



City of Destin

Community Development Department

Planning Division

City of Destin Annex
4100 Indian Bayou Trail
Destin, Florida 32541

Phone (850) 837-4242 • Fax (850) 460-2171

www.cityofdestin.com/index.aspx?nid=91

COMPREHENSIVE PLAN AMENDMENT - SMALL-SCALE Sites 10 acres or less

Note: Application will be voided if changes to this application are found.

1. CONTACT INFORMATION:

A. Applicant: _____

Mailing Address: _____

Business Phone: _____ Cell: _____

Email: _____

B. Property Owner: _____

Mailing Address: _____

Business Phone: _____ Cell: _____

Email: _____

C. Authorized Agent (if applicable): _____

Mailing Address: _____

Business Phone: _____ Cell: _____

Email: _____

*Note: Owner must complete the attached Agent Affidavit.
If there is more than one owner, each owner must complete an Agent Affidavit.*

2. PROPERTY INFORMATION:

A. Existing Street Address: _____

Parcel ID (s): _____,

Lot: _____ Block: _____ Plat Book: _____ Page Number: _____

Subdivision: _____

B. Existing Future Land Use Category: _____ *(To be completed by the City)*

Proposed Future Land Use Category: _____

Zoning District Classification: _____ *(To be completed by the City)*

Is a zoning change requested? YES ___ NO ___

If you answered “yes” to the above question, what zoning classification is desired for the subject property? _____

C. Existing use of subject property: _____

3. AMENDMENT REQUEST

A. Please provide a general description of the proposed amendment, explaining why it is necessary and/or appropriate.

B. Date of pre-application meeting: _____

C. Total acreage of the property in the proposed amendment: _____

D. Has the property received any waivers, special exceptions or variances? YES ___ NO ___

If you answered “yes” to the above question, please explain – including when approved.

Criteria for Reviewing Proposed Map Amendments. Any decision regarding a Comprehensive Plan Future Land Use Map amendment shall be based on the following:

E. Orderly Development and Land Use Compatibility. Whether, and the extent to which, the proposal would maintain a compatible land use pattern, a smooth transition in the land use, considering the type and location of uses involved, the density, and intensity. Approval of a Comprehensive Plan amendment must be supported by evidence that the change will be consistent with Comprehensive Plan land use policies. Please explain the impact of the proposed amendment upon the surrounding neighborhoods and land uses and list any supporting policies.

F. Adequate Public Facilities. Approval of a Comprehensive Plan amendment must be supported by evidence that the amendment will not result in public facilities and services exceeding the capacity for such services and facilities existing or programmed, including transportation, utilities, drainage, recreation, education, emergency services and similar necessary facilities and services. Please explain the impact upon the ability of the City to provide adequate public facilities and maintain the existing level of service for public facilities as identified in the comprehensive plan, if the proposed amendment is granted.

G. Natural Environment. Whether, and the extent to which, the proposal would result in significantly adverse impacts on the natural environment. An amendment of the Future Land Use Map shall not violate policies within the Comprehensive Plan that protect the natural environment. Please explain the impact of the proposed amendment upon the natural environment, if any.

H. Economic Effects. Whether, and the extent to which, the proposal would adversely impact private property rights, the general health, safety, and welfare and adversely impact the financial resources of the City. Please describe any potential adverse impacts on private property rights, the general health, safety, and welfare and the financial resources of the City.

I. Public Interest Enabling Act. Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and intent of the Comprehensive Plan and its enabling legislation. Amendments shall be consistent with the Comprehensive Plan and enabling legislation. Please explain any potential conflicts with the public interest. Also explain how the proposed amendment is in harmony with the purpose and intent of the Comprehensive Plan and its enabling legislation.

J. Special Privileges. Whether proposed amendment would constitute a grant of special privilege to an individual owner as contrasted with the public welfare. Please explain whether proposed amendment would constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

K. Other Matters. Other matters related to the Comprehensive Plan and conditions since adoption of the plan, which the City may deem appropriate in considering the amendment. Please identify and explain any other matters which the City may deem appropriate in considering the amendment.

4. SUBMITTAL REQUIREMENTS FOR SMALL SCALE FUTURE LAND USE MAP AMENDMENT:

1. _____ Completed application - All applicable areas of the application shall be filled in and submitted to the Community Development Department Planning Division at the City of Destin Annex, 4100 Indian Bayou Trail, Destin, Florida 32541.

2. _____ Application Fee: \$1,200.00 – Ordinance Amendment Applications
(FY2017 Schedule of Fees, Resolution 17-05, adopted 02/22/17, effective 02/23/17)

This is a one-time, all-inclusive fee. It includes: initial application and resubmittals; and all costs associated with administration, outside consultant reviews, legal notices and mailings.

