



~Agenda~
City of Fort Walton Beach
Regular Meeting of the Local Planning Agency

Thursday, August 6, 2026

5:30 PM

Council Chambers
107 Miracle Strip Parkway SW
Fort Walton Beach, FL 32548

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF AGENDA**
- 4. APPROVAL OF MINUTES**
 - 4.1. Local Planning Agency Regular Meeting Minutes from Thursday, June 4, 2026**
- 5. PUBLIC COMMENTS**
- 6. QUASI JUDICIAL HEARINGS**
 - 6.1. 2225 Ordinance to Rezone 102 Fourth Street SE from CF to MX-1 (Quasi-Judicial)**
- 7. ORDINANCES**
 - 7.1. 2221 Ordinance Amending LDC Section 6.04.02 - Standards for Parking**
 - 7.2. 2227 Ordinance Amending LDC Section 5.01.01 Home-Based Businesses**
- 8. PLANNING SUPERVISOR REPORTS**
- 9. BOARD MEMBER REPORTS**
- 10. ADJOURNMENT**

Quasi-Judicial – denotes that the item must be conducted as a quasi-judicial hearing in accordance with Florida Statutes.

Any person who decides to appeal any decision made with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. Chapter 286.0105).

The City of Fort Walton Beach adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to this meeting by a physically handicapped person upon notice 48 hours prior to the meeting. Please call the City Clerk, Kim M. Barnes, at 850-833-9509 or e-mail at clerk@fwb.org to make a request. For Telecommunications Relay Services (TRS), dial 711 or e-mail clerk@fwb.org.

All City of Fort Walton Beach council and board meetings are recorded. The video can be accessed at www.fwb.org.



~ Draft Minutes ~
City of Fort Walton Beach
Regular Meeting of the Local Planning Agency

Thursday, June 4, 2026

5:30 PM

Council Chambers
107 Miracle Strip Parkway SW
Fort Walton Beach, FL 32548

1. CALL TO ORDER

The Thursday, June 4 meeting of the Local Planning Agency was called to order at 5:30 PM by Chair Robert Rennie.

Attendee Name	Title	Status
Robert Rennie	Chair	Present
Steve Coates	Vice Chair	Absent
Mary Albright	Board Member	Present
Sam Kinkaid	Board Member	Present
Toan Nguyen	Board Member	Present
Jamie Thompson-Seifert	Board Member	Absent
Janet Wilson	Board Member	Absent
Thomas Cannon	Alternate Member	Absent
James McPherson	Alternate Member	Present

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA

Board Member Kinkaid made a motion to approve the agenda as presented. Board Member Albright seconded the motion, and it passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Kinkaid, Board Member
SECONDER:	Mary Albright, Board Member
AYES:	Rennie, Albright, Kinkaid, Nguyen, McPherson

4. APPROVAL OF MINUTES

Board Member Kinkaid made a motion to approve the minutes of the May 7, 2026 meeting. Board Chair Rennie seconded the motion, and it passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Kinkaid, Board Member
SECONDER:	Robert Rennie, Chair
AYES:	Rennie, Albright, Kinkaid, Nguyen, McPherson

4.1. Local Planning Agency Regular Meeting Minutes from Thursday, May 07, 2026 at 5:30 PM

5. PUBLIC COMMENTS

There were no public comments made at this meeting.

6. QUASI JUDICIAL HEARINGS

6.1. Variance Request to Reduce Compatibility Standards Pertaining to Building Height at 27 Robinwood Drive SW

City Attorney Jeff Burns administered the oath to Planning Supervisor Kelsea Roberts and the applicant's representatives that were present. The City Attorney conducted the required ex-parte disclosure inquiry, to which all Board Members confirmed they had no ex-parte communications regarding the item.

Planning Supervisor Kelsea Roberts presented the variance, noting that a variance for the request at 27 Robinwood Drive SW had previously been approved by the Local Planning Agency (LPA) on March 7, 2024, and subsequently extended once through January 2, 2025. As the Code only permitted one extension and construction had not been completed, the applicant submitted a new application on April 21, 2026. The subject property is 19.39 acres, zoned R2, and bordered to the north and south by properties primarily zoned R1. Land Development Code (LDC) Section 4.00.03 limited building heights to 1.5 times the average height of single-family dwellings within 100 feet of a single family residential use. The proposed four-story structure, approximately 61 feet in height, would be located approximately 41 feet from the single-family properties to the north. The variance request sought to reduce the required separation from 100 feet to 40 feet. Ms. Roberts referenced a 1968 cooperation agreement between the Fort Walton Beach Housing Authority and the City that allowed reasonable and necessary deviations from the building code, but the agreement did not supersede zoning requirements. Ms. Roberts reviewed the variance criteria in LDC Section 8.2.2 and noted staff's chief concerns, including that the property's acreage size undermined a finding of unique physical conditions, that height compatibility standards applied equally to all zoning districts adjacent to single-family uses, making approval a special privilege, and that the proposed structure was inconsistent with Comprehensive Plan Policy A.3.1 that limited building heights adjacent to single-family districts to 1.5 times the average height within those districts. Growth Management Director Tim Gibson noted that a ninth criterion, that the proposed variance was not detrimental to the health, safety, or general welfare of the public, had been inadvertently omitted from the staff report, and clarified that staff found no detrimental impact under that criterion. Staff recommended denial of the variance request.

Mr. Rennie inquired whether the previous board's approval should carry weight in the current proceedings, and the City Attorney clarified that the LPA was the final arbiter rather than a recommending body and that the doctrine of stare decisis did not apply, particularly given that the applicant's project now reflected a material change in building location on the property.

Mark Siner from Choctaw Engineering addressed the Board on behalf of the applicant. Mr. Siner explained that unsuitable subsurface material was discovered during construction under the previously approved variance, necessitating that the structure be shifted laterally on the same property. All other aspects of the project, including height, distance from the northern property line, and the number of stories remained the same. Mr. Siner presented a visual engineering analysis demonstrating that, given the allowable 70-foot building height in the R2 district, a conforming building constructed close to the shared property line could produce a comparable or greater visual impact on adjacent neighbors than the proposed structure. Mr. Siner characterized the new application as largely administrative in nature, driven by the City's variance expiration provisions. Ms. Kinkaid raised the issue of increased traffic and additional residents resulting from the development, and Mr. Siner responded that those impacts are unrelated to the variance, as the number of units on the site may be developed regardless of the variance outcome. Mr. Gibson acknowledged the awkwardness of the Code's completion requirement, noting that staff was actively working on LDC amendments that would likely tie variance validity to permit issuance rather than project completion, after which the variance would run in perpetuity with the structure. James Robinson, Jr., co-owner of the properties at 28 & 30 Comet Street SW, expressed concern that a four-story structure would eliminate privacy for residents on Comet Street, noting that even the existing structures already looked into the second story of neighboring homes due to the elevated terrain. Mr. Siner acknowledged the concern but indicated that the visual impact of a building permitted at up to 70 feet in height was inherent to the adjacent R2 zoning designation and that moving the building to the full 100-foot separation would not meaningfully change the line-of-site impact from upper floors.

Board Member McPherson made a motion to approve the variance request for 27 Robinwood Drive SW based on the applicable factors. Board Chair Rennie seconded the motion, and it passed 4-1.

RESULT:	ADOPTED [4 TO 1]
MOVER:	James McPherson, Alternate Member
SECONDER:	Robert Rennie, Chair
AYES:	Robert Rennie, Mary Albright, Toan Nguyen, James McPherson
NAYS:	Sam Kinkaid

7. ORDINANCES

7.1. 2215 Ordinance Amending LDC Section 5.01.07 Storage Buildings, Storage Sheds, Shipping Containers, Greenhouses, and Detached Garages or Carports to Allow for Commercial uses of Shipping Containers

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA; AMENDING LAND DEVELOPMENT CODE SECTION 5.01.07 STORAGE BUILDINGS, STORAGE SHEDS, SHIPPING CONTAINERS, GREENHOUSES, AND DETACHED GARAGES OR CARPORTS TO ALLOW FOR COMMERCIAL USES OF SHIPPING CONTAINERS; PROVIDING FOR AUTHORITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

The City Attorney read Ordinance 2215 by title.

Ms. Roberts presented the proposed ordinance, amending LDC Section 5.01.07 to allow shipping containers to be used as primary commercial structures in addition to their currently permitted use as single storage units per property. Staff received multiple inquiries from business owners seeking to use shipping containers for commercial purposes such as restaurants and outdoor seating areas, and researched comparable projects in other jurisdictions. The proposed amendment created an exemption from existing storage container standards for primary commercial structures while retaining the current limit of one shipping container per property for storage-only uses. Ms. Roberts confirmed that any commercially used shipping containers would still be subject to all applicable permitting requirements and would be reviewed in the same manner as any other new commercial constructions. The business impact statement found no additional compliance costs, fees, or regulatory burdens for businesses, and no businesses would be negatively impacted by the ordinance.

