



CITY OF CRESTVIEW

OFFICE OF THE CITY CLERK

P.O. DRAWER 1209, CRESTVIEW, FLORIDA 32536

Phone # (850) 1560 Fax # (850) 682-8077

June 30, 2020

5:00 PM

Council Chambers

Training Agenda

1 Call to Order

2 Pledge of Allegiance

3 Open Workshop

4 Civic Clerk Training

4.1. Notes on Civic Clerk Training

5 Sunshine and Public Records Law

5.1. Sunshine and Public Records Presentation

6 CAC Board Overview

6.1. Presentation by Crista Shephard

7 PDB Board Overview

7.1. Goals for Planning and Zoning and the Planning and Development Board

7.2. City of Crestview New View Strategic Plan 2020

8 Adjournment

Note: The Reports section is for items that were submitted by a citizen or group of Citizens no later than the Wednesday 2 weeks prior to the meeting to the Clerk's office for approval. These items will be scheduled under the section titles Presentations and Reports. Supporting documents must be submitted at this time to be on the regular agenda. All Action Items are for staff and elected officials only and must be submitted for approval no later than the Wednesday 10 days prior to the meeting. Those not listed on the regular agenda who wish to address the council should fill out a yellow card. The Card must be submitted to the City Clerk. Speaking time should be three minutes or less, large groups may designate a spokesperson. All remarks should be addressed to the Council as a whole and not to individual members. All meeting procedures are outlined in the Meeting Rules and Procedures brochure available outside the Chambers. If any person decides to appeal any decision made by the City Council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she 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. The City Council of the City of Crestview, Florida does not discriminate upon the basis of any individual's disability status. Anyone requiring reasonable accommodations as provided for in the American With Disabilities Act to insure access to and participation in the meeting should contact the Office of the City Clerk at (850)682-1560 prior to the meeting to make appropriate arrangements.

Any invocation that is offered before the official start of the City Council meeting shall be the voluntary offering of a private person, to and for the benefit of the City Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious beliefs or views of this, or any other speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered. A person may exit the City Council Chambers and return upon completion of the opening invocation if a person does not wish to participate in or witness the opening invocation.



Staff Report

PLANNING AND DEVELOPMENT BOARD

MEETING DATE: June 30, 2020

TYPE OF AGENDA ITEM: Presentation

TO: Planning and Development Board
CC: City Manager and City Attorney
FROM: Community Development Services
DATE: 6/22/2020
SUBJECT: Notes on Civic Clerk Training

BACKGROUND:

All Board members of the City are being trained to use Civic Clerk for agendas

DISCUSSION:

This presentation shows a step by step walk through of the Civic Clerk agenda process.

When the agendas are published for each meeting, you will receive an email with the link to the board view with the agendas.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

Communication- To engage, inform and educate public and staff

Quality of Life- these areas focus on the overall experience when provided by the city.

Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

Mobility- Provide safe, efficient and accessible means for mobility

Opportunity- Promote an environment that encourages economic and educational opportunity

Play- Expand recreational and entertainment activities within the City

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

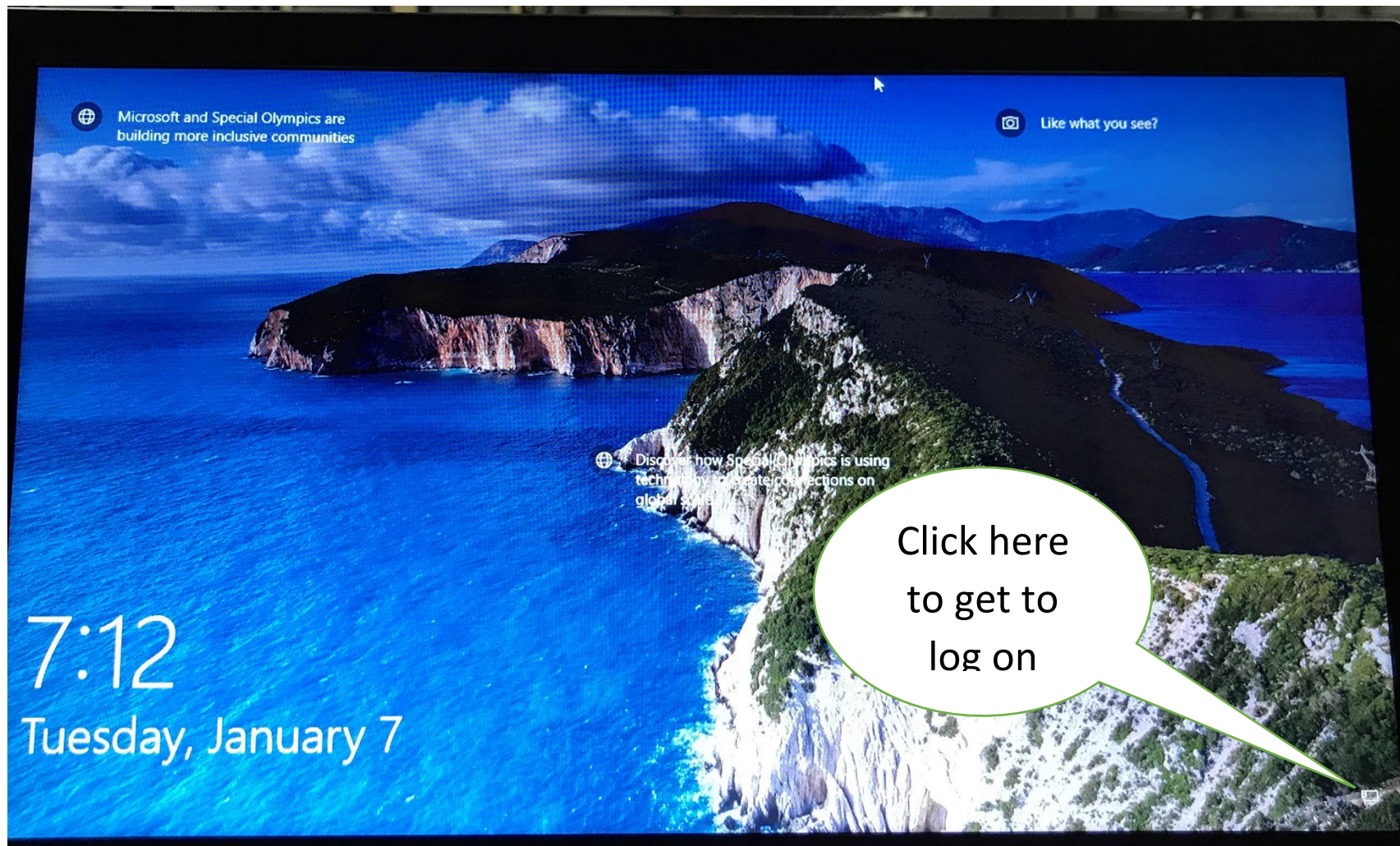
There is not financial impact other than staff time for this training

RECOMMENDED ACTION

Presentation only, no action needed.

Attachments

1. PDB Trainiing



Sent Items - elizabethroy@cityofcrestview.org - Outlook

Tell me what you want to do

audit To Manager
Team Email Done
Reply & Delete Create New

Move Rules
Move

Unread/ Read
Categorize
Follow Up

New Group
Browse Groups

Search People
Address Book
Filter Email

Read Aloud
Speech

Get Add-ins
Add-ins

My Account
Adobe Acro...

Report Message
Protection

Send to OneNote
OneNote

Insights

information for this evening

Elizabeth Roy
To
Bcc Doug Capps; Ellis Conner; Malcolm Haynes; mariowerth@me.com; mdroy2@cox.net; Bill Toannon (wtoannon@gmail.com); Michael Gilbert

Tue 6/30/2020 7:46 AM

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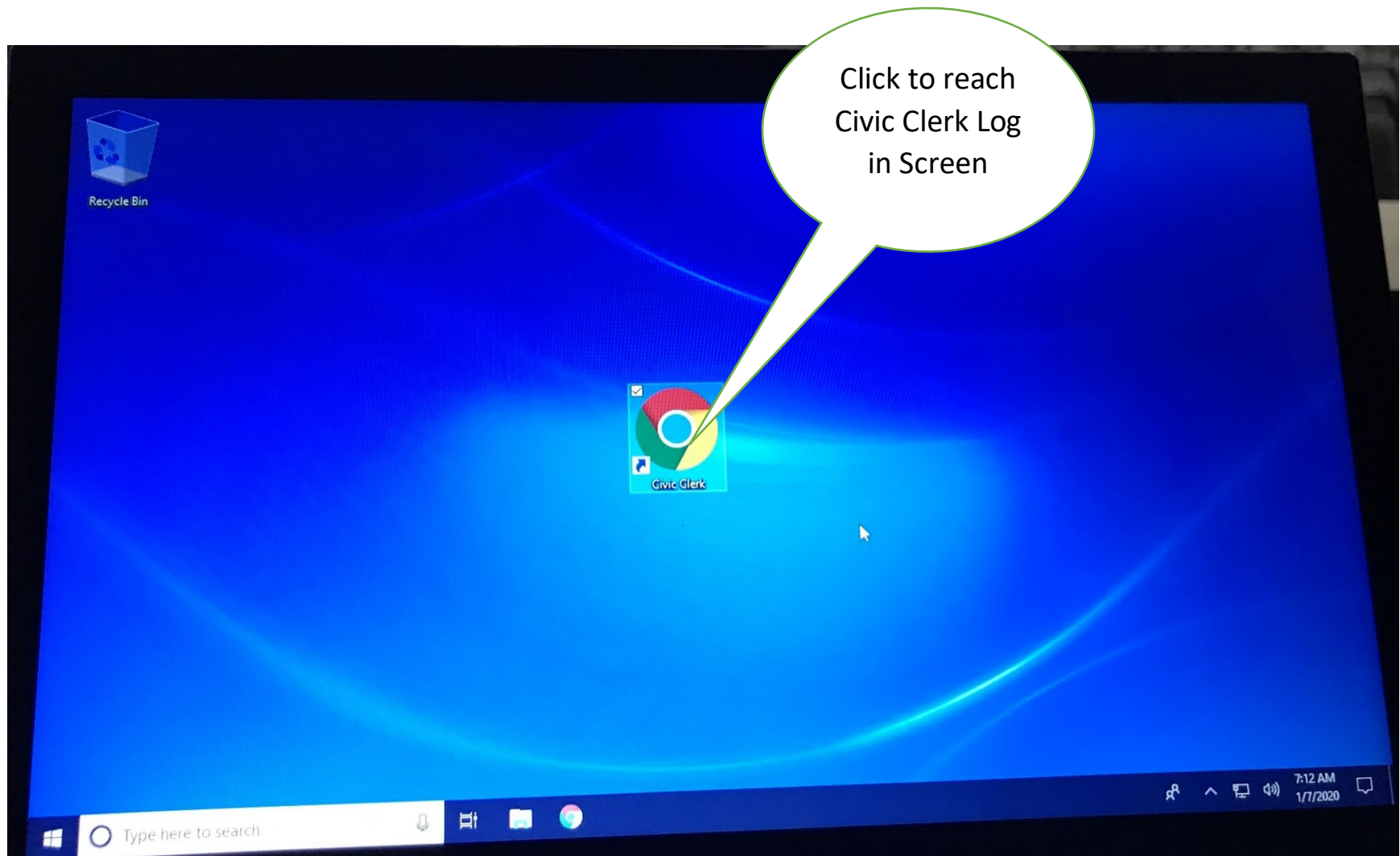
 