Accepted Payments are Cash, Check, MasterCard or Visa. Checks shall be made payable to the City of Destin and submitted to the Planning Division, Community Development Department, City Hall Annex, 4100 Indian Bayou Trail, Destin, Florida 32541

3. _____ Proof of Ownership - A copy of the last recorded deed of the property. Owner on deed must correspond to “Current Owner” identified on page 1.

NOTE: This application must be filled out completely and must be signed by the owner or his designated agent. If the applicant is different than the owner of the subject property, then an agent affidavit is required from the owner of the property. The agent affidavit must be completely filled out and submitted with this application. If the property has multiple owners, then all owners or their designated agents must sign this application.

I HAVE READ THE INFORMATION IN THIS APPLICATION AND HAVE FILLED IN ALL ANSWERS CORRECTLY TO THE BEST OF MY ABILITY.

APPLICANT:

SIGNATURE: _____ DATE: _____

PRINTED NAME: _____

**AGENT AFFIDAVIT
SPECIAL POWER OF ATTORNEY**

KNOWN ALL MEN BY THESE PRESENTS, THAT I, _____
am presently the owner and/or leaseholder at _____
and desiring to execute a Special Power of Attorney, have made, constituted and appointed, and by these presents
do make, constitute and appoint _____
whose address is _____, County of _____, State of _____,
my Attorney-in-Fact to act as follows, GIVING AND GRANTING unto said attorney full power to act as my
agent in any and all matters pertaining to: _____.

FURTHER, I do authorize the aforesaid Attorney-in-Fact to perform all necessary acts in the execution of the
aforesaid authorization with the same validity as I could effect if personally present. Any act or thing lawfully
done hereunder by the said attorney shall be binding on myself and my heirs, legal and personal representative,
and assigns.

PROVIDED; however, that any and all transactions conducted hereunder for me or for my account shall be
transacted in my name, and that all endorsements and instruments executed by the said attorney for the purpose of
caring out the foregoing powers shall contain my name, followed by that of my said attorney and the designation
“Attorney-in-Fact.”

OWNER

Signature

Printed Name

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____,
by _____.
(name of person acknowledging)

Signature of Notary

Printed Name of Notary or Seal

Personally known _____ OR Produced Identification _____

Type of Identification Produced _____

DO NOT SUBMIT INFORMATION BELOW WITH APPLICATION

APPLICATION AND HEARING INFORMATION

Small-Scale Comprehensive Plan Amendment

A. Does Your Property Meet the Criteria for this Application?

As required by Chapter 163.3187 (1)(c) of the Florida Statutes, certain criteria must be met in order to request a Small-Scale Future Land Use Amendment. The subject property of the proposed amendment must meet the following criteria to be considered a Small-Scale Future Land Use Amendment:

1. The cumulative annual effect of the acreage for all small-scale development amendments adopted by the local government shall not exceed:
 - a. A maximum of 120 acres in a local government that contains areas specifically designated in the local comprehensive plan for urban infill, urban redevelopment, or downtown revitalization as defined in f.s. 163.3164, urban infill and redevelopment areas designated under f.s 163.2517, transportation concurrency exception areas approved pursuant to f.s 163.3180(5), or regional activity centers and urban central business districts approved pursuant to f.s 380.06(2)(e); however, amendments under this paragraph may be applied to no more than 60 acres annually of property outside the designated areas listed in this sub-sub-subparagraph.
 - b. A maximum of 80 acres in a local government that does not contain any of the designated areas set forth in sub-sub-subparagraph (I).
 - c. A maximum of 120 acres in a county established pursuant to s. 9, Art. VIII of the State Constitution.
2. The proposed amendment does not involve the same property granted a change within the prior 12 months.
3. The proposed amendment does not involve the same owner's property within 200 feet of property granted a change within the prior 12 months.
4. The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's comprehensive plan, but only proposes a land use change to the future land use map for a site-specific small-scale development activity.
5. The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of f.s 420.0004(3), and is located within an area of critical state concern designated by f.s. 380.0552 or by the Administration Commission pursuant to f.s. 380.05(1). Such amendment is not subject to the density limitations of sub-subparagraph f., and shall be reviewed by the state land planning agency for consistency with the principles for guiding development applicable to the area of critical state concern where the amendment is located and shall not become effective until a final order is issued under f.s 380.05(6).
6. If the proposed amendment involves a residential land use, the residential land use has a density of 10 units or less per acre, except that this limitation does not apply to small-scale amendments described in sub-sub-subparagraph a.(I) that are designated in the local comprehensive plan for urban infill, urban redevelopment, or downtown revitalization as defined in f.s 163.3164, urban infill and redevelopment areas designated under f.s. 163.2517, transportation concurrency exception areas

approved pursuant to f.s. 163.3180(5), or regional activity centers and urban central business districts approved pursuant to f.s. 380.06(2)(e).

