.

**SIGNS:**

No overall sign approval is part of this application. All future signs must comply with the applicable section of the Destin Land Development Code in effect at the time a sign application is submitted.

**UTILITIES:**

All proposed utilities are required to be placed underground.

**COX COMMUNICATIONS:**

Cox Communications approved the project in a letter dated October 8, 2007.

**DESTIN FIRE CONTROL DISTRICT:**

The Destin Fire Control District approved the project in a letter dated October 17, 2007.

**GULF POWER:**

Gulf Power approved the project in a letter dated October 2, 2007.

**OKALOOSA GAS:**

Okaloosa Gas approved the project in a letter dated October 17, 2007.

**EMBARQ:**

Embarq Corporation did not provide a letter. Therefore, they approved the project by default.

**WATER/SEWER PROVIDER:**

Destin Water Users, Inc. approved the project in a letter dated December 10, 2007; please refer to conditions on page 14 of the TRC report dated February 26, 2008.

**ENGINEERING:**

The City of Destin Engineering Department approved the project in a memo dated December 5, 2007; please refer to conditions on page 13 thru 14 of the TRC report dated February 26, 2008.

**STORMWATER:**

The City approved the stormwater management plan on January 18, 2008; please refer to conditions on page 14 of the TRC report dated February 26, 2008.

**INGRESS/EGRESS:**

Ingress and egress to the proposed improvements is provided by the existing 17' ingress only and a 22' egress only accessway off of Highway 98.

**PARKING:**

The project meets or exceeds the parking requirements of the Destin Land Development Code as indicated on the approved plans.

*Per code:*

Amusement and Theme Parks: 1 space per 150 square feet of gross floor area  
A minimum of 10% of required parking spaces for bicycle parking

*Per site plan:*

Amusement and Theme Park: 26,513 sq. ft x 1 space per 150 sq. ft. = 177 parking spaces  
Bicycle Parking: 177 parking spaces x 10% = 18 bicycle space (Per condition, bicycle parking shall be provided in the next phase of the development.)

Total Parking Required: 177 parking spaces  
Parking Provided: 600 parking spaces including 12 handicap spaces

**LOADING SPACE (ZONE):**

The project meets or exceeds the loading space requirements of the Land Development Code.

**REFUSE COLLECTION:**

Refuse collection is to be provided by dumpster service. The proposed dumpster must be screened by a gated opaque enclosure at least six feet tall. The gates shall remain closed at all times except for when waste management services are collecting refuse from the site. If necessary, please post a sign on the gates requesting that these gates remain closed.

**SIDEWALKS:**

The existing 5-foot wide sidewalk is required remain and be repaired to same or better condition along Highway 98 during this phase. It has been conditioned that the sidewalk will increase to 10-foot wide for the next phase.

**OPEN SPACE/LANDSCAPE:**

**Open Space Requirements:**

Development Area (Total Area): 1,015,383.6 sq. ft. (23.31 acres, more or less)  
Required 25% Open Space: 253,845.9 sq. ft.  
Provided Open Space: 598,327 sq. ft (58.9%)

**Landscape Requirements:**

**Tree Requirements:**

Credits for Existing Trees (2" to 6" diameter) on Site (69 trees x 2 credits per tree):	138
Credits for Existing Trees (7" to 12" diameter) on Site (48 trees x 3 credits per tree):	144
Credits for Existing Trees (13" to 19" diameter) on Site (3 trees x 4 credits per tree):	12
Credits for Existing Trees (20" or 24" diameter) on Site (0 trees x 5 credits per tree):	0
<b>Total Reforestation Credits for Existing, Protected, or Preserved Trees:</b>	<b>294</b>
Reforestation Trees (1 per every .10 of an acre: 23.31 x 10 = 83) Required on Site:	233
Total Reforestation Credits:	294
<b>Total Reforestation Trees Required on Site:</b>	<b>0</b>
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	0
Replacement Trees (removal of trees over 12" d.b.h.) Required on Site:	0
Front Perimeter Trees (1 per 25') Required on Site:	N/A
Parking Lot Trees (1 per end row and landscape island) Required on Site:	4
Vegetative Buffer Trees (1 per 25'):	N/A
<b>TOTAL TREES REQUIRED:</b>	<b>4</b>
<b>TOTAL TREES PROVIDED:</b>	<b>4</b>

Trees shall be a minimum of ten (10) feet in height and have a two and one-half (2½) caliper at the time of planting. Trees having an average mature spread of crown less than 20 feet shall be arranged in groupings so as to create the equivalent of a 20-foot crown spread. Shrubs must be a minimum of twelve (12) inches in height when measured immediately after planting. **WARNING: A Certificate of Occupancy will not be issued until the required landscape material per the approved landscape plan has been inspected and approved by the Community Development Department.**

**IMPACT FEES:**

Big Kahuna's Phase I renovations do not generate any additional traffic to degrade the Level of Service (LOS) below the adopted standards for U.S. highway 98, Segment B. Therefore, based on this information the City will not apply any impact fees to these improvements.