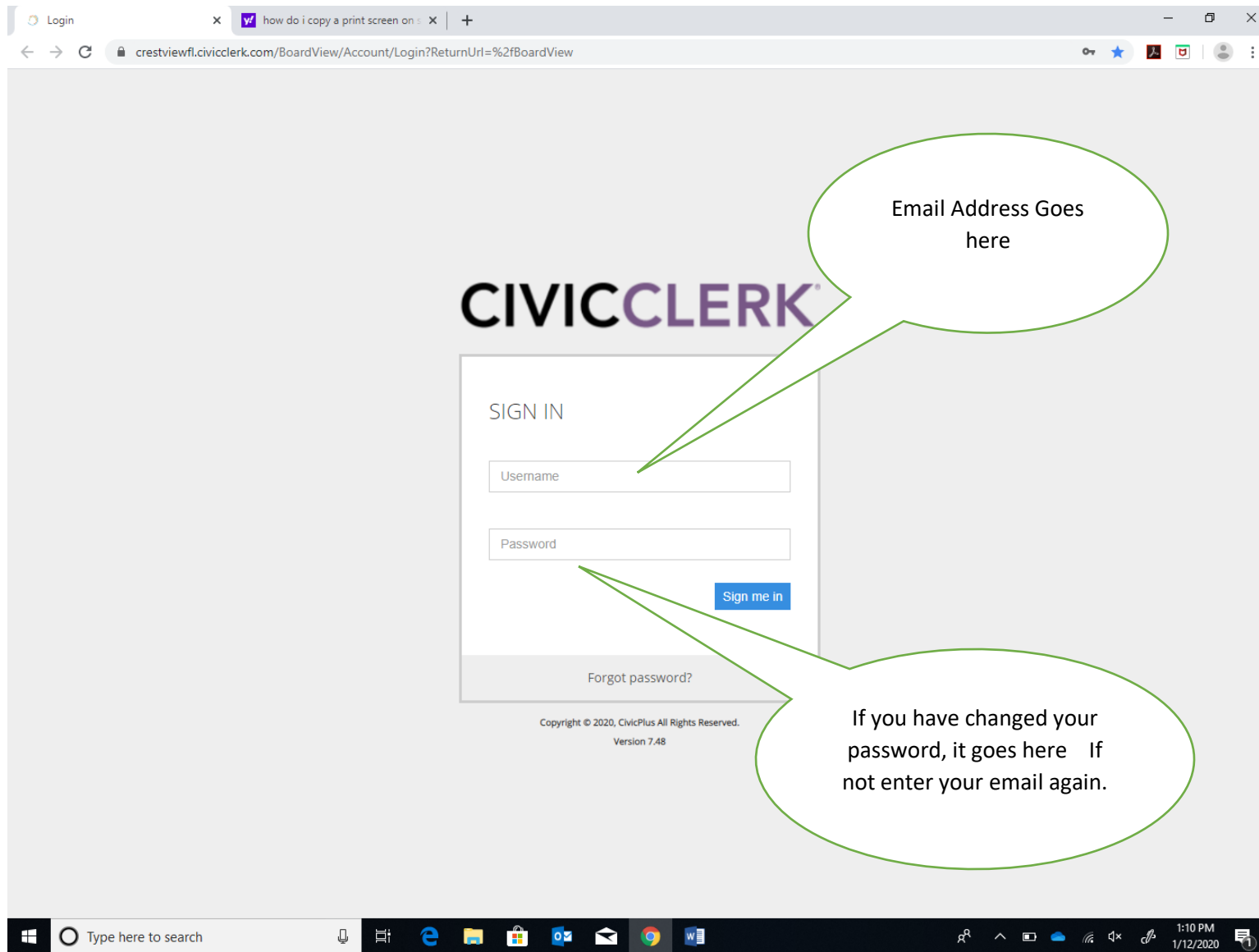
Elizabeth M. Roy
City Clerk, City of Crestview
CRA Director
Custodian of Public Records
850-682-1560
cityclerk@cityofcrestview.org
www.cityofcrestview.org

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Elizabeth Roy

Agenda Items:

Date	Time	Item
06/30/2020	5:00 PM	New Board Training
06/22/2020	5:00 PM	6/22 City Council Meeting
05/11/2020	5:30 PM	City Council Special Meeting
05/11/2020	6:00 PM	5/11/2020 LPA Meeting
05/11/2020	6:00 PM	5/11/2020 City Council Meeting
04/13/2020	5:00 PM	LPA 4/13/2020
04/13/2020	6:00 PM	April 13, 2020 City Council Meeting
03/24/2020	6:00 PM	LPA
03/23/2020	6:00 PM	March 23, 2020 City Council Meeting
03/09/2020	6:00 PM	3/9/2020 Council Meeting
03/05/2020	5:30 PM	Joint Workshop with City Council and Local Planning Agency
02/24/2020	6:00 PM	City Council Meeting 2/24/2020
02/24/2020	4:30 PM	City Council Workshop 2/24/2020
02/10/2020	6:00 PM	City Council Meeting 2/10/2020
01/30/2020	6:00 PM	City Council Workshop 1/30/2020
01/27/2020	6:00 PM	City Council Meeting 1/27/2020
01/21/2020	6:00 PM	LPA
01/13/2020	6:00 PM	City Council Meeting 1/13/20
01/13/2020	5:00 PM	CRA Quarter 2 Meeting

Navigation: AGENDAS MINUTES CIVICCLERK NOTES MEDIA

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7:48 AM 6/30/2020

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FILTER Agendas Elizabeth Roy

07/06/2020 6:00 PM Planning and Development Board JOIN MEETING	06/30/2020 5:00 PM New Board Training	06/22/2020 6:00 PM 6/22 City Council Meeting	06/08/2020 6:00 PM 6/8/2020 City Council Meeting	06/08/2020 5:00 PM Crestview CRA Quarterly Meeting
05/11/2020 5:30 PM 5/11/2020 City Council	05/11/2020 5:00 PM 5/11/2020 LPA Meeting	04/27/2020 6:00 PM City Council Meeting 4/27/2020	04/27/2020 5:00 PM LPA 4/27/2020	
04/13/2020 April 13, 2020 City Council M	03/24/2020 6:00 PM LPA	03/23/2020 6:00 PM March 23, 2020 City Council Meeting	03/09/2020 6:00 PM 3/9/2020 Council Meeting	
03/05/2020 5:30 PM Joint Workshop with City Council and Local Planning Agency	02/24/2020 6:00 PM City Council Meeting 2/24/2020	02/24/2020 4:30 PM City Council Workshop 2/24/2020	02/10/2020 6:00 PM City Council Meeting 2/10/2020	01/30/2020 6:00 PM City Council Workshop 1/30/2020
01/27/2020 6:00 PM City Council Meeting 1/27/2020	01/21/2020 6:00 PM LPA	01/13/2020 6:00 PM City Council Meeting 1/13/20	01/13/2020 5:00 PM CRA Quarter 2 Meeting	

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Roll Call - Planning and Development Board

Present / Voting

Present / Not Voting

Cancel

Planning and Development Board

JOIN MEETING

New Board Training

6/8/2020 City Council Meeting

Crestview CRA Quarterly Meeting

5/11/2020 City Council Meeting

City Council Special Meeting

April 13, 2020 City Council Meeting

LPA 4/13/2020

LPA

Joint Workshop with City Council and Local Planning Agency

City Council Meeting 2/24/2020

City Council Workshop 2/24/2020

City Council Meeting 1/27/2020

LPA

City Council Meeting 1/13/20

AGENDAS

MINUTES

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If you are an alternate, please check present, Not voting (unless you are instructed differently at the start of the meeting)

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AGENDAS

Agendas

Elizabeth Roy

Planning and Development Board

Agenda

Packet

1 Call to Order

2 Pledge of Allegiance

3 Approve Agenda

4 Consent Agenda

5 Ordinances

1 Ordinance 1770 - Garden Street Annexation

2 Ordinance 1771 - Garden Street Comp Plan Amendment

3 Ordinance 1772 - Garden Street Rezoning

6 Final Plats and PUDS

7 Special Exceptions, Variances, Vacations and Appeals

8 Action and Discussion Items

1 SWOT Analysis Overview and goals for Planning and Zoning

AGENDAS MINUTES CIVICCLERK NOTES MEDIA

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To see the entire packet, click here.

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Agendas

Elizabeth Roy

New Board Training

Agenda Packet

- 1 Call to Order
- 2 Pledge of Allegiance
- 3 Open Workshop
- 4 Civic Clerk Training
- 5 Sunshine and Public Records Law
 - 1 Sunshine and Public Records Presentation
- 6 CAC Board Overview
 - 1 Presentation by Crista Shephard
- 7 PDB Board Overview
 - 1 Goals for Planning and Zoning and the Planning and Development Board
 - 2 City of Crestview New View Strategic Plan 2020

This is the agenda for this evening. To open an item, click on the 3 dots

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AGENDAS

Agendas

Elizabeth Roy

Agenda Packet

- 1 Call to Order
- 2 Pledge of Allegiance
- 3 Approve Agenda
- 4 Consent Agenda
- 5 Ordinances
 - 2 Ordinance 1771 - Garden Street Comp Plan
 - 3 Ordinance 1772 - Garden Street Rezoning
- 6 Final Plats and PUDS
- 7 Special Exceptions, Variances, Vacations and Appeals
- 8 Action and Discussion Items
 - 1 SWOT Analysis Overview and goals for Planning and Zoning
 - 2 New Land Development Code Chapter 7 - Accessory, Temporary, and Special Use Situations
 - 3 New Land Development Code Chapter 9 - Variations from Standards in the LDC

REVIEW ATTACHMENTS (1) NOTES (0) SPEAKERS (0)

You can select any of the items shown

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Agendas

NEW Board Training
Civic Clerk Training
Notes on Civic Clerk Train

CREATED BY:
Elizabeth Roy

DEPARTMENT:
City Clerk

Attachments

Civic Clerk Training

PDB Training PDF

Notes (Private)

Format

PREVIOUS ITEM

NEXT ITEM

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1 of 2



CITY OF CRESTVIEW

Item # 4.1.

Staff Report

PLANNING AND DEVELOPMENT BOARD

MEETING DATE: June 26, 2020

TYPE OF AGENDA: Staff Report

TO: Planning and Development Board

CC: City Manager and City Attorney

FROM: Community Development Services

DATE: 6/22/2020

SUBJECT: Notes on Civic Clerk Training

This is the staff report that will come up.

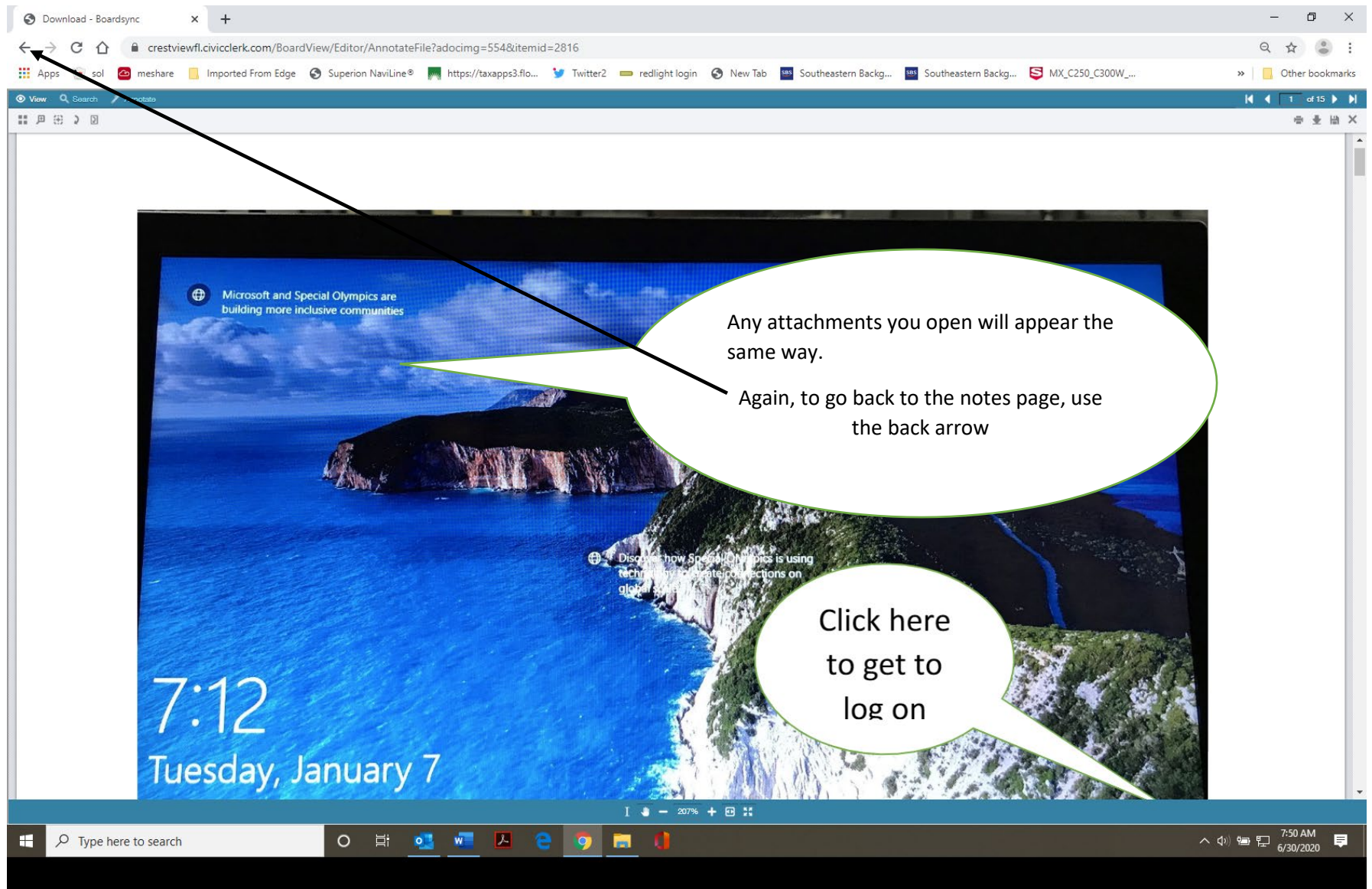
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BACKGROUND:

All Board members of the City are being trained to use Civic Clerk for agendas

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AGENDA DETAILS

Agendas

Elizabeth Roy

Planning and Development Board

Ordinances

1770 - Garden Street Annexation

CREATED BY:
Dawn Barnes

RECOMMENDED ACTION:
Approve

Attachments

Ordinance 1770 - Garden Street Annexation

Notes (Private)

Format

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Agendas

Elizabeth Roy

Agenda

Packet

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- 8 Action and Discussion Items
 - 1 SWOT Analysis Overview and Goals for Planning and Zoning

If you miss where the staff is in the agenda, it will show here.

You can bring up the details of the current item by clicking on this details box.