7. If your application does not meet these requirements (for example, the subject site must 10 acres or less), you should file a Large-Scale Comprehensive Plan Amendment. A member of the Community Development Department can assist you with the determination.
8. Furthermore, no text change of the comprehensive plan may be requested for a single site within a land use category, rather, then entire category has to be amended.

B. What Information Do I Need to Submit with My Application?

The following items **must** be submitted with your application packet:

1. Must have had scheduled and completed a pre-application meeting with the Community Development Director or Comprehensive Planning Manager prior to submitting your application;
2. A complete Small-Scale Comprehensive Plan Amendment application;
3. **Application Fee: \$1,200.00 – Ordinance Amendment Applications**
(FY2017 Schedule of Fees, Resolution 17-05, adopted 02/22/17, effective 02/23/17)

Application fee includes First Reviews only. Subsequent Submittal Reviews and all mailing costs will be invoiced to the Applicant; invoices must be paid prior to submittal of additional Submittal Review Packages.

4. A complete and notarized Agent Affidavit (if the applicant is not the owner). Agent Affidavit's must be provided from all owners of the subject property;
5. A signed and sealed survey of the subject property, which includes the legal description and the exact acreage of the proposed amendment (not dated older than 9 months);
6. A copy of the warranty deed, previous year's tax receipt, or property record card for the subject property; and
7. A general location map of the subject property in relation to the City limits.

C. Hearing and Application Submittal Dates

The Local Planning Agency (LPA) hears Small-Scale Comprehensive Plan Amendments on the first Thursday of each month. Submittal deadlines are 60 calendar days prior to hearing date. Failure to provide a complete application and all required items in a timely manner will delay your hearing date. Submit applications to the Community Development Department at the City of Destin Annex, 4100 Indian Bayou Trail, Destin FL 32541.

D. Preparing for Your Public Hearing

A public hearing before the Local Planning Agency is required for any proposed amendment to the City's Comprehensive Plan. The Local Planning Agency will forward the proposed amendment to the Destin City Council with a recommendation of approval or denial for a first reading.

Upon reaching the Council, the amendment must be approved in order for it to be transmitted to the Florida Department of Economic Opportunity (DEO). DEO has the right to review all Small-Scale Comprehensive Plan Amendments and may 1) accept the amendment without changes; 2) require changes, or 3) deny approval of the amendment. If the amendment is approved by DEO with or without changes, the City Council must adopt the amendment by ordinance at a second reading. You will be advised of the date and time of the all hearings by mail. If the Council denies the amendment, then you have thirty (30) days to file an appeal with Circuit Court of Okaloosa County.

Small-scale amendments shall not become effective until 31 days after adoption. If challenged within 30 days after adoption, small-scale amendments shall not become effective until the State Land Planning Agency (DEO) or the Administration Commission, respectively, issues a final order determining the adopted small-scale development amendment is in compliance.

You must appear at the public hearings or be represented by an authorized agent or attorney in order for action to take place on your application. Any representative you designate must have completed a Letter of Authorization form, which is available at the Community Development Department. If the owner or representative fails to appear at the hearing(s), without first providing a written notice to the City, the application will be tabled until the next available hearing date.

It is your responsibility to fully research and know any and all laws that may be applicable and affect the outcome of any decision on your application request. The City assumes no responsibility or liability relating to your failure to research and know all applicable laws including, but not limited to state, federal, and city laws including the city code, land development regulations, and the comprehensive plan. The City recommends that all applicants consider consulting an attorney regarding their application. Furthermore, you are encouraged to review, or copy, the Quasi-Judicial rules and procedures used by the Land Planning Agency prior to the public hearing.

E. Additional Information

Applicants are encouraged to seek a pre-application conference with the Community Development Director to discuss the content and format of the Small-Scale Comprehensive Plan Amendment application. Acceptance of the application for amendment to the Comprehensive Plan should not be construed as staff support for the amendment request. Please contact the Comprehensive Planning Manager at the phone number listed on the front page to schedule an appointment.

Approval of a Small-Scale Comprehensive Plan Amendment does not guarantee and/or entitle the applicant/owner to any type of development permit.