Mr. Rennie noted seeing a residential property south of Hollywood Boulevard that appeared to contain three shipping containers and asked if this would be allowed. Ms. Roberts responded that under current code it would not be allowed because properties were presently limited to one shipping container for storage only. Mr. McPherson asked about limits on the number of containers or the stacked height allowed. Ms. Roberts confirmed that the same standards that apply for any normal commercial building would still apply. Ms. Kinkaid asked whether the Community Redevelopment Agency (CRA) district had previously been denied allowing storage units in the area, and Mr. Gibson responded that the restriction was struck down by City Council. Mr. Gibson noted that in Central and South Florida many businesses could be seen that were built completely from shipping containers and that utility use would have to be reviewed and allowed as part of the commercial development process if the same usage was allowed locally.

Board Chair Rennie made a motion to recommend approval of Ordinance 2215 amending LDC Section 5.01.07 regarding storage buildings, storage sheds, and shipping containers to allow commercial uses of shipping containers. Board Member Kinkaid seconded the motion, and it passed 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Rennie, Chair
SECONDER:	Sam Kinkaid, Board Member
AYES:	Rennie, Albright, Kinkaid, Nguyen, McPherson

7.2. 2216 Ordinance Amending LDC Section 9.00.03 Development Permits and Development Orders Required; Exemptions; Recording

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA; AMENDING LAND DEVELOPMENT CODE SECTION 9.00.03 DEVELOPMENT PERMITS AND DEVELOPMENT ORDERS REQUIRED; EXEMPTIONS; RECORDING; PROVIDING FOR AUTHORITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

The City Attorney read Ordinance 2216 by title.

Ms. Roberts presented the proposed ordinance and explained that staff had received requests for pole barns on commercial properties that, under current code, would require an expedited development order if the facility was 1,000 square feet or larger. LDC Section 9.00.03(B) required a development order prior to issuance of a local development permit for new construction, redevelopment, additions, and site modifications adding 1,000 square feet or more of gross building area with single and two-family dwellings among the exceptions. Staff evaluated whether pole barns up to 5,000 square feet and enclosed on no more than one side could be exempted from development order requirements. After reviewing requirements with the Public Works Department, staff concluded that the relevant issues for the pole barns could be properly addressed during the building permit process without a full development order. Ms. Roberts emphasized that Florida Building Code requirements, fire code requirements, and any other applicable state or local regulations would still apply. Ms. Roberts noted there would be no direct financial impact to the City and no additional compliance costs, fees, charges, or regulatory costs imposed on businesses by the amendment. Staff recommended that the Local Planning Agency recommend City Council adopt Ordinance 2216 to exempt pole barns under 5,000 square feet and enclosed on no more than one side from the requirements to obtain a development order. Mr. Rennie sought clarification that structures with concrete floors would still require permits and must meet setback requirements, which staff confirmed.

Board Member Kinkaid made a motion to approve Ordinance 2216 amending LDC Section 9.00.03 Development Permits and Development Orders Required; Exemptions; Recording to exempt pole barns less than 5,000 square feet and not enclosed on more than one side from the development order application requirement. Board Chair Rennie seconded the motion, and it passed 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Kinkaid, Board Member
SECONDER:	Robert Rennie, Chair
AYES:	Rennie, Albright, Kinkaid, Nguyen, McPherson

8. PLANNING SUPERVISOR REPORTS

No reports were heard from the Planning Supervisor.

9. BOARD MEMBER REPORTS

No reports were heard from the Board.

10. ADJOURNMENT



Local Planning Agency

GROWTH MANAGEMENT

MEMORANDUM

To: Jason Davis, City Manager

From: Tim Gibson, Growth Management Director

Date: August 6, 2026

Subject: 2225 Ordinance to Rezone 102 Fourth Street SE from CF to MX-1 (Quasi-Judicial)

1. **BACKGROUND:**

- 1.1. The owners of 102 Fourth Street SE desire to develop the property into townhomes for workforce housing.
- 1.2. Per Land Development Code (LDC) Section Table 2.03.02. Townhomes are not allowed on properties zoned CF (Community Facilities), but are allowed on properties zoned MX-1 (Mixed-Use Medium).
- 1.3. Per LDC Table 2.01.05. MX-1 zoning is only allowed on properties with a Future Land Use of MU (Mixed Use)
- 1.4. This property currently has a Future Land Use of MU (Mixed Use)
- 1.5. On July 22, 2026, the Growth Management Department received an application (2026-07-108) to change the zoning from CF (Community Facilities) to MX-1 (Mixed-Use Medium) for 102 Fourth Street SE.
- 1.6. No comments have been received on this project.

2. **PROPERTY DESCRIPTION:**

2.1. Site Information:

- 2.1.1. The property is located at 102 Fourth Street SE.
- 2.1.2. The subject site consists of one (1) parcel consisting of a Parcel ID No 14-13-2S-24-0270-0004-001B.
- 2.1.3. The total site size is approximately 0.86 acres.
- 2.1.4. The property currently has Future Land Use designation of MU (Mixed-Use)
- 2.1.5. Current Zoning Designation: CF (Community Facilities)
- 2.1.6. Proposed Zoning Designation: MX-1 (Mixed-Use Medium).
- 2.1.7. Existing Land Use: REL (Religious)
- 2.2. Current Adjacent Property Land Use Analysis:

	Existing Land Use	Future Land Use Designation	Zoning Designation
North	Recreational (REC) & Low Density Residential (LDR)	Mixed Use (MU) & Medium Density Residential (MDR)	Community Facilities (CF) & Multi-Family Residential (R-2)
South	Low Medium Density Residential (LMDR) & Low Density Residential (LDR)	Medium Density Residential (MDR)	Multi-family Residential (R-2) & Mixed Use Medium (MX-1)
East	Vacant (VAC)	Mixed Use (MU)	Mixed Use High (MX-2)
West	Religious (REL) & Low Medium Density Residential (LMDR)	Medium Density Residential (MDR) & Mixed Use (MU)	Planned Unit Development (PUD) & Community Facilities (CF)

3. **STAFF ANALYSIS:**

3.1. Section 2.01.05 of the City's Land Development Code outlines the criteria to be used in determination of the appropriate zoning district:

3.1.1. Whether the requested zoning district is consistent with the future land use category according to Table 2.01.05.

According to Table 2.01.05 of the City's Land Development Code, MX-1 is an allowable zoning district within the Mixed-Use (MU) future land use category.

3.1.2. Whether the uses within the requested zoning district are compatible with the uses in adjacent zoning districts. Compatibility is determined by considering scale of use; intensity of use as determined by floor area ratio and impervious surface coverage; hours of operation; impacts from noise in parking lots or structures; noise from outdoor gathering places; noise from outdoor speakers; noise from processes such as from body shops, equipment shops, and industrial activities; lighting from parking lots or structures and vehicles; and security lighting. Compatibility shall consider the range of allowable uses on parcels adjacent to the proposed rezoning parcel and the typical impacts from those uses.

As stated previously, this property is adjacent to 3 different zoning districts with 2 different future land uses. The proposed zoning district would be compatible with the zoning to the South and would remain less intense than the zoning to the East. The proposed development of townhomes would be compatible with the uses in adjacent properties; however, it is important to note there are other allowable uses in the MX-1 zoning district that would be less compatible with the single-family homes to the North and South. Given the large amount of multi-family housing and commercial buildings in the neighborhood, staff believes this is compatible.

3.1.3. Whether the requested use is substantially more intense or less intense than

allowable development on adjacent parcels. The range of uses permissible according to the land use category and zoning district on the adjacent parcels is the basis for determination.

The proposed use of townhomes would not be substantially more or less intense than allowable development on adjacent parcels, as townhomes are allowable on all adjacent properties with the exception of CF (Community Facilities) to the North and West.

- 3.1.4. Whether the requested use is based on soil types, topography, protection of natural resources, and protection of designated historic areas.

The requested use of the property must address soil types, topography, protection of natural resources and protection designated historic areas in accordance with the Land Development Code (LDC) and Comprehensive Plan. Specific site development criteria are reviewed and addressed through the City's development order and building permitting process. Specifically, whenever a proposed development is located in or near a natural resource or historically significant area, additional review, permitting and mitigation is required to ensure that these resources are properly protected. This property is not in a flood zone or in an archaeologically sensitive area.

4. STAFF FINDINGS OF FACT:

- 4.1. Staff finds that the proposed zoning is consistent with the existing Future Land Use category according to Table 2.01.05.
- 4.2. Staff finds that the uses within the requested zoning district are compatible with the uses in the adjacent zoning districts.
- 4.3. Staff finds that the requested use is not substantially more intense or less intense than allowable development on adjacent parcels.
- 4.4. Staff finds that the requested use is based on soil types, topography, protection of natural resources, and protection of designated historical areas.

5. RECOMMENDATION:

- 5.1. Staff respectfully recommends Local Planning Agency approval to recommend City Council adoption of Ordinance No. 2225 to rezone 102 Fourth Street SE from CF (Community Facilities) to MX-1 (Mixed-Use Medium) zoning district.