Current Item | Current Speaker: None
Ordinance 1770 - Garden Street Annexation

Details Request to Speak

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Agendas

Elizabeth Roy

AGENDAS

Agenda

Packet

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Current Item | Current Speaker: None

Ordinance 1770 - Garden Street Annexation

Details Request to Speak

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Elizabeth Roy

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07/06/2020 6:00 PM Planning and Development Board

05/30/2020 5:00 PM New Board Training

06/22/2020 6:00 PM 6/22 City Council Meeting

06/08/2020 6:00 PM 6/8/2020 City Council Meeting

06/08/2020 5:00 PM Crestview CRA Quarterly Meeting

05/11/2020 6:00 PM 5/11/2020 City Council Meeting

04/27/2020 6:00 PM City Council Meeting 4/27/2020

04/27/2020 5:00 PM LPA 4/27/2020

04/13/2020 6:00 PM April 13, 2020 City Council Meeting

03/23/2020 6:00 PM March 23, 2020 City Council Meeting

03/09/2020 6:00 PM 3/9/2020 Council Meeting

03/05/2020 5:30 PM Joint Workshop with City Council and Local Planning Agency

02/24/2020 6:00 PM City Council Meeting 2/24/2020

02/24/2020 4:30 PM City Council Workshop 2/24/2020

02/10/2020 6:00 PM City Council Meeting 2/10/2020

01/30/2020 6:00 PM City Council Workshop 1/30/2020

01/27/2020 6:00 PM City Council Meeting 1/27/2020

01/21/2020 6:00 PM LPA

01/13/2020 6:00 PM City Council Meeting 1/13/2020

01/13/2020 5:00 PM CRA Quarter 2 Meeting

AGENDAS

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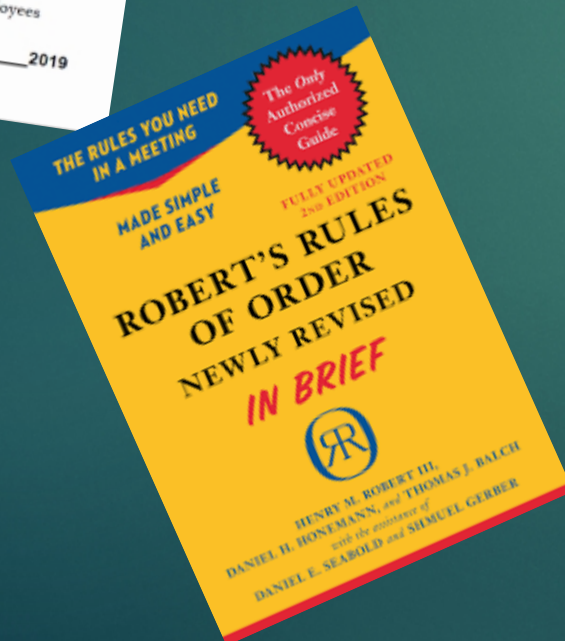
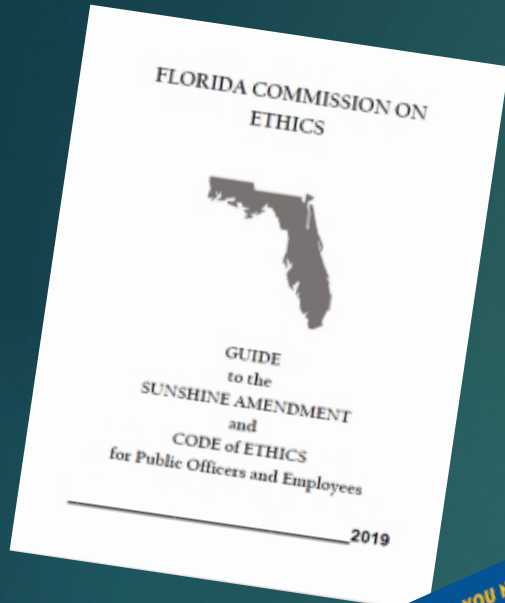
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10:30 AM 6/22/2020

Board Member Training

GOVERNMENT IN THE SUNSHINE

Resources



Today's Training

- ◆ Jonathan Holloway, City Attorney
- ◆ Elizabeth Roy, City Clerk

Government-in-the-Sunshine

Sunshine Law Overview

Florida Statutes – 286.011-286.012

- ◆ 286.011 Public meetings and records; public inspection; criminal and civil penalties
- ◆ 286.0111 Legislative review of certain exemptions from requirements for public meetings and recordkeeping by Government entities
- ◆ 286.0113 General exemptions from public meetings.
- ◆ 286.0114 Public meetings; reasonable opportunity to be heard; attorney fees.
- ◆ 286.01141 Criminal justice commissions; public meetings exemptions.
- ◆ 286.0115 Access to local public officials; quasi-judicial proceedings on local government land use matters.
- ◆ 286.012 Voting requirement at meetings of local bodies.

Government-in-the-Sunshine

Public Records, City Clerk Betsy Roy

- ◆ A Public Record is any information related to the conduct of the public's business prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.
- ◆ All records , regardless of whether they are in final form, are open for public inspection unless the Legislature has exempted them from disclosure.
- ◆ Crime Reports
- ◆ E-mail Messages
- ◆ Text Messages
- ◆ Employee Files
- ◆ Any written communication
- ◆ Work orders
- ◆ Recordings
- ◆ Budgets
- ◆ Permits
- ◆ Just about anything you can imagine related to city business...

Government-in-the-Sunshine

Public Records, City Clerk Betsy Roy

What do I do.....

- ◆ When I think I may have a public record
 - ◆ Make sure the Clerk has a copy of the record.
 - ◆ Don't delete or dispose of it until I have discussed this with the City Clerk.
- ◆ When I get a request for a record
 - ◆ Always acknowledge the request for any public record.
 - ◆ If possible forward the person to the City Clerk.
 - ◆ Remember that you are not required to create something new to respond to the request. If you don't have it, it is ok to say "I do not have that record."

Government-in-the-Sunshine

Boards and Committees

Public Meetings

- ◆ All meetings of ... any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken **or at which public business of such body is to be transacted or discussed**, shall be open and noticed to the public except with respect to meetings exempted pursuant to this section.

Florida Constitution Article 1 section 24(b)
- ◆ Florida Constitution
 - ◆ Meeting of a collegial public body at which official acts taken or business discussed
- ◆ Florida Statutes
 - ◆ Meeting at which official acts taken
- ◆ Case law
 - ◆ All meetings –discussions –correspondence regarding matters which may foreseeably come before a board or commission. “All meetings” can include staff, committees, temporary groups or even a single person.

Government-in-the-Sunshine

Boards and Committees

Responsibility of Board members

- ◆ Be Prepared
 - ◆ Read the back up.
- ◆ Remember your role as an advisory board or committee
 - ◆ Follow the general direction of the code or policy.
- ◆ Ask questions
 - ◆ If you are unsure, ask staff or the attorney.

Government-in-the-Sunshine

Quasi Judicial

- ◆ What- A Quasi Judicial hearing is the process, by a board, committee or council to hear evidence and render a decision.
- ◆ When- These hearings are used to apply law and policy to the facts presented to make a determination.
- ◆ Things to watch for-
 - ◆ Ex parte communications
 - ◆ Making sure everyone is heard
- ◆ Things to do-
 - ◆ Listen, ask questions and apply the law or policy

Government-in-the-Sunshine

Council-Manager Overview

- ◆ Council-Manager Form of Government
 - ◆ Similar to the organization of corporations: voters (shareholders) elect council members (Board of Directors), including the Mayor (Chairman of the Board). Council Members (Directors) then appoint the City Manager (CEO). Unlike other forms of city organization where the emphasis is on political leadership, the council- manager form emphasizes administrative competence and efficiency.
- ◆ City Manager is Chief Administrative Officer of the City.
 - ◆ “The City Manager shall direct all Department Heads and oversee the daily operations of the City.” (Charter, Sec. 5.01). The City Manager supervises and coordinates the departments, coordinates with City Clerk and Department Heads and submits proposed budget to Council, and makes reports and recommendations to the Council. The City Manager is responsible for administration of the City’s programs and personnel.

Government-in-the-Sunshine

Role of the Mayor in Crestview's Council-Manager Form

- ◆ Mayor is the ceremonial head of the City and presides over Council meetings. The mayor is an important political figure, but has little formal/official role in day-to-day City administration.
 - ◆ The Mayor shall “preside over all meetings of the City Council with authority to participate in discussions, but without power to vote.” (Charter, Sec. 4.01).
 - ◆ Sign all contracts to which the City is a party.
 - ◆ Serves as Emergency Management Director in times of public danger or declared states of emergency (and in such times, takes command of police and fire departments).
 - ◆ Presents recommendations to the City Council on the requirements of the City's municipal government.
 - ◆ To exercise a veto power over Ordinances adopted by the City Council within 5 days of adoption, subject to few limitations.
 - ◆ Mayor Pro Tem serves in the event of the Mayor's absence.

Government-in-the-Sunshine

Mayor Pro Tem

- ◆ Selected from City Council members at first regular meeting in April.
- ◆ In the absence of the Mayor, Mayor Pro Tem presides over City Council Meetings and performs all the duties and exercise all the authorities of Mayor.
 - ◆ Similar to Council Vice Chair in prior years before adoption of revised City Charter in August, 2018.



Questions?????

City of Crestview CDBG Citizen's Advisory Committee

Background:

In accordance with 24 CFR Section 91.105, at the June 8, 2020 City Council meeting the City of Crestview adopted a Citizen Participation Plan to provide for and encourage citizen participation in the process of preparing and implementing plans related to programs funded by the U. S. Department of Housing and Urban Development (HUD). One of the required elements of the Citizen Participation Plan is the creation of a Citizen's Advisory Committee.

The Citizen's Advisory Committee guidelines (as adopted in the CDBG Citizen Participation Plan) state the following:

- The Citizen's Advisory Committee (CAC) shall consist of five members.
- The committee shall designate one member to be chairperson and vice-chairperson for each calendar year (to be the first order of business at the first meeting)
- Members shall be residents of the City, and at least three members shall represent low and moderate-income residents, and/or property owners in low- or moderate-income areas.
- The members shall be responsible for recruiting and recommending members to be appointed by the City Council for a term of four years. Members shall be appointed by a vote of the City Council.
- The Citizen Advisory Committee shall be advisory to the CDBG staff. Responsibilities of the CAC shall be: Review and make recommendations on the proposed annual distribution of CDBG funding and prioritize funding applications.

General Information:

Once the CDBG funding application period closes, staff will schedule a CAC meeting to go over the applications received.

Staff reports, along with copies of all applications will be provided to CAC members prior to the CAC meeting for review. These documents will be emailed, and/or hard copies can be provided if preferred.

CAC meetings will be open to the public. All applicants will also be invited in case the CAC has any questions for them. Meetings will be an open discussion/workshop style (less "formal" than City Council meetings). A vote will be taken to approve the applications as a whole as presented, or after suggested changes.

CAC recommendations will be included in the staff reports submitted to City Council when the CDBG Annual Action Plan is presented for their approval.

CITY OF CRESTVIEW, FLORIDA

LAND DEVELOPMENT CODE

CHAPTER 3 – ADMINISTRATION PROCEDURES

Sec. 3-1. - Planning and Development Board

- (a) Pursuant to and in accordance with F.S. § 163.3174 and the Local Government Comprehensive Planning and Land Development Regulation Act, as amended, the City Council finds that land use planning and a continuity of growth management within the City benefits the public's health, safety, and welfare.
- (b) The City Council further finds that this public purpose can best be achieved by establishing the Planning and Development Board, which is established and designated as the Local Planning Agency (LPA) for the City of Crestview.

Sec. 3-2. - Powers and duties.

- (a) Pursuant to and in accordance with F.S. § 163.3174 of the Local Government Comprehensive Planning and Land Development Regulation Act, the City Council finds that there is a public purpose in coordinating the planning of the City with the Okaloosa County School Board.
- (b) The Planning and Development Board/Local Planning Agency (hereinafter Board or PDB) shall have the authority and responsibility to review land use in the City and evaluate planning and regulatory methods and systems for resolving physical, economic, social, environmental and fiscal issues. The City Council directs the Board to carry out functions and powers identified in this Land Development Code.
 - 1. The Board shall use the power and authority conferred upon it by this Land Development Code (LDC) to further its stated public purposes.
- (c) The Board shall receive and hear appeals in cases involving the LDC.
- (d) The Board shall receive and hear applications for special exceptions/uses and variances to the terms of this LDC, and grant relief where authorized under this LDC. The Board shall also hear, determine and decide appeals, reviewable interpretations, applications or determinations made by an administrative official in the enforcement of this LDC, as provided herein.
- (e) The Board shall have any other powers or duties delegated by the City Council.

Sec. 3-3. - Membership; vacancy; compensation.

- (a) *Membership.* The Board shall consist of five core members. All members shall be residents of the City and will be appointed by a majority vote of the City Council. The term of office for each member shall be three years, or until a successor is appointed. Terms of office shall commence on the first day of March of the year in which appointed.
- (b) *Ex Officio Members.* In addition to the five members, there may be two ex officio members. One may be selected by the Okaloosa County School Board and one may be selected by the Commander at Eglin Air Force Base. Each ex officio member may participate in all discussions of the Board in the same manner and to the same extent as the other members of the Board. The ex officio member may not vote. Each ex officio member may serve at the sole discretion of their represented agency.
- (c) *Alternate Members.* In addition to the five members, two alternate members may be appointed by a majority vote of the City Council to serve as alternates for the term of one year, or until a successor is appointed. Alternate members shall be residents of the City. Alternate members shall substitute for absent members on a rotating basis. When substituting for an absent member, an alternate member may vote and participate in all discussions of the Board in the same manner

and to the same extent as the other members of the Board. When not substituting for an absent member(s), alternate members shall not vote on any matter, but may participate in all discussions in the same manner and to the same extent as the other members. Board members and alternate members shall be subject to any forfeiture of office provisions of the Crestview Code of Ordinances. Whenever a vacancy occurs on the Board, the City Council shall fill the vacancy for the remainder of the term as soon as practicable after the vacancy occurs.