**OTHER FEES:**

The fees listed below are subject to change and are based on the most recent information available (February 26, 2008). The fees must be paid by the applicant as part of the cost recovery associated with the proposed project:

City Surveyor:	N/A
City Traffic Consultant:	\$452.70
City Stormwater Review Consultant:	N/A
Re-Review Fees (Community Dev.)	Paid
Re-Review Fees (Engineering)	Paid
Administrative Costs:	TBD
City Council Advertising:	N/A
<b>TOTAL (as of 02/28/08) =</b>	<b>\$452.70</b>

**COMMENTS/CONDITIONS:**

Public Input:

No public comments have been presented to staff at the time of this report.

Per Community Development Department:

1. **Prior to the issuance of any City Permit**, all outstanding costs associated with this project that are owed to the City must be paid in full.
2. **Prior to the issuance of any City permit**, a copy of the FDEP stormwater and a NPDES Stormwater Construction Generic Permit (if applicable) approval shall be forwarded to the City Engineer's office.
3. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.
4. **Prior to the issuance of a Certificate of Occupancy**, assigned address numbers for principal buildings shall be displayed and clearly visible and legible, preferably reflective, from the street or private way on which the building fronts. *Ref. LDC Section 7.18.04.*
5. **Prior to the issuance of a Certificate of Occupancy**, the landscaping and outdoor lighting, if installed, must be inspected and approved by the Community Development Department. The lighting plan which shall be submitted prior to the issuance of any city permit, must provide specifications for the proposed outdoor lighting, including photometrics. All lighting must be shielded downward and away from adjacent properties in order to avoid spill-over and illumination into the night sky.
6. **Prior to the issuance of a Certificate of Occupancy**, all required parking and related landscaping shall be installed, inspected, and approved by the Community Development Department.
7. **Prior to the issuance of a Certificate of Occupancy**, the Stormwater Operation/Maintenance Plan (SWOMP) shall be acknowledged and signed by the Owner.
8. **Condition:** Festival Fun Parks, LLC, leaseholder, is proposing to develop/redevelop a portion of the Big Kahuna's amusement/waterpark. There are two transportation corridors designated on the City's adopted corridor management plan located on the Big Kahuna's site. Festival Fun Parks, LLC, has committed to providing information on the site plan identifying the locations of the proposed Section 1, secondary east-west corridor alignment and a portion of the Section 1, Mattie M. Kelly Boulevard north-south corridor alignment. Only a portion of the Mattie M. Kelly Boulevard north-south corridor alignment is required to be identified at this time due to the determination by City staff that the current north-south corridor location significantly impacts the current developed property and the location should be appropriately adjusted to lessen the

impacts on developed property. City staff will be approaching the City Council to consider adjusting the corridor location, thus, enabling further flexibility in the location of a required 80 foot right-of-way to be located within the corridor. Due to the timeframe of seeking City Council approval to adjust the corridor's location, it is a **CONDITION** of this development order that the applicant of any further development orders or amendments to any development order for this development site shall ensure the preservation of the corridor by identifying on the site plan the entire Mattie M. Kelly Boulevard north-south corridor alignment, or portion thereof, as adopted by the City Council and required in the Land Development Code.

9. **Condition:** Festival Fun Parks, LLC, leaseholder, acknowledges that the sidewalk and pedestrian amenities (including bicycle parking) along U.S. Highway 98 per the multi-modal initiative will be addressed in Phase II of the renovation.
10. **Condition:** Outdoor mechanical equipment, such as heating, air conditioning, and ventilation systems, must be placed on the roof, in the rear or to the side of the building, or otherwise visually screened. In no case shall mechanical equipment be located between the principal structure and the front property line or any property line facing a right-of-way. All mechanical equipment located on the roof shall not be visible from adjacent properties or rights-of-way from heights equal to or less than the equipment. All mechanical equipment located in the rear or to the side of the building shall be enclosed by opaque fence, wall or hedge a minimum of six (6) feet in height or to the highest point of the equipment, whichever is lower. For air conditioning or other equipment requiring airflow, a lattice screen of at least 50 percent opacity shall be sufficient to meet this requirement.
11. **Condition:** All solid waste collection areas shall be enclosed by a 100 percent opaque fence, wall, or hedge that is a minimum of six feet in height. All enclosures shall have gates that are 100 percent opaque. These gates shall remain closed at all times except for when waste management services are collecting refuse from the site. *Ref. LDC Section 7.09.02.B.3.*
12. **Condition:** All wheel stops adjacent to sidewalks and walls shall be installed at least 30 inches from the adjacent sidewalk. *Ref. LDC Section 8.06.11.B.*
13. **Condition:** Curb ramps shall be provided at locations where a sidewalk intersects a curb.
14. **Condition:** Curb ramps shall be provided at all locations where an ADA-accessible route or access aisle intersects a curb.
15. **Condition:** Each handicap accessible parking space must be posted with a permanent above-grade sign bearing the international symbol of accessibility and the caption "PARKING BY DISABLED PERMIT ONLY." Such sign must also indicate the penalty for illegal use of the space. **This penalty shall be a minimum \$250 fine.**
16. **Condition:** The slab for all structures shall be constructed a minimum of 12 inches above the crown of the nearest street, except where topography will provide adequate drainage as certified by a professional engineer registered in the State of Florida. *Ref. LDC Section 10.03.02.A.5.*
17. **Condition:** All existing and proposed utility lines on the subject property shall be located underground. *Ref. LDC Section 20.12.00.*
18. **Condition:** If groundwater is observed standing in the storm structures, the SWMP shall be considered in non-compliance and a revised stormwater plan shall be resubmitted for review and approval.