ATTACHMENTS:

- 2026-07-108-Customer_Application_Printout_260723.071122_Redacted (PDF)
- 2026-07-108-26-24 survey (PDF)
- 2026-07-108-26-24 legal description (PDF)
- 2026-07-108-26-24 owners consent & designation of agency (PDF)
- 102 Fourth St SE EXHIBIT A (PDF)
- 102 Fourth St SE EXHIBIT B (PDF)
- 102 Fourth St SE EXHIBIT C (PDF)

- 102 Fourth St SE EXHIBIT D (PDF)
- 102 Fourth St SE EXHIBIT E (PDF)
- Business Impact Statement for Ordinance 2225 (DOCX)

SIGNATURE BLOCK:

Tim Gibson	Completed	07/24/2026 9:28 AM
Finance	Completed	07/27/2026 10:32 AM
City Attorney	Completed	07/27/2026 9:48 PM
City Clerk	Completed	07/28/2026 7:38 AM
City Manager	Completed	07/29/2026 7:23 AM
Local Planning Agency	Pending	08/06/2026 5:30 PM
City Council	Pending	08/11/2026 6:00 PM
City Council	Pending	08/25/2026 6:00 PM

ORDINANCE 2225

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA, PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR PROPERTY DESCRIBED AS 102 FOURTH STREET SE, MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE, TO BE REZONED MX-1 (MIXED-USE MEDIUM) ZONING DISTRICT; PROVIDING FOR THE AMENDMENT OF THE AFFECTED PORTION OF THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the property located at 102 Fourth Street SE has a current Zoning designation of Community Facilities (CF); and

WHEREAS, the property owner has expressed the desire to develop townhouses on the property located at 102 Fourth Street SE for workforce housing; and

WHEREAS, Staff determined the Zoning must be updated to allow for the proposed use on the property; and

WHEREAS, on July 22, 2026, the Growth Management Department received an application, 2026-07-108, to rezone the property located at 102 Fourth Street SE from CF (Community Facilities) to MX-1 (Mixed-Use Medium); and

WHEREAS, Staff have reviewed the applications, the applicable state statutes, City codes, and the City's Local Planning Agency has reviewed the requested amendments to the Zoning for 102 Fourth Street SE and have recommended to the City Council approval of the changes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA AS FOLLOWS:

Section 1. Authority and Intent

- A. The authority for enactment of this ordinance is contained in Chapter 166.021 and other provisions of the Florida Statutes and Section 2 of the City Charter.
- B. The Local Planning Agency held a public hearing and considered this ordinance on August 6, 2026. The City Council conducted public hearings on August 11, 2026, and August 25, 2026, after giving due public notice.

Section 2. Findings of Fact

City Council hereby finds the following:

- A. That the proposed zoning is consistent with the proposed Future Land Use category according to Table 2.01.05.
- B. That the uses within the requested zoning district are compatible with the uses in the adjacent zoning districts.

- C. That the requested use is not substantially more intense or less intense than allowable development on adjacent parcels.
- D. That the requested use is based on soil types, topography, protection of natural resources, and protection of designated historical areas.

Section 3. Property Rezoned

The following described property is hereby zoned MX-1 (Mixed-Use Medium) zoning district:

LOTS 1, 2, 3, 12, AND 13 BLOCK 4, BROOKS ADDITION TO FORT WALTON

Section 4. Amendment of the Official Zoning Map

The Official Zoning Map of the City of Fort Walton Beach is hereby amended to change the zoning classification of the subject properties from CF (Community Facilities) to MX-1 (Mixed-Use Medium).

Section 5. Severability

If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

Section 6. Effective Date

This Ordinance shall take effect upon adoption on second reading by City Council and signature of the Mayor.

Adopted: _____

Nic Allegretto, Mayor

Attest:

Approved as to legal form and sufficiency
for the City of Fort Walton Beach, only.

Kim M. Barnes, City Clerk

Jeffrey L. Burns, City Attorney

Fort Walton Beach Revized Rezoning Application

Online Request #: 3528417

Project #: 2026-07-108

Submitted by:
Christy JonesLocation: **102 FOURTH ST SE**City: **FORT WALTON BEACH** State: **FL** Zip: **32548**

Contact Information

Applicant's Contact Information

Title: First Name: **Christy** Last Name: **Jones** Suffix:Business Name: **Jenkins Engineering, Inc.**

Mailing Address:

City: **Fort Walton
Beach**State: **FL**Zip: **32548**

Email Address:

Cell Phone:

Work Phone:

Home Phone:

Property Owner's Contact Information

Title: First Name: **Dwight L.** Last Name: **Williams** Suffix:Business Name: **Greater Peace Missionary Baptist Church, Inc.**

Mailing Address:

City: **Fort Walton
Beach**State: **FL**Zip: **32548**

Email Address:

Cell Phone:

Work Phone:

Home Phone:

Application Questionnaire (* denotes required question)

Rezoning Application

You can complete this application and view updates online at [MGO Connect](#)

Printed 7/23/2026

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Tax Parcel ID Number(s) *	<u>13-2S-24-0270-0004-001B</u>
Legal Description *	<u>LOTS 1,2,3,12, AND 13, BLOCK 4, BROOKS ADDITION TO FORT WALTON</u>
Zoning District *	<u>CF</u>
Future Land Use Map Designation *	<u>MU</u>
Proposed Zoning District *	<u>MX-1</u>
Provide a statement on the purpose and justification on the proposed change in zoning district. *	<u>The proposed zoning district of Mixed-Use (Medium Intensity) MX-1 allows a wide variety of land uses to include the development of townhomes.</u>
Provide a statement indicating how the proposed zoning district is consistent with the land use category of the subject property. *	<u>The proposed zoning district will allow the development of affordable housing townhomes within the subject property of this application.</u>
Provide a statement indicating how the proposed zoning district is consistent with the goals, objectives, and policies of the Comprehensive Plan. *	<u>The subject parcel and applicant are the recipient of the City's Workforce Incentive Fund in accordance with City Ordinance 2099 (Workforce Housing) and Section 4.10.00 of the City's Land Development Code. The City Council approved to allocate funding to facilitate the development of eight (8) workforce townhome units.</u>



You can complete this application and view updates online at [MGO Connect](#)

Describe the existing land use pattern at the subject property. *

The selection of Mixed Use Medium, MX-1, is consistent with the surrounding uses at this location. The southern adjacent property is zoned MX-1 as well as the entirety of the northeastern block. The entirety of the block to east is zoned at the higher Mixed-Use High, MX-2, designation. Other surrounding uses include Multi-Family Residential, R-2, and Community Facilities, CF. Zoning designations of MX-1, MX-2, and R-2 enable the improvement of townhomes within the zoning category.

Describe how the proposed zoning district is more appropriate than the current zoning district. *

The selection of Mixed Use Medium, MX-1, will allow for the intended development of townhomes on the subject parcel. The current zoning designation of Community Facilities, CF, does not provide this as an allowable use.

Describe the potential impacts of the proposed rezoning on the surrounding neighborhood. *

The proposed rezoning will be consistent with the surrounding zoning and development within this area and will not cause potential impacts.

Will the proposed change in zoning district create an isolated district unrelated to adjacent districts? *

No

Documents Uploaded

The following documents are attached to the Application.

26-24 transmittal.pdf

26-24 rezoning application.pdf



You can complete this application and view updates online at [MGO Connect](#)

26-24 rezoning narrative.pdf

26-24 aa.pdf

26-24 legal description.pdf

26-24 survey.pdf

Owners Consent and Designation of Agency

26-24 owners consent & designation of agency.pdf

Attachment: 2026-07-108-Customer_Application_Printout_260723.071122_Redacted (2225 : 2225 Ordinance to Rezone 102 Fourth Street SE



You can complete this application and view updates online at [MGO Connect](#)

Printed 7/23/2026

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LEGEND

PI = POINT OF INTERSECTION
(P) OR (PLAT) = PLATTED
(D) OR (DESC) = DESCRIPTION
(M) OR (MEAS) = MEASURED
OR BOOK = OFFICIAL RECORD
PCP = PERMANENT CONTROL
PRM = PERMANENT REFERENCE
NAVD = NORTH AMERICAN VERTICAL DATUM
NGVD = NATIONAL GEODETIC VERTICAL DATUM
DOT = DEPARTMENT OF TRANSPORTATION
DEP = DEPARTMENT OF ENVIRONMENTAL PROTECTION

LEGEND

NFO = FOUND
NFI = FOUND IN PLACE
FIP = FOUND IN PLACE
NFO = FOUND ON DISC
FYI = TYPICAL
NFO = FOUND ON ELEVATION
ELEV = ELEVATION
CELINE = CENTERLINE

RW = RIGHT OF WAY
CL = CHAIN LINK FENCE
WPF = WOOD PRIVACY FENCE
DO = DRAINAGE & UTILITY
LUT = LIGHT UTILITIES
DIT = DRIVEWAY
EDG = EDGE OF PAVING
BCB = BACK OF CURB
PP = POWER POLE
OVL = OVERHEAD LINES
FF = FINISHED FLOOR ELEVATION
IRON RODS AFR. 1'02"

UNLESS OTHERWISE NOTED ALL IRON RODS AFR. 1'02"

BASIS OF BEARINGS

•

SOURCE OF DESCRIPTION

COUNTY, FLORIDA

OKALOOSA

NO FOR

1111

AS ADD

PROOF

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E. AND

71,671

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NOTES

DESCRIF

SURVEYORS CERTIFICATE
 I HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE
 BEST OF MY KNOWLEDGE AND BELIEF, AND MEETS THE STANDARDS
 OF PRACTICE OF THE FLORIDA BOARD OF SURVEYORS AND MAPPERS.
 (5-1-17 050 - 052 F.C.)