- (d) *Vacancies.* If a vacancy occurs on the Board as the result of a resignation, death, or removal of a member, the senior alternate member shall temporarily fill such vacancy without action by the City Council, until the City Council appoints a successor regular member. In the event both alternates have served for the same continuous period of time then the alternate who is next scheduled to substitute for an absent regular member according to the rotation schedule shall temporarily fill the vacancy until the City Council appoints a successor. In the event that the alternate member dies, resigns, is removed, or becomes a member, the City Council shall promptly appoint a qualified person to the unexpired term of the alternate.

1. In the event a vacancy occurs on the Board; an alternate member may apply to be a regular member in the same manner as other applicants. In the event an alternate member is appointed as a regular member, then such appointment shall simultaneously terminate such person's position as an alternate member. In that event, the City Council may then appoint another person to fill the resulting alternate member vacancy.

- (e) *Attendance.* In the event any member should miss three meetings in a 12-month period without justification, they shall be considered as resigned from the board. In that event, the City Council may then appoint another person to fill the resulting vacancy.

1. Alternate members may be allowed to miss up to five meetings in a 12-month period without justification.
2. In the event of an absence of any member, the Chairman of the Board shall determine if Staff had any contact with the absent member providing the reason for the said absence. With that information the Chairman shall ask for a motion and to excuse or not excuse the absence.

- (f) *Compensation.* Members of the Board shall receive no salary for their services but may receive such travel and other expenses while on official business for the City as are made available by the City Council for these purposes.

Sec. 3-4. - Meetings; Quorum; Required vote.

- (a) *Meetings.* The Board shall schedule and hold at least one public hearing each month unless there is no business to transact. The Board shall also meet at the call of the chairperson and other times as may be determined by a majority of the Board.
- (b) *Quorum.* Three voting members of the Board shall constitute a quorum for the transaction of business. A smaller number may act only to adjourn meetings for lack of a quorum. The affirmative vote of a majority of the quorum shall be required to pass any action of the Board.
- (c) *Officers.* The Board shall annually elect a chairperson and a vice-chairperson from among its members. All officers shall be elected for one-year terms and shall be eligible for re-election.

Sec. 3-5. - Staff; Attorney.

- (a) *Staff-* Community Development Services shall provide staff support as necessary to the planning functions of the Board, provide secretarial support for the Board in the execution of its duties, and record and transcribe in summary form, the minutes of all Board meetings.
- (b) Staff shall keep minutes of all meetings and records of all transactions and deliberations. Such minutes and records shall be filed in the appropriate offices of the City and shall be public records.

- (c) *Attorney*- The City Attorney shall serve as legal counsel to the Board.

Sec. 3-6. - Rules and records.

- (a) The Board shall adopt its own rules of procedure as deemed necessary; provided such rules shall not be contrary to the spirit and intent of the Land Development Code, to the policies of the City, or to the requirements of the State.
- (b) All meetings of the Board shall be open to the public.
- (c) The Board shall set up rules of procedure to monitor and oversee the effectiveness and status of the Comprehensive Plan in order to make any recommendations to the City Council for revisions to the Comprehensive Plan, consistent with the intent and purpose of the Land Development Code.

Sec. 3-7 – 3-9. – (Reserved)

Sec. 3-10. - Administrative Decision Makers and Enforcement Officers

- (a) **City Manager.** The City Manager is the chief executive officer for the City of Crestview with ultimate authority over the implementation of these regulations. The City Manager has the authority to delegate his or her authority to City staff as necessary for the effective administration and enforcement of these regulations.
- (b) **Department of Community Development Services.** Community Development Services is the City department charged with administration and enforcement of the Land Development Code.
- (c) **Community Development Services Director.** The Community Development Services Director is responsible for the administration of these regulations. Specifically, the Community Development Services Director is responsible for final approval of Development Order applications and construction authorization. The Community Development Services Director shall have administrative responsibility to interpret the Land Development Code.
- (d) **Public Services Director.** The Public Services Director is charged with the development and maintenance of the City's Code relating to the provision of services including, Potable Water, Sanitary Sewer, Drainage, Recreation and Transportation and implementation related to City maintained facilities. The Public Services Director may establish Engineering Design Standards relating to the design and construction of improvements that consume or otherwise utilize City services.
- (e) **Building Official.** The Building Official is responsible for the implementation of various building codes adopted pursuant to the Florida Building Code and other applicable state statutes. The Building Official issues building permits and certificates of occupancy, upon a determination by the City of compliance of permit applications with the City regulations and any prior approvals by the City.
- (f) **Planning Administrator.** The Planning Administrator is responsible for duties under this Code or as assigned by the Community Development Services Director. The Planning Administrator shall be responsible for receiving and reviewing for completeness and sufficiency and for coordinating review of applications for Subdivision and Planned Unit Development approvals, Development Order applications and for coordinating review of said applications, review and approval of Development Permits, Zoning Compliance Certificates, and other forms of development.
- (g) **Compliance Administrator.** The Compliance Administrator is responsible for the enforcement of the City of Crestview's Code of Ordinances, Florida Statute 162 and various state statutes. The Compliance Administrator issues Notices of Violation, Correction Notices, Stop Work Orders, Notices of Hearing, Notices of Compliance, and Notices of Non-Compliance to both the public and private sectors regarding violations of the Land Development Code, Code of Ordinances and various state statutes.

Sec. 3-11. - Administration and Procedures

(a) Purpose.

1. The purpose of this Section is to establish the standards and procedures for review of proposed development within the City of Crestview. This section also provides the development review processes that implement the goals, objectives, and policies of the City of Crestview Comprehensive Plan and the other regulations of this Land Development Code.

(b) Classification of Development Review Procedures

1. All development applications are subject to review requirements outlined in this Section.
2. Development applications are classified according to the decision-making authority for each type of application, as set forth below.
3. *Administrative*. The following development applications shall be treated as administrative decisions:
 - a. Zoning or Flood Zone Verification Letters
 - b. Administrative Interpretations & Similar Use Determinations
 - c. Sign Permits
 - d. Lot Splits and lot line adjustments
 - e. Special Exception Uses
 - f. Administrative Deviations
 - g. Development Orders
 - h. Development Permits
 - i. Preliminary Subdivision Plans
 - j. Temporary Use Permits
 - k. Business Tax Receipts
 - l. Minor Re-plats
 - m. Alcohol Beverage License Review
4. *Quasi-judicial*. The following shall be treated as quasi-judicial decisions:
 - a. Variances
 - b. Vacations – Easement/Lot/Plat
 - c. Final Plats
 - d. PUDs and PUD Amendments – Major
 - e. Zoning Changes (Rezoning's)
 - f. Appeals
5. *Legislative*. The following shall be treated as legislative decisions:
 - a. Annexations
 - b. Land Development Code Text Amendments
 - c. Comprehensive Plan Text Amendments
 - d. Future Land Use Map Amendment

(c) Development Approval Process; Table 3-11.1

1. Table 3-11.1 shows the development review process, the decision-making authority for each type of development approval, and the appeal authority for each type of decision

Table 3-11.1 Development Approval and Required Notice

Decision Maker			Recommendation	Decision Maker			Required Notice		
PA	Planning Administrator						Published	Mailed	Posted
DIR	Director of Community Development Services								
PDB	Planning and Development Board								
CC	City Council								
Cir.Crt.	Circuit Court								
Application Type									
Administrative	a	Zoning or Flood Zone Verification Letters		PA					
	b	Administrative Interpretations & Similar Use Determinations		DIR					
	c	Sign Permits		PA					
	d	Lot Splits and lot line adjustments		PA					
	e	Special Exception Uses ¹	PA	DIR					X
	f	Administrative Deviations	PA	DIR					
	g	Development Orders	PA	DIR					X
	h	Development Permits		PA					
	i	Preliminary Subdivision Plans	PA	DIR					X
	j	Temporary Use Permits		PA					
	k	Business Tax Receipts		PA					
	l	Minor Re-plat	PA	DIR					
	m	Alcohol Beverage License Review		PA					
			Appeals of Administrative Decisions ²	DIR	PDB	CC	Cir.Crt.		
Quasi-Judicial	a	Variances	DIR	PDB			X	X	X
	b	Vacations – Easement/Lot/Plat	PDB	CC			X	X	X
	c	Final Plats	PDB	CC			X		
	d	PUDs and PUD Amendments - Major	PDB	CC			X	X	X
	e	Zoning Changes (Rezoning)	PDB	CC			X	X	X
	f	Appeals of Quasi-Judicial Decisions ³	PDB	CC			X	Cir.Crt.	X
Legislative	a	Annexations	PDB	CC			X	X	X
	b	LDC Text Amendments	PDB	CC			X		
	c	Future Land Use Map Amendments	PDB	CC			X	X	X
	d	Comprehensive Plan Text Amendments	PDB	CC			X		
		Appeals of Legislative Decisions ⁴	CC	Cir.Crt.					

Table 3-11.1 Supplemental Notes

1. Special Use Exceptions: more information can be found at 3-34.
2. Appeals of Administrative Decisions: more information can be found at 3-12.
3. Appeals of Quasi-Judicial Decisions: more information can be found at 3-11(k).
4. Appeals of Legislative Decisions: more information can be found at 3-11(k).

(d) Application submittals.

1. Unless otherwise indicated by a specific provision of this Chapter, the applicant for a development order, permit, or approval under this Code must be the owner of the property that is the subject of the application or a duly authorized agent of the owner. An applicant who is a contract purchaser must provide proof that the applicant is an authorized agent for the property owner.
 - i. For applications to vacate any portion of a platted subdivision, the Homeowners Association (HOA) must provide their approval in writing.
 - ii. Unless otherwise indicated by a specific provision of this Chapter or another City ordinance or regulation, applications for development orders, permits and approvals under this Chapter shall be submitted to Community Development Services.
2. Applications shall contain all information required for the type of application being submitted and shall include all plans, data and supporting documentation as required under this code or specified within the application form(s).
3. Community Development Services shall establish application forms and submittal requirements for all development applications referenced in this Article.
4. Proof of Public Notice shall be required in accordance with Table 3-11.2.
 - i. A Public Notice sign, provided by the Department, shall be posted in a conspicuous location on the proposed development site.
 - ii. The Public Notice sign shall consist of the following:
 - a) A statement that the use or appearance of the property is subject to change.
 - b) A brief description of the proposed development activity.
 - c) A statement indicating the proposed development is under consideration by the City.
 - d) The contact information for Community Development Services.
5. Applications for various approvals and permits may be submitted for concurrent or simultaneous review.
 - i. Development order applications and permit applications may be submitted upon adoption of an annexation ordinance but will not be approved until the Comprehensive Plan amendment and zoning change ordinances are adopted.
6. The Community Development Services Director shall have the discretion to require a PDB review of a development order application, or development permit review for development of buildings, structures, improvements and installations when the director or the City Attorney deems that such review is necessary to protect due process or in cases where a conflict may exists.

(e) Pre-application meetings.

1. Pre-application meetings are required for all Subdivision Development and Planned Unit Development (PUD) applications.
 - i. All other applications for development do not require a pre-application meeting. However, they are highly encouraged.
2. Upon request of an applicant, the Director or designee, may schedule a pre-application meeting with applicants and appropriate City staff, for the purpose of reviewing a proposed development prior to the formal submission of an application.

3. The pre-application meeting shall be informal, and its purpose shall be to discuss the proposals, views, and concepts of the applicant. The purpose is also to discuss whether any additional information will be required.
 - i. Failure of staff to identify any required permits, procedures, or improvements at a pre-application meeting shall not relieve the applicant of any such requirements or constitute waiver of the requirement by the decision-making body.
4. At the pre-application meeting staff will:
 - i. Review the proposed project and any preliminary plans with the applicant.
 - ii. Discuss and inform the applicant about the zoning requirements relevant to the proposal, information necessary for an application, and the approval process(es) for the development. This does not preclude the department from requesting additional information or waiving certain requirements for information later during the review process.
 - iii. Advise the applicant whether the proposed project conforms to the Comprehensive Plan or the requirements of this Chapter.
5. Any recommendations or determinations reached during pre-application meetings are purely advisory and shall not be binding.

(e) Fees Required.

1. Each applicant for a development order, permit, approval, variance or appeal under this Article shall be required to pay any application fee(s) as established by resolution.

(f) Complete Applications Required.

1. No application for a development order, permit, approval, variance or appeal under this Article shall be accepted or reviewed by staff that does not include all required application materials and the required application fee(s). The burden of providing complete and accurate information required by Community Development Services for each type of application shall be on the applicant.

(g) Determination of Completeness.

1. When an application for development order, permit, approval, variance or appeal is submitted, the Planning Administrator, or designee, where applicable, shall determine whether the application is complete and in conformance with this Land Development Code and Comprehensive Plan.
2. All applications shall be reviewed for completeness within ten days of receipt. If the application does not meet the requirements of this Article, the department shall notify the applicant or agent in writing, to include electronic messaging, stating the additional information required or the modification(s) necessary for conformance with the code.
3. No further action shall be taken on any application unless and until the additional information is submitted and determined to be complete by the administrator.
4. If the deficiency has not been remedied within sixty days of receipt of notice thereof, the application shall be automatically voided, and the Planning Administrator shall return the application to the applicant.
5. Review. When an application for development order, permit, approval, variance or appeal is determined to be complete, the department shall notify the applicant, and commence review and processing of the application in accordance with this Code.

