



City Council of Fort Walton Beach
GROWTH MANAGEMENT
MEMORANDUM

To: Jason Davis, City Manager
From: Tim Gibson, Growth Management Director
Date: April 14, 2026
Subject: 2209 Ordinance Amending Table 4.02.01 Development Standards in Mixed-Use Zoning Districts

1. BACKGROUND:

- 1.1. In 2025, the City adopted Ordinance 2149, creating the MX-3 Zoning District.
- 1.2. In the text of Ordinance 2149, Maximum Building Height standards were unintentionally left off the end of Table 4.02.01.
- 1.3. In order to correct that error, City staff is proposing an LDC update to add those numbers back into Table 4.02.01.

2. DISCUSSION:

- 2.1. Maximum Building Height Standards have already been determined for the MX-1 (Mixed-Use Medium Intensity) and MX-2 (Mixed-Use High Intensity).
- 2.2. Those maximum heights are 70 feet for the MX-1 District and 120 feet for the MX-2 District.
- 2.3. The MX-3 zoning district was established with the same development standards as MX-2, to include density, floor area ratio, lot width, impervious surface, and setback standards.
- 2.4. Seeing as all the other standards are the same from MX-2 to MX-3, the staff is proposing a maximum building height of 120 feet for MX-3, which would keep the development standards consistent between districts.

3. FINANCIAL INFORMATION:

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

4. RECOMMENDATION:

- 4.1. Staff respectfully recommends City Council adoption of Ordinance No. 2209 to amend Land Development Code Table 4.02.01 Development Standards in Mixed-Use Zoning Districts to re-establish maximum height standards for all Mixed-Use Zoning Districts.

ATTACHMENTS:

- Ord 2209 Business Impact Statement (DOCX)

HISTORY:

04/02/26

Local Planning Agency

ADOPTED

Ms. Roberts presented Ordinance 2209 to amend Table 4.02.01 Development Standards in Mixed-Use Zoning Districts of the LDC. Ms. Roberts explained that the City adopted Ordinance 2149 creating the Mixed-Use High (MX-3) zoning district in 2025 but maximum building height standards were unintentionally left off of the end of the development standards table. Ordinance 2209 would reinstate the maximum building height standards that were already determined for Mixed-Use Low (MX-1) at 70 feet and Mixed-Use Medium (MX-2) at 120 feet. MX-3 was established with the same development standards at MX-1 and MX-2 including density, floor area ratio, lot width, impervious surface allowance, and setback standards. Staff proposed that the MX-3 building height be the same as MX-2 at 120 feet maximum for consistency. The City Attorney clarified that this was correcting a scrivener's error as the Council had discussed 120 feet originally and were under that understanding when they passed the ordinance but it was cut out before being codified.

Mr. McPherson asked about the difference between MX-2 and MX-3 if they have the same standards and Ms. Roberts confirmed that the same standards were approved because the Live Local Act allowed individuals to utilize the highest available density in any zoning district in the City. Ms. Thompson-Seifert expressed concern about 120-foot buildings and asked to see a map showing MX-2 districts. The Board reviewed the City's GIS map showing MX-2 districts focused in the downtown area along US 98, along the waterfront, some areas on Eglin Parkway, and on Hollywood Boulevard near the Fort Walton Beach Recreation Center. Ms. Thompson-Seifert asked about a specific area along First Street and the City Attorney clarified the area was an existing MX-2 district that already had the 120-foot height limit.

Staff recommended approval of Ordinance 2209 with no direct financial impact to the City.

Temporary Chair McPherson made a motion to recommend City Council adoption of Ordinance 2209 to amend LDC Table 4.02.01. Board Member Nguyen seconded the motion and it passed 5-0.

SIGNATURE BLOCK:

Kelsea Ann Roberts	Completed	03/11/2026 11:07 AM
Tim Gibson	Completed	03/19/2026 9:21 AM
Finance	Completed	03/19/2026 9:37 AM
City Attorney	Completed	03/26/2026 10:29 AM
City Clerk	Completed	03/26/2026 12:04 PM
City Manager	Completed	03/26/2026 3:26 PM
Local Planning Agency	Completed	04/02/2026 5:30 PM
City Council	Pending	04/14/2026 6:00 PM
City Council	Pending	04/28/2026 6:00 PM

ORDINANCE 2209

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA; AMENDING LAND DEVELOPMENT CODE TABLE 4.02.01 DEVELOPMENT STANDARDS IN MIXED-USE ZONING DISTRICTS TO RE-ESTABLISH MAXIMUM HEIGHT STANDARDS FOR ALL MIXED USE ZONING DISTRICTS; PROVIDING FOR AUTHORITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, in 2025, the City adopted Ordinance 2149, creating the MX-3 Zoning District;

WHEREAS, in the text of Ordinance 2149, Maximum Building Height Standards were unintentionally left off the end of Table 4.02.01; and

WHEREAS, the City must have defined Maximum Building Height Standards for all zoning districts.

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 Chapters 166.021, 163.3202, and other provisions of the Florida Statutes and Section 2 of the City Charter.

Section 2. Amendment of Land Development Code Table 4.02.01 Development Standards in Mixed-Use Zoning Districts.

Table 4.02.01. Development Standards in Mixed-Use Zoning Districts.

Development Feature	MX-1	MX-2	MX-3
Maximum base density (dwelling units per acre)	20.0	30.0	30.0
Maximum density with bonus provisions ¹	30.0	45.0	45.0
Maximum base floor area ratio	1.0	2.0	2.0
Maximum floor area ratio with bonus provisions ¹	1.5	3.0	3.0
Minimum lot area	None	None	None
Minimum lot width (feet)	50	75	75
Maximum impervious surface (%)	75	75	75
Minimum setbacks (feet)			
Front yard	10	5	5
Side yard	7.5	5	5
Side yard, abutting R-1E, R-1, or R-2	15	15	15
Rear yard	15	15	15
Rear yard, abutting R-1E, R-1, or R-2	20	20	20
Rear yard, adjacent to state water body	25	25	25

Maximum Building Height (feet)	70	120	120
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Section 3. Applicability

For the purposes of jurisdictional applicability, this ordinance shall apply in the City of Fort Walton Beach. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted 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 April 2, 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"

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Growth Management Department



To: Mayor Allegretto and City Council Members
From: Kelsea Roberts, Interim Planning Supervisor
Date: March 18, 2026
Subject: Ordinance 2209 – 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 2209

This ordinance is to amend Land Development Code Table 4.02.01 – Development Standards in Mixed-Use zoning districts to re-establish maximum height standards for all Mixed-Use zoning districts.

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 involved 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 associated with this ordinance.

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

None