OBVIOUS ENCROACHMENTS	NONE
UNDERGROUND ENCROACHMENTS (NOT LOCATED)	
SCALE	1"=30'
SURVEY DATE	04-30-2024
ORDERED BY:	GREATER PEACE

Edward E Rice

EDWARD E. RICE LS3420

MISSIONARY BAPTIST CHURCH, INC			
F.B.	24-01	PG 151-152	W.O. 2024-0285

RECERTIFIED DATE _____ W.O. _____
ORDERED BY _____

TYPE OF SURVEY	BOUNDARY & TOPO
PURPOSE	REZONING & SITE DESIGN

PANHANDLE ASSOCIATES INC.

PANHANDLE ASSOCIATES INC.
701-A EDGE STREET, FORT WALTON BEACH, FLORIDA 32547 (850) 864-1968 LAND SURVEYING BUSINESS LICENSE NO. 2355

LEGAL DESCRIPTION

LOTS 1,2,3,12, AND 13, BLOCK 4, BROOKS ADDITION TO FORT WALTON

OWNER'S CONSENT AND DESIGNATION OF AGENCY

I, Dwight L. Williams, Sr. (AKA Sabu Williams), the fee simple owner of the following described property (give legal description):

13-2S-24-0270-0004-001B

hereby petition to the City of Fort Walton Beach for *Approval of a Site Development Plan* for Greater Peace Missionary Baptist Church, Inc. and affirm that Jenkins Engineering, Inc. is hereby designated to act as agent on my behalf to accomplish the above.

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand this application; attachments and fees become part of the official records of the City of Fort Walton Beach, Florida, and are not returnable.



(Owner's Signature)

The foregoing instrument was sworn to (or affirmed), subscribed, and acknowledged before me by means of ☒ physical presence or ☐ online notarization, by Dwight L. Williams (name of person making statement), who ☒ is personally known to me or ☐ has produced _____ (type of identification) as identification

Christy Jones

(Printed Name of Notary Public)

Christy Jones

(Signature of Notary Public)

Commission # HH465474. My commission expires 11/19/27.

(Notary's Seal)

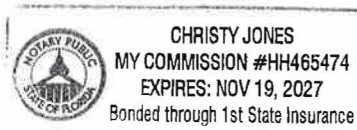
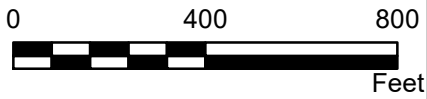


Exhibit "A"
Location Map
102 Fourth St SE
13-2S-24-0270-0004-001B

City of
Fort Walton Beach
Planning Division



Prepared by the
City of Fort Walton Beach
GIS Division

Legend

- • — City Limits
-  Request Site

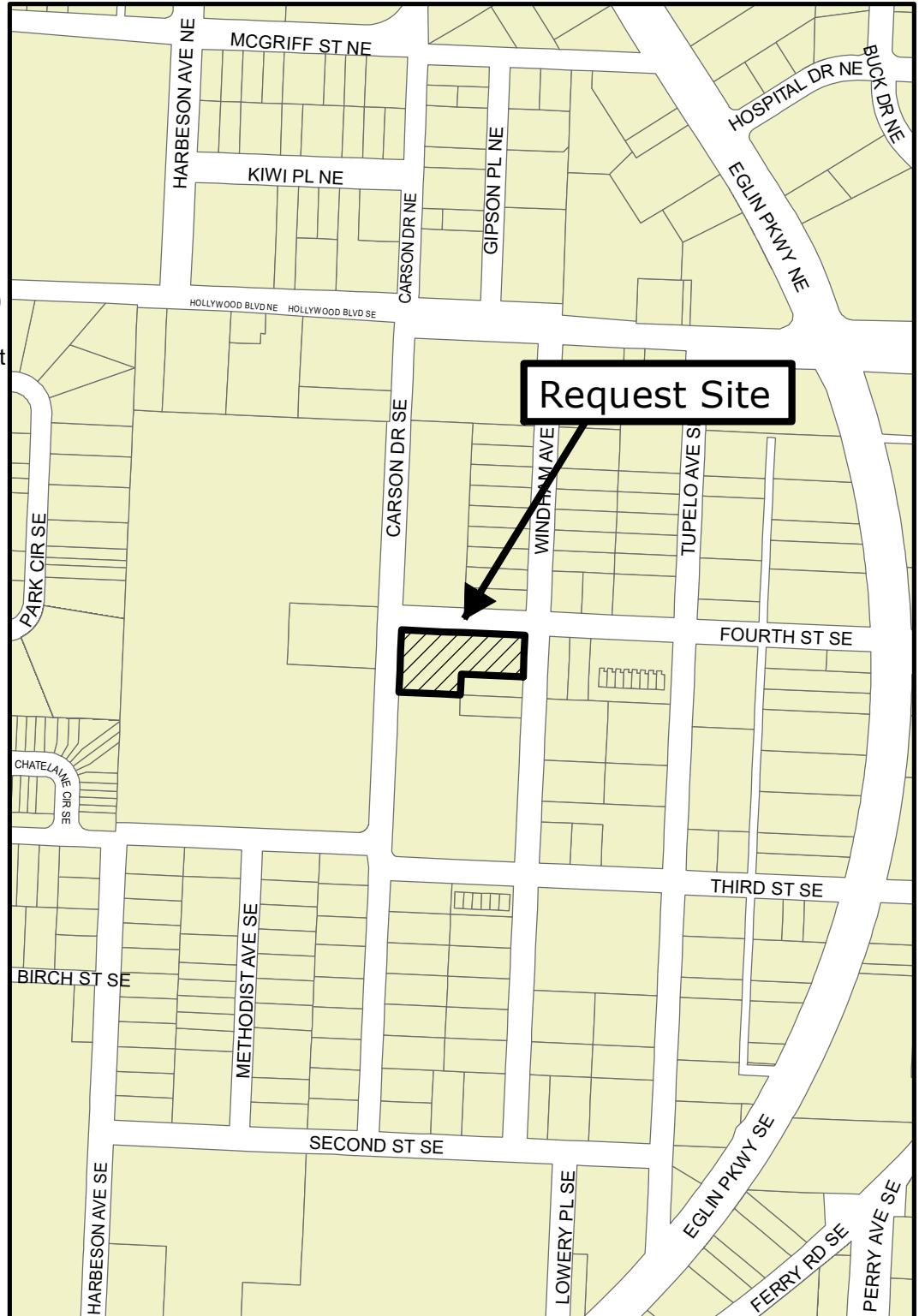


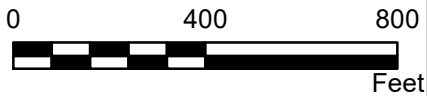
Exhibit "B"

Zoning

102 Fourth St SE

13-2S-24-0270-0004-001B

City of
Fort Walton Beach
Planning Division



Prepared by the
City of Fort Walton Beach
GIS Division

Legend

City Limits

Zoning

- R-1 SINGLE FAMILY RESIDENTIAL
- R-1E SINGLE FAMILY RESIDENTIAL ESTATE
- R-2 MULTI-FAMILY RESIDENTIAL
- YC YACHT CLUB
- MX-1 MIXED-USE MEDIUM
- MX-2 MIXED-USE HIGH
- MB MIXED BUSINESS & MANUFACTURING
- CTP COMMERCE & TECHNOLOGY PARK
- CF COMMUNITY FACILITIES
- CG COMMERCIAL
- PUD PLANNED UNIT DEVELOPMENT
- REC RECREATION
- NZ NOT ZONED