(h) Review for Sufficiency and Code Requirements.

1. Once an application is determined to be complete, City staff shall review the application, consult with other agencies, issue comments to the applicant, consult with the applicant as necessary, and determine if the application and supporting materials are sufficient to proceed forward.
2. Sufficiency determination timelines will vary dependent upon the application type.
3. For the purposes of this section, "sufficiency" shall constitute an analysis of the application to ascertain if the application:

- i. Meets the stated objective requirements of the Comprehensive Plan, this Code, and the City Code of Ordinances; and
- ii. Includes the necessary analysis and information, in sufficient detail, to enable the decision-making body or official to make the necessary determinations under the Comprehensive Plan and this Code.
- iii. The sufficiency and code requirements set forth herein shall be used by the City to evaluate the demands created on public services and facilities by a proposed development, as required by this code and the Comprehensive Plan, to ensure level of service standards. The following public services and facilities shall be evaluated:
 - a) Potable water;
 - b) Sanitary Sewer;
 - c) Stormwater and Drainage facilities;
 - d) Environmentally sensitive lands;
 - e) Parks and open space;
 - f) Police and Fire protection;
 - g) Solid waste;
 - h) Transportation facilities.
- 4. If an application is determined to be insufficient, staff shall notify the applicant or agent in writing, to include electronic messaging, stating the additional information required or the modification(s) necessary.
- 5. No further action shall be taken on an application which is determined to be insufficient until the insufficiencies are resolved. If the insufficiencies have not been remedied within sixty days, the Planning Administrator may void the application.

(i) Decision-making.

- 1. *Administrative approvals.* Upon determination that an application and all supporting information are sufficient to render a decision, the Planning Administrator, or designee, shall prepare a report and recommendation to the Director. The Director shall take administrative action required by this code and approve the application, approve the application with conditions, or deny the application.
- 2. *Quasi-judicial and Legislative approvals.* Upon determining that an application and all supporting information are sufficient to render a decision and any inadequacies have been resolved, the Director or designee shall prepare a report and recommendation to the appropriate decision-making or recommending body.

Table 3-11.2 - Application Timelines ^{1, 2}

Application Types	Application Received	Determine Completeness	Response to Applicant	Applicant Resolve Deficiencies	Technical Review	Response to Applicant	Applicant Revisions ³	Resubmittal ³	Resubmittal Review ³	Approval or Denial – or move to PDB & Council	Minimum Days	Maximum Days
Annexations	Day 1	Day 2	Day 3	Day 4	Days 5-7	Day 8	Days 9-11	Day 12	Days 13-15	Day 16	10	16
Comprehensive Plan Text Amendments	Day 1	Days 2-3	Day 4	Days 5-19	Days 20-34	Day 35	Days 36-50	Day 51	Days 52-66	Day 67	15	67
Supplemental Standards	Day 1	Days 2-3	Day 4	Days 5-19	Days 20-34	Day 35	Days 36-50	Day 51	Days 52-66	Day 67	15	67
Development Order	Day 1	Days 2-4	Day 5	Days 6-20	Day 21-35	Day 36	Days 37-67	Day 68	Days 69-83	Day 84	15	84
Final Plats	Day 1	Days 2-3	Day 4	Days 5-19	Days 20-34	Day 35	Days 36-50	Day 51	Days 52-66	Day 67	15	67
Future Land Use Maps Amendments	Day 1	Day 2	Day 3	Day 4	Days 5-7	Day 8	Days 9-11	Day 12	Days 13-15	Day 16	10	16
LDC Text Amendments	Day 1	Days 2-3	Day 4	Days 5-19	Days 20-34	Day 35	Days 36-50	Day 51	Days 52-66	Day 67	15	67
Planned Unit Development	Day 1	Days 2-4	Day 5	Days 6-20	Day 21-51	Day 52	Days 53-113	Day 114	Days 115-145	Day 146	70	146
Preliminary Subdivision Plans	Day 1	Days 2-4	Day 5	Days 6-20	Day 21-41	Day 42	Days 43-103	Day 104	Days 104-134	Day 135	70	135
Special Exception Uses	Day 1	Day 2	Day 3	Day 4	Days 5-7	Day 8	Days 9-11	Day 12	Days 13-15	Day 16	10	16
Vacations – ROW/Esmnt/Plat	Day 1	Day 2	Day 3	Day 4	Days 5-7	Day 8	Days 9-11	Day 12	Days 13-15	Day 16	10	16
Variances	Day 1	Day 2	Day 3	Day 4	Days 5-7	Day 8	Days 9-11	Day 12	Days 13-15	Day 16	10	16
Zoning Changes	Day 1	Day 2	Day 3	Day 4	Days 5-7	Day 8	Days 9-11	Day 12	Days 13-15	Day 16	10	16

¹ The Director may extend review periods by notifying the applicant in writing prior to the due date.

² The applicant may request an extension to a time period by submitting the request in writing. The request may be approved or denied at the discretion of the Director.

³ Subsequent resubmittals will follow the same number of days as stated in the above table.

Staff will provide a process calendar upon request to include all relevant dates and deadlines.

(j) Public Hearing Scheduling and Notice Requirements.

1. *Scheduling for consideration.* When an application is deemed sufficient pursuant to this LDC, the department shall schedule a public hearing(s). No application shall be scheduled for consideration by the Planning and Development Board (PDB), or City Council until either:
 - i. All deficiencies have been resolved; or
 - ii. The applicant has, in writing, asked to proceed notwithstanding the unresolved deficiencies, guaranteed that any insufficiencies will be resolved prior to development order issuance, and indicate that he or she is fully aware that approval is not guaranteed.

2. *Required notice of public hearings.* When required by this code, notice of public hearings shall be provided by publication of an advertisement in a newspaper of general circulation, mailed notice to surrounding property owners, or posting of the development site pursuant to the requirements of this section.
 - i. Table 3-11.3 summarizes the public hearing notice requirements for the administrative, quasi-judicial and legislative applications under this Code.
3. *Website posting.* When required by this code, notices of public hearings for development applications may be posted on the City of Crestview website. Failure to post an action on the City website shall not constitute a violation of noticing requirements. In addition, information about public notice and public hearings may be posted by the City on social media outlets.
4. *Publication.* When required by this code, publication of advertisements for public hearings shall meet the minimum requirements outlined in the various sections of Florida Statutes pertaining to individual application types and at least ten days prior to any quasi-judicial hearing taking up an application type not governed by Florida Statutes.
5. *Posting.* When required by this code, the application site shall be posted with a notice of the public hearing on a sign provided by Community Development Services at least fourteen days in advance of the first public hearing.
 - i. The number and placement of public notice signs shall be determined by the administrator.
 - ii. The signs shall be removed by the applicant or the City after a final decision.
 - iii. Application types requiring Administrative decision shall require posting, on-site, at least 14 days prior to the final decision.
 - iv. When the Director determines an application requires quasi-judicial review, the on-site posting shall be considered satisfied if not removed until after a final decision.
6. *Mailed notice.* When required by this code, notice of a public hearing on a proposed development application shall be mailed to all owners of real property within three hundred feet of the boundary line of the subject property, whose names and addresses are listed on the latest published ad valorem tax records of the Okaloosa County Property Appraiser.
7. *Content.* Generally, all public hearing notices shall contain the following information:
 - i. The scheduled date, time, and location of the hearing(s);
 - ii. A general layman's description of the nature of the matter to be addressed;
 - iii. The address of the property or parcel identification number when an address has not been assigned;
 - iv. That persons may appear and be heard;
 - v. That written comments filed with the department will be entered into the record;
 - vi. That the hearing may be continued as necessary;
 - vii. A telephone number and contact for more information;
 - viii. The case number or title of the ordinance under consideration, if applicable; and
 - ix. Such additional information as may be required pursuant to this code or applicable law for specific types of development approval.
8. *Timing of mailed notice.* Notice shall be mailed a minimum of twenty-one days prior to the date set for the first public hearing by first class mail. A copy of the notice shall be available for public inspection during regular business hours at Community Development Services. If the application includes simultaneous or concurrent actions, such as annexation, future land use map amendment and a rezoning, the notice may include all actions.
9. *Electronic Notice.* Community Development Services may, as a courtesy, send an electronic notice to any person(s) or organization(s) in the City, or to any governmental, public, or quasi-public organization(s) regarding any matter that may affect the interests of that person or organization, or on any matter on which any such person or organization has requested notice.

- i. The failure of the Department to send such notice or the failure of any resident or property owner to receive such courtesy notice shall not affect the validity of the public notice requirements.
- 10. *Exceptions to Mailing and Posting.* The mailing and posting notice requirements shall not apply to a land use map amendment initiated by the Council, in response to a judicial order or compliance agreement as described by Florida Statutes.
- 11. *Continued or Rescheduled Meetings.* Notice of subsequent hearings shall be mailed and published in accordance with this section for:
 - i. Any hearing for which the PDB, Community Development Services Director, City Manager, or City Attorney determines new notice should be provided, because of the time elapsed from the original notice, to correct any defect, or apprise affected parties of significant changes to the application as originally noticed;
 - ii. Any hearing continued to an unspecified date, time, and place; or
 - iii. Any hearing where such new notice is required pursuant to applicable law or this Code.

TABLE 3-11.3 – Development Application Notice Requirements

Application Type	Notice and Timing Requirements		
	Posted Notice	Mailed Notice	Published Notice
Development Order	Property posted at least fourteen days prior to decision.	N/A	N/A
Preliminary Subdivision Plans	Property posted at least fourteen days prior to decision.	N/A	N/A
Special Events	Property posted at least fourteen days prior to decision.	N/A	N/A
Appeals of Administrative Decisions	N/A	N/A	Published at least ten days prior to public hearing.
Variances	Posted at least ten days prior to the public hearing.	Sent first-class at least ten days prior to the public hearing	Published at least ten days prior to public hearing.
Special Exception Uses	Posted at least ten days prior to the public hearing.	Sent first-class at least ten days prior to the public hearing	Published at least ten days prior to public hearing.
Vacations – ROW/Easement/Lot/Plat	Posted at least ten days prior to the public hearing.	Sent first-class to all affected property owners at least ten days prior to the public hearing	Published at least ten days prior to adoption hearing.
Planned Unit Development	Posted at least ten days prior to the public hearing.	Sent first-class to all property owners within three hundred feet, ten days prior to first public hearing.	Published in conformance with Florida Statutes
Zoning Changes	Posted at least fourteen days prior to the public hearing.	Sent first-class to all property owners within three hundred feet, twenty-one days prior to first public hearing.	Published in conformance with Florida Statutes
Appeals of Quasi-Judicial Decisions	N/A	N/A	Published at least ten days prior to public hearing.
Annexations	Posted at least fourteen days prior to the public hearing.	Sent first-class to all property owners within three hundred feet, twenty-one days prior to first public hearing.	Published in conformance with Florida Statutes
Final Plats	Posted at least ten days prior to the public hearing.	Sent first-class to all property owners within three hundred feet, ten days prior to first public hearing.	Published in conformance with Florida Statutes
LDC Text Amendments	N/A	N/A	Published in conformance with Florida Statutes
Future Land Use Maps Amendments	Posted at least fourteen days prior to the public hearing.	Sent first-class to all property owners within three hundred feet, twenty-one days prior to first public hearing.	Published in conformance with Florida Statutes
Comprehensive Plan Text Amendments	N/A	N/A	Published in conformance with Florida Statutes

(k) Public Hearing Procedures.

1. *General.* All public hearings shall be open to the public. Members of the public, with standing, shall be permitted to testify at all public hearings.
2. The applicant may withdraw an application by requesting such withdrawal in writing prior to the commencement of the hearing or by withdrawing the application on the record at the start of the public hearing.
3. *Record of hearings.* The City Clerk, or designee shall attend all hearings, and the City will whenever possible record (audio, video, or both) all hearings. The City shall retain the original recording(s) in accordance with the laws of the State of Florida, and, if requested, provide a duplicate of the recording(s).
4. *Official file.* All written communication received by the decision-making body or staff concerning an application, by the public, and all other documents pertaining to the application shall be filed in the official project file, which shall be maintained by staff.
 - i. The Comprehensive Plan, the City Code of Ordinances, and the Land Development Code shall be deemed to be part of the official file. The official file shall be available for inspection during normal business hours.
5. *Order of public hearings.* The hearing shall, to the extent possible, be conducted as follows:
 - i. The Council President / Mayor shall open the Public Hearing.
 - ii. The City Clerk shall read into the record the ordinance or resolution title and number, or the applicant's name, file number, and the subject matter to be decided if there is no ordinance or resolution.
 - iii. For quasi-judicial hearings, the applicant, staff, and all parties with standing and requesting to speak or present evidence or both at the hearing, shall be collectively sworn in by an oath or affirmation by the City Attorney.
 - iv. The applicant may waive their right to a quasi-judicial or evidentiary hearing if the applicant agrees with staff's recommendation and no one from the audience wishes to speak for or against the application.
 - v. The decision-making body may then vote on the item, rule on the matter or make a recommendation, based upon the staff report and any other materials contained within the official file.
 - a) Regardless of a waiver by the applicant, a public hearing shall be held for all decisions requiring an ordinance or resolution.
 - vi. If there is a quasi-judicial hearing, the order of the presentation shall be as follows, unless the Chair / Mayor determines to proceed in a different order, taking proper consideration of fairness and due process:
 - a) Staff shall make presentation, including offering any documentary evidence, and introduce any witnesses.
 - b) Staff shall have the responsibility of presenting the case on behalf of the city. The staff report shall be made available to the applicant and the decision-making body no later than five business days prior to the quasi-judicial hearing. Staff shall present a brief synopsis of the application; introduce any additional exhibits from the official file that have not already been transmitted to the City Council with the agenda materials, summarize the issues, and make a recommendation on the application.