19. **Condition:** Please abide by the general guidelines set forth in the FDEP's "Florida Development Manual: A Guide to Sound Land and Water Management," particularly those guidelines set forth for the construction and maintenance of exfiltration trenches.
20. **Condition:** All perforated piping and exfiltration beds shall be inspected and approved by the Engineer of Record and the City of Destin prior to backfilling. Prior to inspection by the City, the Engineer of Record shall submit an inspection report that certifies the compliance of the perforated pipe and exfiltration beds.
21. **Condition:** Any additional revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members.

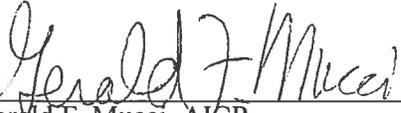
Per City of Destin Engineering Department:

22. **Prior to the issuance of any City permits,** obtain a City of Destin Right-of-Way Construction Permit from the City Engineering Department.
23. **Prior to the issuance of a City Right-of-Way permit,** obtain a FDOT Connection permit and submit a copy to the City Engineer.
24. **Condition:** Sidewalks, recreational trails and bicycle ways shall be permissible in ROWs (*Ref. LDC Article 8.01.00.C*):
  - a. Landscaping located on abutting properties to sidewalks, recreational trails, and bicycle ways shall not create a safety hazard, and shall be trimmed or pruned to allow full width plus one foot on each side of the sidewalks, recreational trails, and bicycle ways, and the minimum vertical height of ten feet above grade, is clear.
  - b. Trees or shrubs shall not be planted within five feet from all streets or sidewalks, recreational trails, and bicycle ways.
25. **Condition:** Screening vegetation shall not be placed within five feet and maintain a minimum foliage clearance of three feet from any utility structure(s) including but not limited to water meters, valves, electrical/communication panels or poles, and shall not be placed around any water hydrant that could be used for fire protection. *Ref. LDC Article 8.01.00.B.2.*
26. **Condition:** Contractor shall not be allowed to utilize **ANY** public rights-of-ways for any loading/unloading, staging or storage of construction materials, equipment or vehicles or unauthorized construction. Failure to comply with this requirement may void your city right-of-way construction permit until the violation is corrected.
27. **Condition:** Refer to LDC Article 8.03.06. Clear visibility triangle. In order to provide a clear view of intersecting streets to motorist, there shall be a triangular area of clear visibility formed by two intersecting streets.
28. **Condition:** Reconstruct any broken sidewalk from joint to joint, across the entire right-of-way frontages as needed.
29. **Condition:** Sidewalk area (6" thick) crossing the drive access shall meet ADA flatness & slope requirements.

30. **Condition:** The sidewalk adjacent to the motor vehicle travel lanes shall be a minimum of 6" above the elevation of the travel lanes.
31. **Condition:** Provide a 24 hour contact person's phone number; that person shall have demonstrated ability in maintenance of erosion control measures.
32. **Condition:** Areas not being worked for 30 days or more shall be vegetated.
33. **Condition:** All bare ground, stripped of vegetation during the clearing/grading process, shall be covered to the maximum extent practicable.
34. **Condition:** Additional techniques to reduce soil tracking off of a site and onto a roadway such as wheel washing stations; may be required.
35. **Condition:** Any sediment that is tracked onto road pavement shall be removed immediately (prior to the end of the work day) by sweeping. The sediment collected by sweeping shall be removed from the roadway and stabilized on-site.
36. **Condition:** Dust Control is required on all areas of development or redevelopment activities.
37. **Condition:** A copy of all Federal, State and city permits (as applicable) shall be posted in a clearly visible location on the project site.
38. **Condition:** Any off-site catch basins, curb inlets or swale that required protection shall be cleaned.

Per Destin Water Users, Inc.:

39. **Condition:** All revisions to the water and/or sewer utilities of any previously approved project must be re-approved by Destin Water Users, Inc. in writing at least 24 hours prior to implementation.
40. **Condition:** Field verified and scaled "as-built" plans including all utility infrastructures must be submitted to the City of Destin and forwarded to Destin Water Users, Inc. for final inspection by Destin Water Users, Inc. A written approval shall then be submitted to the City of Destin prior to issuance of Certificate of Occupancy by the City of Destin if there are no outstanding issues.

 2-28-08  
 Gerald F. Mucci, AICP Date  
 Community Development Director

 3/24/08  
 Todd Wulffson Date  
 Authorized Signing Officer