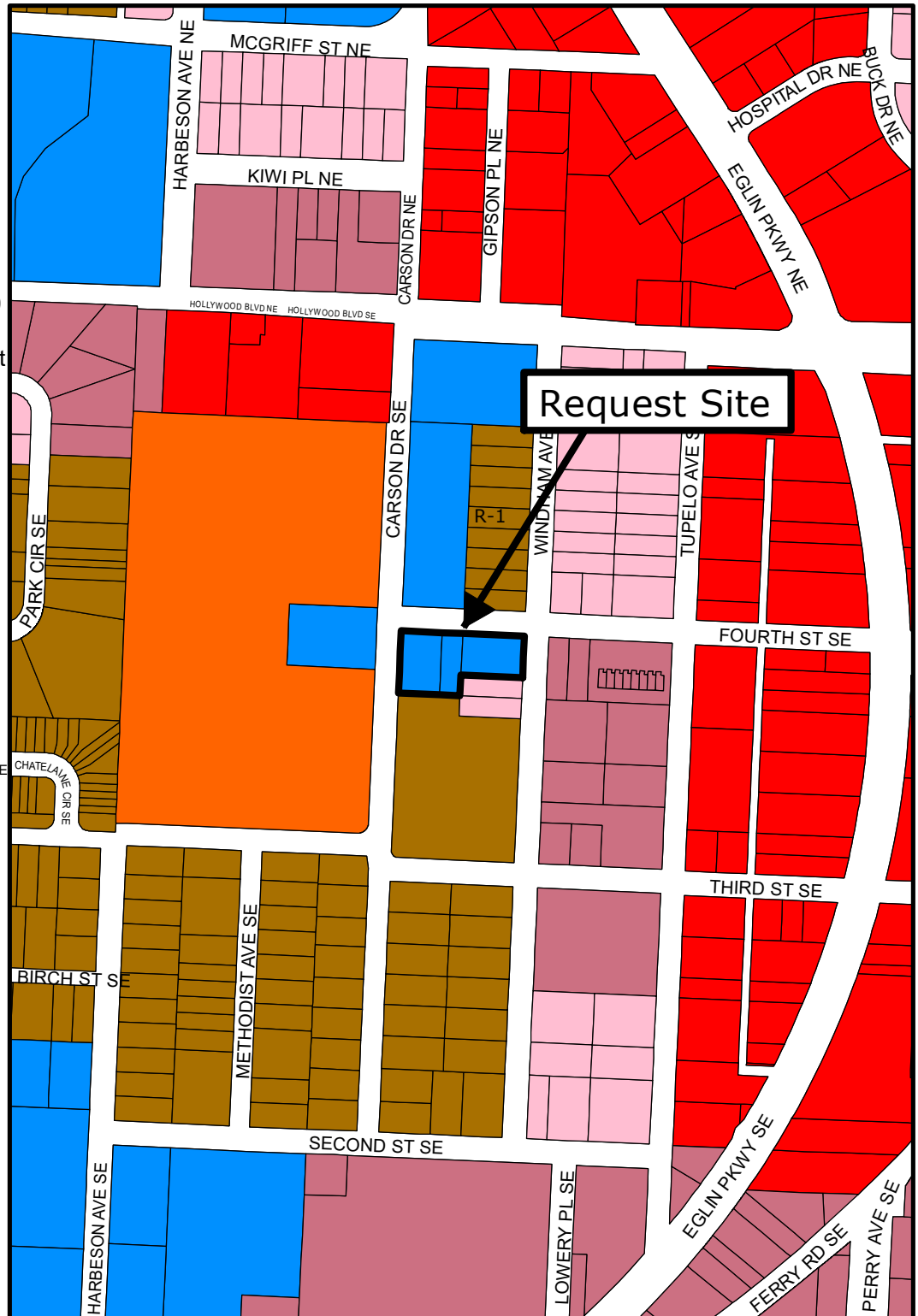
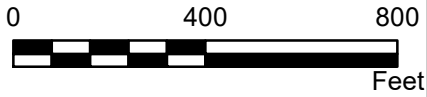


Exhibit "C"
 Future Land Use
 102 Fourth St SE
 13-2S-24-0270-0004-001B

City of
 Fort Walton Beach
 Planning Division



Prepared by the
 City of Fort Walton Beach
 GIS Division

Legend

City Limits

FUTURE LAND USE

- LDR - LOW DENSITY RESIDENTIAL
- MDR - MEDIUM DENSITY RESIDENTIAL
- MU - MIXED USE
- COM - COMMERCIAL
- MBI - MIXED BUSINESS/INDUSTRIAL
- IND - INDUSTRIAL
- CIU - CIVIC, INSTITUTIONAL & UTILITY
- REC - RECREATION
- CNS - CONSERVATION
- PC - PRIVATE CLUB
- NF - NOT FLUMED

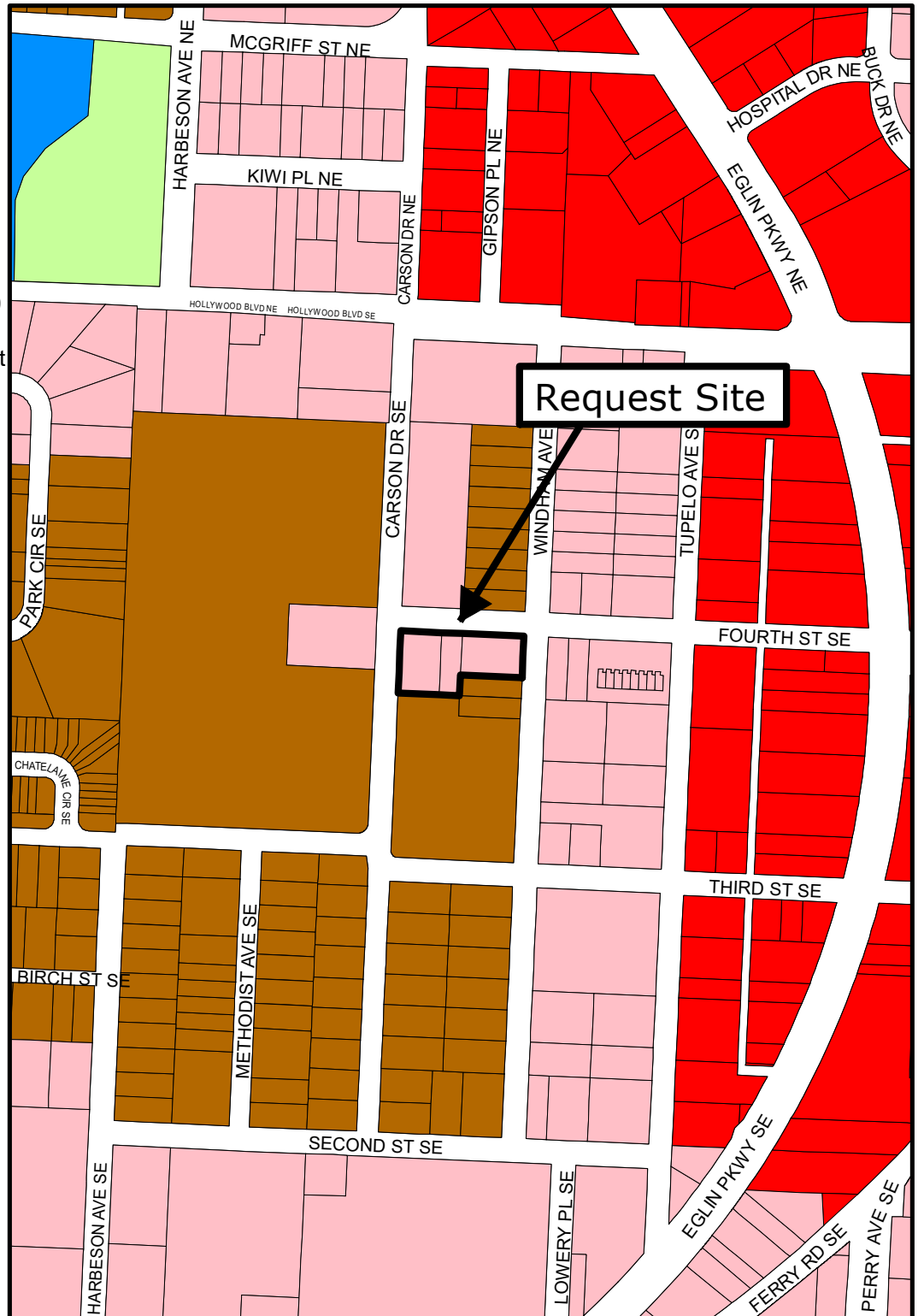
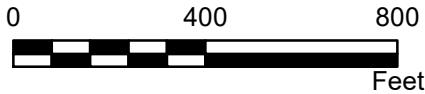


Exhibit "D"
Existing Land Use
102 Fourth St SE
13-2S-24-0270-0004-001B

City of
Fort Walton Beach
Planning Division



Prepared by the
City of Fort Walton Beach
GIS Division

Legend

- • City Limits
- EXISTING LAND USE**
- COMMERCIAL
- EDUCATIONAL
- INDUSTRIAL
- LOW DENSITY RES.
- LOW MEDIUM DENSITY RES.
- MEDIUM DENSITY RES.
- MIXED USE
- OFFICE
- PUBLIC LAND & BLDGS.
- PARKING
- RECREATIONAL
- RELIGIOUS
- TRANSIENT LODGING
- UTILITIES
- VACANT