Staff shall also introduce any witnesses to provide testimony at the hearing.

- c) Public comment. Participants with standing, in opposition to or in support of the application shall make their presentation in any order as determined by the Chair / Mayor. The Chair / Mayor may set time limits for testimony when deemed appropriate. All participants with standing will be afforded an opportunity to speak.
 - d) Public at large. The general public, those members without standing in the quasi-judicial proceedings, shall be afforded the opportunity to speak on the subject. Each member of the general public wishing to speak shall present their argument in less than three minutes.
 - e) For hearings on quasi-judicial matters only, the applicant may cross-examine any witness and respond to any testimony presented.
 - f) For hearings on quasi-judicial matters only, staff may cross-examine any witness and respond to any testimony presented.
 - g) The Chair / Mayor may choose to allow participants to respond to any testimony if he or she deems the response to be essential in ensuring fairness and due process.
 - h) Members of the Planning and Development Board or City Council may ask any questions of the staff, applicant, and participants.
 - i) Final argument may be made by the applicant, related solely to the evidence in the record.
 - j) Final argument may be made by the staff, related solely to the evidence in the record.
 - k) For good cause shown, the PDB or City Council may grant additional time to any of the above time limitations.
 - l) The Chair or Mayor shall keep order, and without requiring an objection, may direct a party conducting the direct examination or the cross-examination to stop a particular line of questioning that, in the sole judgment of the Chair or Mayor merely harasses, intimidates, or embarrasses the individual testifying or being cross-examined; is unduly repetitious, is not relevant; or is beyond the scope of the application or, in the case of cross-examination, is beyond the scope of the testimony by the individual being cross-examined. If the party conducting the direct examination or cross-examination continues to violate directions from the Chair or Mayor to end a line of questioning deemed improper as set forth herein, the Chair or Mayor may terminate the direct examination or the cross-examination.
 - m) The PDB or City Council may, on its own motion or at the request of any person, continue the hearing to a fixed date, time, and place. The applicant shall have the right to one continuance; however, all subsequent continuances shall be granted at the sole discretion of the PDB or City Council.
- vii. *Decisions.* For all quasi-judicial hearings in which a decision is made regarding an application for any development order or development permit, the decision to approve or deny shall be based on the application meeting all applicable requirements of the Comprehensive Plan, the City Code of Ordinances, and the Land Development Code, based on the entirety of the record before the PDB or

City Council. The PDB or Council decisions must be based upon competent substantial evidence in the record.

6. *Rules of Evidence for quasi-judicial hearings.*

- i. The decision-making body shall not be bound by the strict rules of evidence and shall not be limited only to consideration of evidence which would be admissible in a court of law.
 - ii. The Chair or Mayor may exclude evidence or testimony that is not relevant, material, or competent or testimony which is unduly repetitious or defamatory.
 - iii. The Chair or Mayor, with the advice of the City Attorney, will determine the relevancy of evidence.
 - iv. Matters relating to an application's consistency with the Comprehensive Plan, the City Code of Ordinances, or the Land Development Code will be presumed to be relevant and material.
 - v. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but it shall not be sufficient by itself to support a finding unless it would be admissible over objection in court.
 - vi. Documentary evidence may be presented in the form of a copy of the original, if available. A copy shall be made available to the decision-making body and to the staff no later than three business days prior to the hearing on the application. Upon request, the applicant and staff shall be given an opportunity to compare the copy with the original. Oversized exhibits shall be copied and reduced for convenient record storage.
 - vii. Only the applicant, an authorized representative of the applicant, staff, and the decision-making body shall be entitled to conduct cross-examination when testimony is given, or documents are made part of the record.
 - viii. The City Attorney shall represent the decision-making body and advise it as to procedures to be followed.
 - ix. The PDB or City Council shall take judicial notice of all state and local laws, ordinances, and regulations and may take judicial notice of such other matters as are generally recognized by the courts of the State of Florida.
 - x. Supplementing the record after the quasi-judicial hearing is prohibited, unless specifically authorized by an affirmative vote of the decision-making body, or authorized under the following conditions:
 - a) The supplementation occurs after a quasi-judicial hearing is continued but prior to final action being taken on the application or appeal.
 - b) If a question is raised by the PDB or City Council at the hearing which cannot be answered at the hearing, the party to whom the question is directed will submit the requested information in writing to the City Clerk and the decision-making body after the quasi-judicial hearing, with copies to the other parties, provided the hearing has been continued or another hearing has been scheduled for a future date and no final action has been taken by the decision-making body. The information requested will be presented to the decision-making body at least two business days prior to the time of the continued hearing.
 - c) All parties and participants shall have the same right with respect to the additional information as they had for evidence presented at the hearing.
7. Final decision. The City Council shall reach a written decision without unreasonable or unnecessary delay. A copy of the decision shall be provided to the City Clerk for

transmission to the applicant, if the applicant is not the City, a copy shall be provided to the Director of Community Development Services and the City Attorney.

8. The Record. All evidence admitted into the record at the hearing, the official file, and the adopted development order, ordinance, or resolution of the City Council or the written decision shall be maintained by the City Clerk and/or Community Development Services.
9. Adjournment. The Chairperson, upon a vote of the majority present may adjourn a hearing to a date certain without the necessity of additional notice. Adjournment to an uncertain date shall require notice as required for the original hearing and by this Land Development Code.
10. Deferrals. If a hearing is concluded, but action is deferred until a future date, formal notice shall not be required prior to action being taken.
11. Joint hearings. Where deemed necessary, joint hearings may be conducted after proper public notice. In such instances, public notice need only be given by one public body, which shall be the City Council in instances where it is one of the hearing bodies.
12. Regularly scheduled public hearing dates. The City Council may establish regular dates for public hearings on zoning amendments. Such dates, if established by the City Council, shall not prevent the City Council from scheduling additional public hearings whenever such public hearings are deemed necessary.
13. Reading of ordinances. Except for ordinances initiated by the City Council which rezone a parcel or parcels of land involving ten or more contiguous acres, or change permitted, special exception, or prohibited use categories in zoning districts, all ordinances shall be read, either by title or in full, on two separate days at a duly noticed public hearing of the City Council.
14. The printed agenda for the meeting at which the quasi-judicial hearing is scheduled to take place shall identify the hearing as quasi-judicial and indicate where copies of the procedures that apply may be obtained.

(l) Decisions under this Article.

1. When this Article authorizes the Community Development Services Director, the PDB or City Council to make decisions under this Chapter, that decision shall be made pursuant to this Code of Ordinances and shall make the decision based on whether the application complies with this Article and any regulations authorized by this Code, and will protect the public's health, safety, and welfare.
2. Unless otherwise indicated in a provision of this Article, the Community Development Services Director, PDB, or City Council may approve the application, deny the application, or approve the application subject to conditions as stated in subsection 102-28(o), below.
3. Unless otherwise stated in this Article, or unless a different condition is attached to a development order, permit or approval, development orders, permits and approvals granted under this Article are not affected by changes in ownership or tenancy of the property. However, notice of ownership change and a copy of the deed shall be required.

(m) Conditions on Approvals.

1. The Community Development Services Director, PDB, or City Council may attach conditions to any quasi-judicial order, permit or approval under this Chapter, provided the condition is required to bring the development proposed in the application into compliance with the requirements of the Comprehensive Plan or this LDC.
2. The Community Development Services Director, PDB or City Council may also attach conditions to any quasi-judicial development order, permit or approval under this Code, provided the condition is necessary to minimize or ameliorate potential adverse impacts of the development proposal.

- i. Such conditions shall be reasonably related to the actual or potential impact(s) of the specific use, activity, or structure in question.

(n) Appeals.

1. *Review by the Director.* Applicants for administrative orders, permits and approvals may request a formal review by the Community Development Services Director, within seven days of the date the administrative decision was made. The request for review shall be accompanied by the approval or denial document, a detailed explanation of the reason(s) proposed for reversal of decision, required fees and any relevant documents related to the review as determined by the Planning Administrator. Upon formal request for review, the Administrator shall review the relevant standards and present a written finding to the Community Development Services Director.
 - i. The request for review shall be considered by the Community Development Services Director within ten days of submittal of a complete request.
 - ii. The Community Development Services Director may consult with the City Attorney's office on the matter.
 - iii. The Director shall provide a written determination to affirm the staff decision, grant the relief requested in the review, with or without conditions, or respond to the applicant or respective manager for further information, documentation, or proceedings. The written determination by the Director shall be the final administrative decision.
2. *Appeals of Community Development Services Director decisions (Administrative Appeal).* An applicant desiring to appeal a decision of the Community Development Services Director, shall, within ten days from the date of such decision, file a written Notice of Appeal with Community Development Services. The appeal shall then be heard by the PDB, acting as the Board of Adjustment, at a regularly scheduled meeting, provided there is sufficient time to review the appeal and provide the required public notice.
 - i. A staff or Director's recommendation is not a decision and is not appealable.
3. *Appeals from decisions of the City Council or PDB.* An action to review any decision of the City Council or PDB under these regulations may be taken by any person or persons aggrieved by such decision by presenting to the Circuit Court a petition for issuance of a Writ of Certiorari, duly certified, setting forth that such decision is illegal, in whole or in part, certifying the grounds of the illegality, provided same is done in the manner and within the time provided by Florida Rules of Appellate Procedure.
4. *Stay of proceedings.* An appeal shall stay all proceedings in the matter appealed from until the final disposition of the appeal by the City Council or PDB. The pendency of an appeal shall toll all time periods applicable to the decision which is subject to appeal until final disposition of the appeal by the City Council or PDB with regard to the appeal.
5. *Record.* The record to be considered in the appeal shall include any application, exhibits, appeal papers, written objections, waivers, or consents considered by staff, the PDB, or City Council, as well as transcripts and recordings taken at a public hearing, the PDB or City Council minutes, and resolutions or ordinances showing the decision or action being appealed. The record shall also include the record made as a result of any prior applications for development approval on the same property. The City Clerk shall identify all exhibits used at the hearing. All exhibits so identified or introduced shall be a part of the City record.

(o) General Review Procedures

1. *General Requirements for all applications.*

- i. Applications for orders, permits or approvals shall be submitted on forms supplied by the Department and any required supporting documentation, plans, or materials required by this Code or specified within the application form(s).
- ii. Applications shall include any required fee(s) as established by the City Council.
- iii. Incomplete applications will not be accepted.
- iv. Before any use of land, building, or structure is established or any established use of land, building, or structure is changed to a different use than that identified in a previously-issued certificate of occupancy, a zoning compliance certificate under this code, or a business tax receipt for the property, the person seeking to establish the use must obtain a zoning compliance certificate.
 - a) Failure to secure a zoning compliance certificate before establishing a use of land, building, or structure or before changing the use of the property from the previously recognized use to another use, shall be a violation of this Code, and punishable as such.
- 2. *Withdrawal of applications.* An applicant may withdraw an application at any time by submitting a letter of request to the department or providing testimony of the requested withdrawal in a public hearing.
- 3. *Effective date.* All permits shall take effect on the day following the expiration of any appeal period as provide in this Code.
- 4. *Reliance on permits during pendency of appeals.* Any action(s) taken by a permittee during the pendency of an administrative or quasi-judicial appeal shall be at the sole risk of the permittee.

Sec. 3-12. - Specific Review Procedures - Administrative Orders, Permits and Approvals

- (a) The following sections outline the various application types and approvals which shall be reviewed, considered and either approved, approved with conditions, or denied through administrative decision. Administrative decisions shall be made by the Community Development Services Director.
- (b) At the Director's discretion, when he or she finds a discrepancy in the code or a special condition of the application, may forward any application to the PDB for additional review and decision.

Sec. 3-13. - Zoning Verification Letter or Flood Verification Letter.

- (a) *Purpose and Intent.*
 - 1. Zoning Verification Letter. To provide an official determination of the zoning of specific property.
 - 2. Flood Zone Verification Letter. To provide an official determination of the FEMA Flood zone, as shown on the Flood Insurance Rate Map (FIRM) for specific property.
- (b) *Review Criteria.*
 - 1. The Department will review the applicable City records, maps, and any supporting information and issue a Zoning or Flood Zone verification letter.
 - 2. Verification letters are valid for the date upon which they are issued and may be subject to change.
 - 3. Zoning verification letter issuance shall require payment of an administrative fee as established by City Council.

Sec. 3-14. - Administrative Interpretations and Similar Use Determinations.

- (a) *Purpose and Intent.*

1. To determine whether a proposed use, activity, or site design complies with the comprehensive plan.
2. To interpret specific comprehensive plan policies.
3. To interpret whether a proposed use, activity, or site “design” complies with the LDC.
4. To determine how specific code requirements may apply to a site or a development proposal when application of such requirements is not explicitly set forth in the LDC.
5. To interpret the application of conditions of approval.
6. To determine whether a proposed use that is not otherwise classified as permitted, or permitted by special use exception, in a zoning district or is not currently defined in this code, may be classified as a similar use.

(b) *Review Criteria.*

1. To determine whether a proposed use activity or site design complies with specific provisions of the comprehensive plan and is in keeping with the spirit and intent of the comprehensive plan.
2. Consistency with the Land Development Code.
3. Whether the proposed use or activity complies with required policies and procedures.

(c) *Similar Use Determinations.*

1. Interpretation of Similar Uses. Notwithstanding the Zoning district requirements of this LDC, the Director may determine that a specific proposed use may be allowed as a permitted or as a special exception use in a specific zoning district(s).
2. Similar Use Determination Process.
 - i. A similar use determination may be issued if all of the following findings can be made:
 - a) The characteristics and activities associated with the proposed use are similar to those of one or more of the allowed uses listed in the zoning district and will not involve a greater level of activity, population density, intensity, traffic generation, parking, dust, odor, noise, or similar impacts than the uses listed in the zoning district; and
 - b) The proposed use will meet the purpose and intent of the zoning district that applies to the location of the use; and
 - c) The proposed use is consistent with the goals, objectives, and policies of the Comprehensive Plan; and
 - d) The proposed use is not listed a permitted, permitted with specific regulations, supplemental standards, or special exception use in another zoning district.
 - ii. If a similar use determination is approved, the Director shall expedite a recommendation to the PDB establishing the use to be a permitted use or special exception use. The department shall prepare a text amendment to this ordinance to include the use in the appropriate district, along with any appropriate use regulations.

Sec. 3-15. - Lot-Splits and Lot line adjustments

(a) *Purpose and Intent*

1. To provide standards for the split of lots and tax parcels along existing platted lot or parcel lines or for the adjustment of a common property line between two parcels.
2. To provide standards for the split of lots or tax parcels that do not require a replat.
3. To provide for the split of property when the lot split does not require approval as a new subdivision plat or replat.

4. To provide an expedited path to creating up to two separate parcels from one existing parcel.
- (b) *General Requirements*
1. All divisions of land in the City shall occur only as a new subdivision plat, a replat, or a lot split. A lot split that does not meet the requirements of this chapter is deemed a subdivision or a replat and shall be defined and processed as set forth in the Subdivision regulations of this Code.
 2. No lot split or lot line adjustment shall be recognized by the City, no lot that is a part thereof shall be sold, and no building permit shall be issued unless the lot split or lot line adjustment has been approved by the City prior to recording in accordance with the requirements of this Article.
- (c) *Review Criteria and Standards.* The Planning Administrator, where appropriate, will review applications for lot splits and lot line adjustments to establish and/or determine the following:
1. Whether the resulting lots creates nonconforming lots and structures.
 2. Ensure that the lot split or lot line adjustment does not create split zoning on a parcel.
- (d) *Application Requirements.* The following documents shall be included with the necessary forms as required by the department:
1. A survey prepared by a licensed professional surveyor indicating the legal description of the parent parcel, legal descriptions of all child parcels, boundaries, dimensions, easements, restrictions or agreements affecting the property, rights-of-way, utilities, location of existing buildings, and other pertinent information including wetland boundaries.
 - i. The survey shall be signed, sealed, dated, and certified to the City.
 2. The Deed for the property.
- (e) *Approval and recording.* Community Development Services shall review the proposed lot split for compliance with the criteria set forth in this LDC. Once approved, the applicant may proceed with the lot split and record the lot split with the Okaloosa County Property Appraiser.
1. A Lot Split Certificate shall be issued upon approval.
 - i. Approval shall expire within one (1) year of issuance if not recorded.

Sec. 3-16. - Reserved

Sec. 3-17. - Administrative Deviations.

- (a) *Purpose and Intent.*
1. To grant relief from the strict application of the Land Development Code requirements to allow for minor waivers.
 2. Any relief granted from the strict application of this Land Development Code shall not violate any goals, objectives, or policies of the adopted Comprehensive Plan.
- (b) *Scope.* Administrative Deviations may be granted only for the following:
1. Setback requirements where the setback is not decreased by more than ten percent in the applicable zoning district and the encroachment does not extend into an easement, right-of-way, or is an encroachment over the property line for a zero-lot line required site.
 2. Reduction in the overall required parking by five percent.
 3. Landscaping or buffers. Up to a ten percent reduction in the width of required buffers or the required number of trees and shrubs.
 4. Preservation of Vegetation. A deviation from the following regulations to accommodate the preservation of existing protected tree(s):
 - i. Up to five percent of a required setback; or

- ii. Up to five percent of the required parking spaces.
- 5. Minor sign deviations as set forth in the sign regulations of this code.
- 6. Maximum lot coverage. Up to a ten percent increase in the maximum percentage of lot coverage by impervious surfaces, provided the applicant submits calculations by a Florida Registered Professional Engineer showing that the conveyance system for the contributing drainage basin can accommodate the additional stormwater run-off, where applicable.
 - i. A property owner may also add retention storage on-site to compensate for the additional runoff in situations where they propose to exceed the maximum.
 - ii. All such calculations and drainage plans must be approved by the City Public Services Department prior to issuance of any building permits.
- (c) *Review Criteria.* An Administrative Deviation may be approved based on the following criteria:
 - 1. The proposed deviation will not result in development that is inconsistent with the intended character of the applicable zoning district.
 - 2. The normally required code standard(s) is determined to significantly inhibit development of the site.
 - 3. The deviation will not impede the ability of the project or site to adequately provide for service areas and other development features for the project.
 - 4. Access for service and emergency vehicles will not be impeded.
 - 5. The proposed deviations will result in a building and site design of equal or superior quality.
 - 6. The impacts of the waiver are otherwise addressed.
- (d) *Effective date of approval.* A deviation shall take effect upon signed approval by the Community Development Services Director.
- (e) If an Administrative Deviation is not approved, the applicant may subsequently apply for a Variance through the PDB.

Sec. 3-18. - Development Orders.

- (a) *Applicability.* The procedures contained in this Section are applicable to all projects involving land development, including Site Development Plans. Also included are projects which involve the construction of any facility, the expansion of a site through acquisition or lease, alteration or conversion of an existing site or structures, or the change of use of a site or structure where the site or structure does not meet the current standards or criteria of these regulations.
 - 1. The provisions of this Section, where appropriate, are to be applied to on-site and off-site development activity.
 - 2. No land development activity (including land clearing, excavation, or placement of fill) shall commence without obtaining the appropriate approvals and permits required by this code.
- (b) *Exceptions.* The requirements of this section do not apply to:
 - 1. Single-family dwellings; or
 - 2. Duplex dwellings on existing platted lots.
 - 3. General upkeep or cleaning of debris and dead vegetation.
- (c) *Plan Preparation.* A professional engineer registered in the state of Florida shall design all required improvements such as streets, drainage systems, water and sewage facilities, etc.
 - 1. All plans, drawings, reports, and calculations shall be prepared, signed, and sealed by the appropriate licensed professional, such as engineers, architects, landscape architects, professional surveyors and mappers, or attorneys, registered in the state of Florida.

2. Other specialized consultants, such as environmental consultants, structural engineers, archaeologists, etc., may be required to assist in the preparation of the plans, drawings, reports, or other documents required for application submittals.
- (d) *General Plan Requirements.* All site development plans submitted in conjunction with application for a Development Order shall include, at minimum, the following components as applicable:
1. A signed and sealed survey showing the location of existing property and rights-of-way lines, both for private and public property.
 2. The location of streets, sidewalks, airports, railroads, buildings, transmission lines, sewers, bridges, culverts, drainpipes, water mains, fire hydrants, and any other public or private easements.
 3. Any land rendered unusable for development purposes by easements, deed restrictions or other legally enforceable covenants or limitations.
 4. All watercourses, water bodies, floodplains, wetlands, important natural features, wildlife areas, soil types and vegetative cover on or adjacent to the site.
 5. The location of environmentally sensitive lands as designated by the US Army Corp of Engineers.
 6. The existing land use, future land use and zoning district of the lands involved in the development.
 7. The location of the proposed development as well as the intensity and/or density of the proposed development.
 8. A parking and traffic circulation plan that includes onsite traffic flow, points of ingress and egress and any planned public or private roads, rights-of-way, pedestrian ways, bicycle paths or transportation facilities.
 9. Any existing and proposed stormwater management systems on the site and proposed linkage, if any, with existing or planned public stormwater management systems.
 10. The proposed location and sizing of potable water and wastewater facilities to serve the proposed development.
 11. Proposed open space areas on the development site and types of activities proposed to be permitted on such open space areas.
 12. Lands to be dedicated or transferred to a public or private entity and the purposes for which the lands will be held and used.
 13. A description of how the plan mitigates or avoids potential conflicts between land uses to include a description of any buffering and transitions.
 14. Architectural elevations of all buildings sufficient to convey the basic architectural intent of the proposed improvements.
 15. The total project area and total disturbed area.
 16. A map of vegetative cover including the location and identity, by common name, of all protected trees.
 17. A topographic map with one foot contours of the site clearly showing the location, identification and elevation of benchmarks, including at least one benchmark for each major water control structure.
 18. The location of any underground or overhead utilities, culverts and drains on the property and within one hundred feet of the proposed development boundary.
 19. Area and percentage of total site to be covered by impervious surfaces.
 20. Grading plans specifically including perimeter grading.
 21. Construction phase lines.
 22. Building plans showing the location, dimensions, gross floor area and proposed use of buildings.

23. Building setback distances from property lines, abutting rights-of-way and all adjacent buildings and structures.
 24. The location, dimensions, type, composition and intended use of all ancillary structures.
 25. The location and specifications of any proposed garbage dumpsters.
 26. Cross sections and specifications of all proposed pavement.
 27. Typical and special roadway and drain sections and summaries of quantities.
 28. Information sufficient to determine compliance with the landscape and tree protection regulations of this Chapter.
 29. The location, accompanied by all necessary drawings, construction plans, wiring plans, etc., of all proposed signs.
 30. The proposed number, minimum area and location of lots, if the development involves a subdivision of land.
 31. All lots shall be numbered either by progressive numbers or in blocks progressively numbered or lettered except that blocks in numbered additions bearing the same name may be numbered consecutively throughout several additions.
 32. All interior excluded parcels shall be indicated and labeled accordingly.
 33. All contiguous property shall be identified by development title, plat book and page, or if the land is un-platted it shall be so designated.
 34. The total number and type of residential units categorized according to number of bedrooms.
 35. The total number of residential units per gross acre.
 36. Location of onsite wells, if any, and wells within 200 feet of any property line, if any.
 37. Restrictions pertaining to the type and use of existing or proposed improvements, waterways, open spaces, buffer strips and the like shall require the establishment of restrictive covenants and such covenants shall be submitted with the final development plan for recordation.
 38. If the development includes private streets, an ownership and maintenance association document shall be submitted with the final development plan and the dedication contained on the development plan shall clearly indicate the roads and maintenance responsibility to the association without recourse to the city or any other public agency.
 39. If the development is to be phased for any reason, a master plan for the entire project shall be submitted with the development plan for the first phase or phases for which approval is sought. In addition, a schedule indicating approximate development phasing, including the sequence for each phase, shall be included.
 40. The manner in which historic and archaeological sites on or near the site will be protected.
 41. A stormwater management plan during construction.
- (e) *Review Process.* The application review and approval process for Administrative approvals of development plans shall be in accordance with the application, review, and decision procedures as outlined above. Development Order application approval shall generally adhere to the following process:
1. A complete application is submitted by the applicant;
 2. Staff determines sufficiency and compliance through coordinated departmental review;
 3. Once sufficiency and compliance with the City's Comprehensive Plan and Land Development Code is established the Planning Administrator shall issue a final report to the Director;
 4. This report shall include the following:
 - i. Proof of completeness;
 - ii. All plans and related documents;

- iii. All staff comments and reports;
 - iv. A staff recommendation based on the approval criteria as outlined in subsection 102-29.7(f); and
 - v. All public comment received relating to the proposed development.
- (f) *Criteria.* The Director may approve, approve with conditions, or deny the application, after consideration and review of the following:
 - 1. The development, as proposed, conforms to the comprehensive plan and is consistent with the recommendations of any applicable PUD Concept Plan, Preliminary Subdivision Plan, or master plans which have been approved or accepted by the City Council;
 - 2. The proposed development plans, landscape plans, engineering plans, lighting plans, and other required plans conform or will conform with all applicable City codes, any engineering design standards, and other standards as set forth in this code;
 - 3. The development will efficiently use or will not unduly burden or deteriorate levels of service standards for the drainage, water, sewer, solid waste disposal, education, recreation, or other necessary public facilities existing, being constructed or are planned and budgeted for construction in the area;
 - 4. The development provides sufficient on-site storm water management improvements to meet state water quality and flood protection standards;
 - 5. The development will efficiently use or will not unduly burden or affect public transportation facilities, including public transit, public streets, roads, and highways which have been planned and budgeted for construction in the area,
 - 6. The development provides necessary and adequate vehicular circulation, pedestrian access, ingress and egress, and is configured in a manner to minimize hazards and impacts on adjacent properties and adjacent rights-of-way.
 - 7. The Public Services Director may require utility, drainage or other easements be accepted by City Council and recorded in the public records prior to approval of a Development Order application or development permit.
 - 8. Projects that involve a vacation of plat or release of easement may have review or approval withheld until such vacation or release of easement has been approved or recorded, as determined by the Director.
 - 9. The Director may attach any reasonable conditions, safeguards, limitations, or requirements to the approval of a plan which are found necessary and consistent with this section and to carry out the purposes of this Code and the Comprehensive Plan.
 - 10. The Director, may at his or her discretion, forward any application to the PDB for approval or review and recommendation to City Council.
- (g) *Plats.* If the development is a subdivision, a plat meeting the requirements of F.S. Ch. 177, Part 1 and all City of Crestview technical requirements for Plat Approval, which are hereby incorporated by reference, must be submitted prior to approval of Subdivision Construction Plans.
- (h) *Final Approval.* After a final development order has been issued, the applicant may, within 12 months of the issuance of the final development order, apply for the necessary construction and/or development permits. Following any required appeal period, the city shall issue the necessary permits if the proposed construction is consistent with the final development order.
 - 1. If the application for a construction permit deviates from the final development plan the Director shall notify the applicant within five working days of the permit application.
- (i) *Effect of Plan Approval.* Approved site development plans are valid for 12 months from the date of approval. If a Development Order extension has not been obtained prior to the expiration date, the approval expires and becomes null and void.