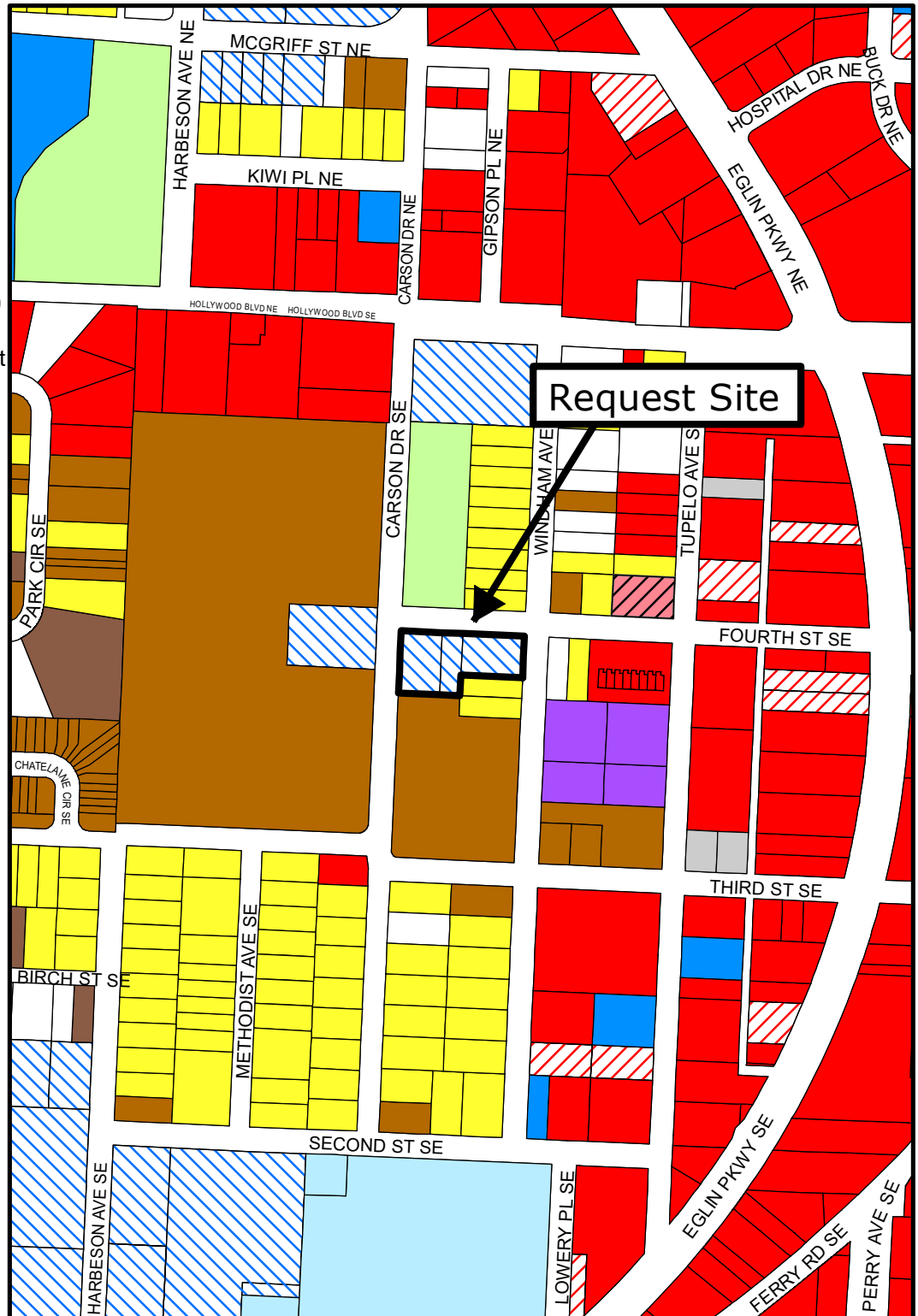


Exhibit "E"

Proposed Zoning

102 Fourth St SE

13-2S-24-0270-0004-001B

City of
Fort Walton Beach
Planning Division



0 400 800
Feet



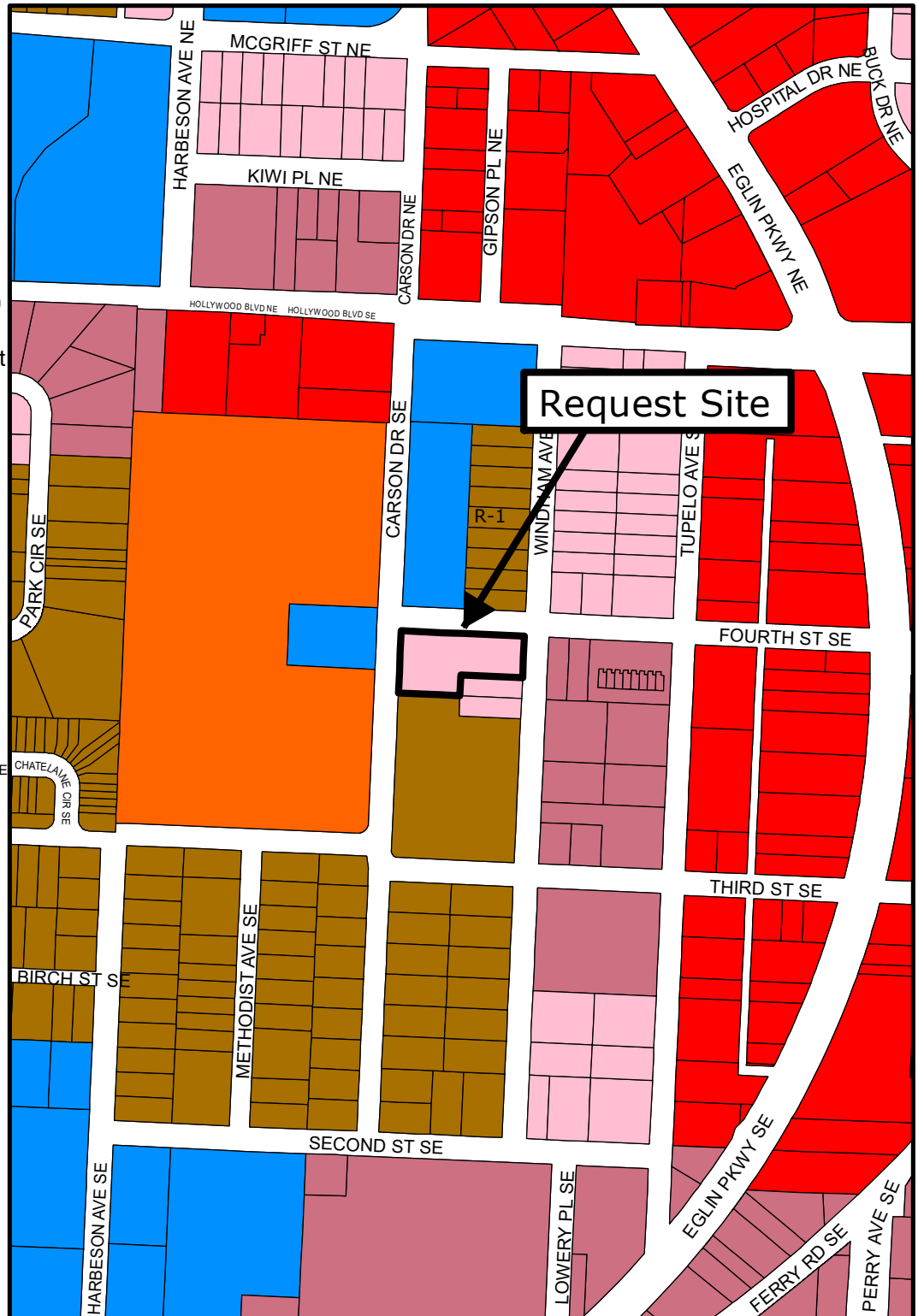
Prepared by the
City of Fort Walton Beach
GIS Division

Legend

City Limits

Zoning

- R-1 SINGLE FAMILY RESIDENTIAL
- R-1E SINGLE FAMILY RESIDENTIAL ESTATE
- R-2 MULTI-FAMILY RESIDENTIAL
- YC YACHT CLUB
- MX-1 MIXED-USE MEDIUM
- MX-2 MIXED-USE HIGH
- MB MIXED BUSINESS & MANUFACTURING
- CTP COMMERCE & TECHNOLOGY PARK
- CF COMMUNITY FACILITIES
- CG COMMERCIAL
- PUD PLANNED UNIT DEVELOPMENT
- REC RECREATION
- NZ NOT ZONED



Attachment: 102 Fourth St SE EXHIBIT E (2225 : 2225 Ordinance to Rezone 102 Fourth Street SE from CF to MX-1 (Quasi-Judicial))



City of Fort Walton Beach

"The Treasure of the Emerald Coast"

105 Miracle Strip Parkway SW * Fort Walton Beach, FL 32548

(850) 833-9607 * Fax (850) 833-9926

TDD (850) 833-9925

Growth Management Department



To: Mayor Allegretto and City Council Members

From: Kelsea Roberts, Planning Supervisor

Date: July 23, 2026

Subject: Ordinance 2225 – Business Impact Statement

In accordance with Section 166.041 of the Florida Statute, the City is required to prepare (or cause to be prepared) a business impact estimate prior to enacting an ordinance, subject to exemptions noted in the Law. Following are the categories required to be addressed for the proposed ordinance:

1. Summary of proposed Ordinance 2225

This ordinance is to rezone 102 Fourth Street SE (13-2S-24-0270-0004-001B). The property has an existing zoning designation of CF – Community Facilities. The proposed zoning designation is MX-1 Mixed-Use Medium Intensity.

2. Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the city

a. Estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted.

There is no additional compliance cost associated with this ordinance.

b. Identification of any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible.

There will be no new fees or charges for any business as a result of this ordinance.

c. An estimate of the City's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

There will be no regulatory costs associated with this ordinance.

3. A good faith estimate of the number of businesses likely to be impacted by the ordinance.

There are no business impacts as a result of this ordinance.

4. Any additional information the board determines may be useful.

None



City Council of Fort Walton Beach

GROWTH MANAGEMENT

MEMORANDUM

To: Jason Davis, City Manager

From: Tim Gibson, Growth Management Director

Date: August 6, 2026

Subject: 2221 Ordinance Amending LDC Section 6.04.02 - Standards for Parking

1. **BACKGROUND:**

- 1.1. Staff has received inquiries and concerns regarding the current Land Development Code Section 6.04.02 which states “C. Parking spaces to meet Federal and State ADA requirements shall be provided in addition to the parking requirements set forth in Table 6.04.02.”
- 1.2. One such concern includes the, at times, compounding nature of such a regulation. Per Section 208.2 of the Americans with Disabilities Act, the number of ADA Spaces required is based on the overall number of spaces in the parking lot. If Land Development Code Table 6.04.02 specifies that 24 standard parking spaces are required, and the 1 required ADA space must be provided in addition to the 24 regular, it would become a parking lot with 25 spaces in total. A 25 space parking lot would require 2 ADA Spaces to be in compliance. This was brought to staff’s attention as a potential unintended consequence to our existing standards.

2. **DISCUSSION:**

- 2.1. Staff has reviewed the regulations of other jurisdictions in the area to determine how other municipalities and counties handle ADA Parking in relation to the standard parking spaces required.
 - 2.1.1. Staff has found that it is almost equally common to include or not include ADA parking in the overall parking count.
- 2.2. Staff has also found that many pre-existing parking lots do not meet the requirement of having ADA spots in addition to the number of standard spaces required.
- 2.3. Given that staff is not aware of any issues having arisen from the various existing parking lots that do not meet this requirement and that many outside jurisdictions allow for the ADA Spots to be included in the overall parking count, staff is recommending that this specific provision be removed from the Land Development Code.

3. **FINANCIAL INFORMATION:**

- 3.1. There is no direct financial impact on the City.

4. **RECOMMENDATION:**

- 4.1. Staff respectfully recommends the Local Planning Agency recommend that the City

Council adopt Ordinance No. 2221 which amends the Land Development Code Section 6.04.02 – Standards for Parking to allow for the inclusion of ADA Parking Spaces in the tabulation for required parking.

ATTACHMENTS:

- Business Impact Statement for Ordinance 2221 (DOCX)

SIGNATURE BLOCK:

Kelsea Ann Roberts	Completed	07/21/2026 10:58 AM
Tim Gibson	Completed	07/23/2026 12:15 PM
Finance	Completed	07/27/2026 10:33 AM
City Attorney	Completed	07/27/2026 9:33 PM
City Clerk	Completed	07/28/2026 8:15 AM
City Manager	Completed	07/29/2026 7:22 AM
Local Planning Agency	Pending	08/06/2026 5:30 PM
City Council	Pending	08/11/2026 6:00 PM
City Council	Pending	08/25/2026 6:00 PM

ORDINANCE 2221

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA; AMENDING SECTION 6.04.02 STANDARDS FOR PARKING TO ALLOW FOR THE INCLUSION OF ADA PARKING SPACES IN THE TABULATION FOR REQUIRED PARKING; PROVIDING FOR AUTHORITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, staff has received concerns regarding the existing Land Development Code regulations regarding parking and is recommending that 6.04.02 C be revised to allow for the inclusion of ADA Parking in the overall required parking tabulation;

WHEREAS, the City Council has determined that this ordinance is consistent with the adopted Comprehensive Plan and is in the best interest of the City and its citizens; and

WHEREAS, a public hearing has been conducted by the City Council after due public notice.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA, AS FOLLOWS:

Section 1. AUTHORITY AND INTENT

The authority for enactment of this ordinance is contained in Chapter 166.021, 163.3202, and other provisions of the Florida Statutes and the City Charter.

Section 2. AMENDING SECTION 5.04.31, LAND DEVELOPMENT CODE

6.04.02 - Standards for Parking.

- A. The minimum number of vehicular parking spaces and bicycle parking spaces are provided in Table 6.04.02.
- B. The City shall not approve a parking lot with more than 110 percent of the parking spaces required according to Table 6.04.02.
- C. Parking spaces to meet Federal and State ADA requirements shall be provided as required by Chapter 553 Section 5041, F.S. ~~in addition to the parking requirements set forth in Table 6.04.02.~~
- D. Up to five (5) percent of the required parking spaces may be designed and allocated to accommodate motorcycles

Section 3. APPLICABILITY

For the purposes of jurisdictional applicability, this ordinance shall apply in the City of Fort Walton Beach. This ordinance shall apply on or after the effective date of this ordinance.

Section 4. INCLUSION INTO THE LAND DEVELOPMENT CODE

It is the intent of the City Council that the provisions of this ordinance shall become and be made a part of the City of Fort Walton Beach's Land Development Code, and that the sections of this ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. SEVERABILITY

In the event any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of City Council that such invalidity shall not affect any other provisions of the Ordinance which may be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are declared severable.

Section 6. FINDINGS

The City Council of the City of Fort Walton Beach finds that the Local Planning Agency reviewed and recommended approval of the ordinance on August 6, 2026.

The City Council of the City of Fort Walton Beach finds that the proposed ordinance is consistent with the goals, objectives, and policies of the City's Comprehensive Plan.

The City Council of the City of Fort Walton Beach finds that all notice requirements for enactment of the ordinance have been met in accordance with the Florida Statutes and the City's Land Development Code.

Section 7. EFFECTIVE DATE

This ordinance shall take effect immediately upon approval on second reading by the City Council and signature of the Mayor.

Adopted: _____

Nic Allegretto, Mayor

Attest:

Approved as to legal form and sufficiency
for the City of Fort Walton Beach, only.

Kim M. Barnes, City Clerk

Jeffrey L. Burns, City Attorney

Additions are underlined; deletions are stricken.



City of Fort Walton Beach

"The Treasure of the Emerald Coast"

105 Miracle Strip Parkway SW * Fort Walton Beach, FL 32548

(850) 833-9607 * Fax (850) 833-9926

TDD (850) 833-9925

Growth Management Department



To: Mayor Allegretto and City Council Members

From: Kelsea Roberts, Planning Supervisor

Date: July 21, 2026

Subject: Ordinance 2221 – Business Impact Statement

In accordance with Section 166.041 of the Florida Statute, the City is required to prepare (or cause to be prepared) a business impact estimate prior to enacting an ordinance, subject to exemptions noted in the Law. Following are the categories required to be addressed for the proposed ordinance:

1. Summary of proposed Ordinance 2221

This ordinance is to amend Land Development Code Section 6.04..02 – Standards for Parking to allow for the inclusion of ADA Parking Spaces in the tabulation for required parking.

2. Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the city

a. Estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted.

There is no additional compliance cost associated with this ordinance.

b. Identification of any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible.

There will be no new fees or charges for any business as a result of this ordinance.

c. An estimate of the City's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

There will be no regulatory costs associated with this ordinance.

3. A good faith estimate of the number of businesses likely to be impacted by the ordinance.

There are no business impacts as a result of this ordinance.

4. Any additional information the board determines may be useful.

None



City Council of Fort Walton Beach

GROWTH MANAGEMENT

MEMORANDUM

To: Jason Davis, City Manager

From: Tim Gibson, Growth Management Director

Date: August 6, 2026

Subject: 2227 Ordinance Amending LDC Section 5.01.01 Home-Based Businesses

1. **BACKGROUND:**

- 1.1. Staff has received various requests for carts or stands for home-based businesses to allow for customers to purchase the goods available, typically on an honor-system basis.
 - 1.1.1. Land Development Code Section 5.01.01 currently prohibits any exterior evidence of business activity other than one (1) unlighted nameplate.
- 1.2. Staff has also received concerns and objections on our current Land Development Code provisions from business owners who currently operate or wish to operate such a stand.

2. **DISCUSSION:**

- 2.1. Staff has researched how other jurisdictions regulate this type of usage for home-based businesses as well as the provisions outlined in Florida Statute 559.955
- 2.2. Staff has found that a few local jurisdictions prohibit carts or stands as part of a home-based business, however most jurisdictions have yet to address the allowability of carts or stands for home-based businesses.
- 2.3. The City would not be in violation of 559.955 F.S. by lessening restrictions on carts or stands for home-based businesses as proposed.

3. **FINANCIAL INFORMATION:**

- 3.1. There is no direct financial impact on the City.

4. **RECOMMENDATION:**

- 4.1. Staff respectfully recommends the Local Planning Agency recommend that the City Council adopt Ordinance No. 2227 which amends Land Development Code Section 5.01.01 Home-based Businesses to allow for carts or stands for businesses operating under cottage food law.

ATTACHMENTS:

- Business Impact Statement for Ordinance 2227 (DOCX)

SIGNATURE BLOCK:

Kelsea Ann Roberts	Completed	07/24/2026 8:00 AM
Tim Gibson	Completed	07/24/2026 9:15 AM
Finance	Completed	07/27/2026 10:33 AM
City Attorney	Completed	07/28/2026 11:48 AM
City Manager	Completed	07/29/2026 7:23 AM
City Clerk	Completed	07/29/2026 7:30 AM
Local Planning Agency	Pending	08/06/2026 5:30 PM
City Council	Pending	08/11/2026 6:00 PM
City Council	Pending	08/25/2026 6:00 PM

ORDINANCE 2227

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA; AMENDING LAND DEVELOPMENT CODE SECTION 5.01.01 HOME-BASED BUSINESSES TO ALLOW FOR CARTS OR STANDS FOR BUSINESSES OPERATING UNDER COTTAGE FOOD LAWS; PROVIDING FOR AUTHORITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, *Florida Statutes*,

conferred upon local governments the authority to adopt regulations designed to promote the

public health, safety, and general welfare of its citizenry; and

WHEREAS, City staff has received requests for carts or stands to be used for home-based business cottage food operations

WHEREAS, carts or stands for home-based businesses are not currently allowed; and

WHEREAS, this Ordinance expands private property rights and does not increase the burden on property owners.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA, AS FOLLOWS:

Section 1. AUTHORITY AND INTENT

The authority for enactment of this ordinance is contained in Chapter 166.021, 163.3202, and other provisions of the Florida Statutes and the City Charter.

Section 2. AMENDING SECTION 5.01.01 HOME-BASED BUSINESSES

5.01.01 - Home-Based Businesses

A. Home-based businesses may be permitted as an accessory use in a lawfully established dwelling unit located in areas zoned for residential use. The standards for home-based businesses are intended to ensure compatibility with other permitted uses and with the residential character of the neighborhood.

B. All home-based businesses shall comply with the following standards:

1. Employees of the home-based business shall be limited to the residents of the dwelling in which the business is located, except that up to a total of two (2) employees or independent contractors who do not reside at the residential dwelling may work at the business.

2. A home-based business shall be required to have a City Business Tax Receipt (BTR). There shall be one (1) BTR for each business conducted in the dwelling.

3. The use of the dwelling unit for the home-based business shall be clearly incidental and subordinate to its use for residential purposes and shall not change the residential character of the structure.

4. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home-based business. However, one (1) unlighted nameplate, not more than one (1) square foot in area, may be attached to the front wall of the dwelling unit identifying the name of the business which constitutes the home occupation.

5. A home-based business may not conduct retail transactions at a structure other than the residential dwelling; however, incidental business uses and activities may be conducted at the residential property.

6. Parking or storage of heavy equipment at the home-based business location which is visible from the street or neighboring property is prohibited. For purposes of this paragraph, the term "heavy equipment" means commercial, industrial, or agricultural vehicles, equipment, or machinery.

7. The home-based business shall not generate noise, vibration, glare, fumes, odors, or electrical interference to adjacent properties.

8. All permissible vehicles shall be parked within a lawful garage, lawful carport, or on the driveway. However, vehicles with a primary purpose of commercial use are prohibited; such vehicles include well-drilling trucks, tow-trucks, cement mixers, semi-trailers, tractors, refrigerated trucks or vans, graders, or other earth moving equipment. Taxi cabs may be permissible, provided that all such vehicles can be parked within a garage, or carport, or on the driveway.

9. Any need for parking generated by the conduct of such home-based business shall be met by the parking areas serving the residential use, such as the driveway, garage, or carport. No vehicle shall block access to the driveway or pedestrian movement on a sidewalk.

10. Notwithstanding provisions as outlined in subsections three (3) and four (4) prohibiting exterior evidence of business conduct, home-based businesses operating lawfully under Florida's Cottage Food Laws as defined in Chapter 500.80 F.S. may be permitted to have one (1) cart or stand on the premises of such home-based business subject to the following standards:

a. The footprint of the cart or stand shall be no more than 20 square feet and the cart or stand shall be no more than 8 feet in height.

b. The cart or stand shall not be permanently affixed to the ground and shall be stored out of sight when not in use and between the hours of 8:00pm and 7:00am. In no cases shall business be conducted from the cart between the hours of 8:00pm and 7:00am.

c. During hours of operation, the cart or stand shall be no more than ten (10) feet from the residential dwelling and in no case shall be closer than fifteen (15) feet from the front property line or any public Right-of-Way.

d. At minimum two (2) off-street parking spaces for customers must be provided. All parking spaces to be counted for this requirement must be in a driveway, carport, garage, or other stabilized surface. No parking shall be provided in grass or other non-stabilized surface.

e. Prior to commencement of operations for any such cart or stand, the business owner shall apply for and obtain approval from the City.

Section 3. APPLICABILITY

For the purposes of jurisdictional applicability, this ordinance shall apply in the City of Fort Walton Beach. This ordinance shall apply on or after the effective date of this ordinance.

Section 4. INCLUSION INTO THE LAND DEVELOPMENT CODE

It is the intent of the City Council that the provisions of this ordinance shall become and be made a part of the City of Fort Walton Beach's Land Development Code, and that the sections of this ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. SEVERABILITY

In the event any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of City Council that such invalidity shall not affect any other provisions of the Ordinance which may be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are declared severable.

Section 6. FINDINGS

The City Council of the City of Fort Walton Beach finds that the Local Planning Agency reviewed and recommended approval of the ordinance on August 6, 2026.

The City Council of the City of Fort Walton Beach finds that the proposed ordinance is consistent with the goals, objectives, and policies of the City's Comprehensive Plan.

The City Council of the City of Fort Walton Beach finds that all notice requirements for enactment of the ordinance have been met in accordance with the Florida Statutes and the City's Land Development Code.

Section 7. EFFECTIVE DATE

This ordinance shall take effect immediately upon approval on second reading by the City Council and signature of the Mayor.

Adopted: _____

Nic Allegretto, Mayor

Attest:

Approved as to legal form and sufficiency
for the City of Fort Walton Beach, only.

Kim M. Barnes, City Clerk

Jeffrey L. Burns, City Attorney

Additions are underlined; deletions are stricken.



City of Fort Walton Beach

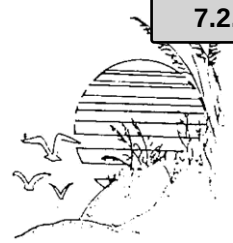
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TDD (850) 833-9925

Growth Management Department



To: Mayor Allegretto and City Council Members

From: Kelsea Roberts, Planning Supervisor

Date: July 24, 2026

Subject: Ordinance 2227 – Business Impact Statement

In accordance with Section 166.041 of the Florida Statute, the City is required to prepare (or cause to be prepared) a business impact estimate prior to enacting an ordinance, subject to exemptions noted in the Law. Following are the categories required to be addressed for the proposed ordinance:

1. Summary of proposed Ordinance 2227

This ordinance is to amend Land Development Code Section 5.01.01 Home-based businesses to allow for carts and stands for home-based businesses operating under cottage food law.

2. Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the city

a. Estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted.

Previously, no carts or stands were allowed whatsoever. An approval will be required from the City prior to operation of such cart or stand. No surveys or civil plans would be required to be obtained, the most intensive document required would be a parking plan to show the available parking which can be a google images screenshot, a hand-drawn overview, etc.

b. Identification of any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible.

There will be an application fee associated with the review, most existing applications of this level cost between \$25 and \$50.

c. An estimate of the City's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

Each review for a cart or stand application would most likely take no more than 30 minutes to an hour of staff time. The fee imposed would be to cover staff time without unduly putting financial burden on the applicant.

3. A good faith estimate of the number of businesses likely to be impacted by the ordinance.

It is unknown how many businesses will benefit from being allowed to operate a cart or stand as part of their home-based business; however no businesses will be negatively impacted by the reduced restrictions.

4. Any additional information the board determines may be useful.

7.2.a

None