1. The issuance of a Development Order shall serve as authorization for an applicant to apply for construction and development permits only.
 2. An applicant may apply for a one-year extension for good cause. Such an extension may be granted for any plan approved after the effective date of this ordinance and two years prior to adoption. The extension request must be filed prior to the expiration date of plan approval. If the project is within a PUD, or a phased development, the expiration of plan approvals may differ, as established in the original approval.
- (j) *Pre-construction Meeting.* At the discretion of the Director, Building Official, or an Administrator, the applicant may be required to schedule a preconstruction meeting where representatives of the developer, the City, contractors, and franchise utilities shall discuss the construction of the planned improvements. No work shall take place prior to the preconstruction meeting when one is required.
- (k) *Development Order Amendments.*
1. Site Development Plan Amendments. Plan amendments include changes to projects which impact multiple aspects of the development, may affect multiple plans, and will require multiple departmental reviews to evaluate the proposed amendment to the plan(s).
 - i. The amendment process may not be used to substantively modify the scheme of development as originally approved.
 - ii. Proposed amendments that impact PUD approval criteria or conditions must receive approval of an amendment to the PUD prior to receiving approval.
 - iii. Amendments may apply to projects that are currently under review, projects under construction or phased projects that have yet to be completed.
 - iv. The applicant shall submit a letter of intent, the applicable fee, the amended plan(s) and any other documentation required to review the proposed amendment.
 - v. The Director shall determine if the proposed changes to the plan can be processed as an amendment, qualify for a lesser review process or require a complete review as equivalent to the original review process.
 - vi. Site Development Plan Amendments are subject to additional review and processing fees.
 2. Limited Review Revisions to an approved plan while under construction may be approved in writing by the Planning Administrator, where applicable, provided such revisions fully conform to all existing City regulation.
 - i. The limited review process shall be utilized when the proposed plan revisions meet the following:
 - 1) Does not affect the projects minimum technical requirements of this Code;
 - 2) Does not require review by multiple staff or departments;
 - 3) Does not change the gross square footage of a building by more than ten percent;
 - 4) Does not adversely impact compliance with the approved plan; and
 - 5) The proposed revision will not alter the required infrastructure and improvements necessary to serve the project.
 - ii. The Planning Administrator, where applicable, will determine if the revision requires an approved plan revision or if the revision can be shown on the As-built Drawings.

3. Changes that exceed the criteria or the scope of a limited review as specified in this subsection or, as determined by the Planning Administrator, where applicable, may be processed as an amendment or as a full review in accordance with this section.

Sec. 3-19. - Development Permits

- (a) Certain buildings, structures, improvements, and installations are either exempted by the Florida Building Code from building permit issuance or are required to meet the additional standards of this Land Development Code. Therefore, such buildings, structures, improvements and installations shall be subject to the various development review processes and/or the zoning compliance certificate standards contained in this Article.
- (b) A development permit is required for all development that does not necessitate the issuance of a development order or that is not otherwise exempted by this Land Development Code. In instances where the Florida Building Code requires building permit issuance, a development permit may not be issued but a site development review will occur concurrent with the building review.
- (c) **Applicability.** A development permit shall be required for the following development types and/or instances of construction, improvements and installations.
 1. Single Family and Duplex development and residential additions applications;
 2. Land Clearing and Demolition applications;
 3. Sign permit applications;
 4. Accessory Structure permit applications;
 - i. Including but not limited to fences, pools, pool enclosures, sheds, storage buildings, green houses, carports, fountains, and other;
 5. Protected Tree Removal permit applications;
 6. Manufactured Home Placement;
 7. Home Occupations;
 8. Minor non-residential additions and site improvements that create less than 1,000 sq. ft. of impervious surface area which do not necessitate additional parking (above the 1,000 square feet) or serve to increase impacts on City services;
 9. Changes of Use; and
 10. Other similar minor developments.
- (d) **Staff Approval.** A development permit application shall be approved provided all departmental reviewers have accepted the plans and/or accepted the plans with conditions.
- (e) **Review.** The applicant for a development permit shall be notified in writing, to include electronic messaging, of any deficiencies in their application within seven (7) days of submittal.
 1. Staff shall act upon complete and sufficient applications for site development permits within seven (7) calendar days from the date of a complete application submittal.
- (f) **Development Permit Approvals.**
 1. All approvals will be issued in compliance with the approved plans, if applicable, and may contain relevant conditions of the associated plan approval.
 2. If the proposed construction or alteration conforms with all applicable provisions of this Code and all other applicable laws, staff shall issue a development permit or other construction authorization.
 3. If the proposed construction or alteration fails to conform, staff shall deny the application and shall deliver written notice, to include electronic messaging, to the applicant stating the reason for denial.
- (g) **Effect of Approval, Expiration, and Extensions.** A site development order shall expire six months from the date of issuance unless the permitted improvements are under construction and have

passed a required inspection within the thirty days prior to the expiration of the approval. Erosion control inspections, if applicable, will not extend the expiration date.

1. An approval may be extended for an additional ninety days. Failure to either pass a required inspection or request an extension within the ninety-day period provided, will result in the expiration of the approval.
2. Thereafter, a new approval will be required to continue construction.

Sec. 3-20. - Periodic inspection required; correction of deficiencies.

- (a) Authorized City Staff, the City Engineer, and utility inspectors shall periodically inspect all phases of construction of streets, drainage improvements and utility installations including those improvements which are not to be dedicated to the public but are subject to this chapter. The City official will immediately call to the attention of the developer, or the developer's engineer, any nonconforming work or deficiencies in the work.
- (b) Correction of deficiencies in the work is the responsibility of the developer.
 1. It is the responsibility of the developer's contractor to schedule the appropriate inspections as identified on the approvals or permits.
 2. Duly authorized representatives shall have the right to enter upon the property for the purpose of inspecting the quality of materials and workmanship and reviewing the construction of required improvements during the progress of such construction.

Sec. 3-21. - Final Inspection and Certification of Occupancy.

- (a) Prior to the issuance of a Certificate of Occupancy an As-built Survey and Certification must be submitted which identifies and specifies the locations, dimensions, elevations, capacities, and capabilities of the infrastructure and facilities as they have been constructed.
- (b) Upon completion of all improvements required under the approved plans or phase thereof, an inspection must be performed by the developer's engineer and the landscape architect, where applicable. Upon finding the development to be completed and in substantial compliance with the approved plans, the engineer and landscape architect must each submit a letter of substantial compliance along with an As-built Survey to the City, together with certified building as-built drawings.
- (c) No final inspection will be performed by the City until the letter(s) of substantial compliance and As-built Survey have been accepted.
 1. The letter(s) of substantial compliance shall include a description of any minor changes as shown on the As-built Survey.
 2. The letter must certify that the project was completed in accordance with the plans approved and attached to the Development Order or any addendums to the Development Order.
 3. The letter must be signed and sealed by the Project Engineer of record for the project.
- (d) Only minor changes which do not substantially affect the technical requirements of the approved plans and this code are to be indicated on the As-built Survey.
- (e) Letters of substantial compliance shall be digitally signed and sealed in PDF format.
 1. Substantial compliance requires that the development, as determined by an on-site inspection by a professional engineer, is completed to all the specifications of the approved plans and that any deviation between the approved plans and actual as-built construction is so inconsequential that, on the basis of accepted engineering practices, it is not significant enough to be shown on the As-built Survey.

- (f) The respective professionals shall prepare and submit to the City, a digitally signed and sealed As-built Survey, in PDF format, of the completed project improvements. The As-Built Survey shall be provided for the complete civil engineering and landscape features of the project
- (g) The As-built survey shall be the complete set of approved plans which show strikethrough and markup of the as-built information obtained from direct field observation, survey, or contractor "as-built" drawings. Topographic surveys will not be accepted.
- (h) Upon acceptance of the letter of substantial compliance and As-built Survey, City staff shall perform final inspections.
- (i) If the final inspections reveal that the development or phase is in substantial compliance with the approved plans, a Certificate of Occupancy will be issued.
- (j) If the final inspections reveal that the development or phase thereof is not in substantial compliance with the approved plans, a list of all deviations will be forwarded to the engineer. All deviations must be corrected prior to re-inspection. A new letter of substantial compliance may be required prior to re-inspection. Re-inspection fees will be charged for each re-inspection in accordance with the adopted fee schedule and must be paid prior to receiving a Certificate of Occupancy.
- (k) Projects involving permits or approvals issued by County, State, or Federal agencies shall provide evidence that the respective agencies have approved, accepted, or certified that the improvements or work subject to their review has been satisfactorily completed and are ready for use or to be placed into service, prior to Certificate of occupancy issuance.
- (l) Turnover of developer installed improvements. Projects that include construction of improvements that will be turned over to the City for ownership and maintenance must also provide a complete package of turnover documents, acceptable to the City, as required by the Director of Public Services.
 - 1. Improvements shall be conveyed to the City by bill of sale in a form satisfactory to the City Attorney, together with such other evidence as may be required by the City that the improvements proposed to be transferred to the City are free of all liens and encumbrances.
 - 2. Turnover documents must be provided to the Director of Public Services with the submittal of a Certification of Substantial Completion and As-built Survey.
 - 3. Improvements constructed pursuant to this Section may not be placed into service or otherwise utilized until the Director of Public Services has authorized such use.
- (m) Ongoing compliance. A development project must remain in compliance with the approved development plans, including all conditions, after a letter of certificate of occupancy has been issued by the City. This requirement applies to any property covered by the development plan, whether or not it continues to be owned by the original developer. For purposes of determining compliance, the development plan as approved and constructed, or subsequently amended in accordance with this section, will control.
 - 1. The standards applicable to review for compliance purposes will be based upon the regulations in effect at the time the of plan approval and any applicable amendment, or revision was constructed.

Sec. 3-22. - Stop work orders for Site Development.

- (a) The Director shall have authority to stop work if improvements not authorized in approved plans are being installed or upon failure of the applicant or his engineer to coordinate the construction of the required improvements so as to minimize activities which may have adverse impacts on surrounding property.

1. Authority. Whenever the Director finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the Director is authorized to issue a stop work order.
2. Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, all work on the construction site shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.
3. Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Sec. 3-23. - Violation of an Approved Development Plan.

- (a) Where construction is commenced for improvements not authorized by an approved development plan, the applicant will be issued a stop work order until an application to amend or correct the respective plan approval has been submitted and approved.
 1. An application to amend or correct an approved development plan after construction has commenced in violation of the original approval will be charged an application fee equal to four times the original application base fee.
 2. The Director shall have the sole discretion to waive the above fee.
- (b) Submittal of the application and payment of the application fee does not protect the applicant from the remedies described in this Code. Any of these forms of relief can be sought or maintained by the City until the problem is abated.
- (c) Failure to maintain a development in compliance with an issued and approved Development Order and/or Certificate of Occupancy, constitutes a violation of this Code.

Sec. 3-24. - Phased Projects.

- (a) Development projects may be split into phases to accommodate the development plans and schedules of the developer.
- (b) Development projects may be required by the City to be split into phases to in order to maintain adopted level of service standards.
- (c) Site Development Plans. The phasing plan shall show all required facilities, infrastructure, and buildings, if applicable, on the entire development site that is covered by the Development Order application.
- (d) If more than one building is covered by the development plan and the developer does not intend to receive certificates of occupancy (CO) for all the buildings at one time, a separate Site Development Permit or written construction authorization will be required for each build or buildings to receive a CO apart from the other buildings.
- (e) A certificate of compliance for streets, utilities, parking areas, and drainage serving each building(s) will be required from the engineer of record prior to the City performing final inspection and closing that phase of the project and prior to receiving a certificate of occupancy from Community Development Services.
- (f) If a final inspection is requested for only a portion of a development, that portion must be an approved phase of the development in accordance with the approved Phased Site Development Plan.

Sec. 3-25. - Guarantees and Sureties

- (a) *Applicability.* The provisions of this section apply to all proposed developments in the city, including private road subdivisions. Nothing in this section shall be construed as relieving the developer or applicant of any requirement relating to concurrency or maintenance of levels of service as may be required by this chapter or the Comprehensive Plan.
1. This section does not modify any existing agreements between a developer and the city for subdivisions platted and final development orders granted prior to the effective date of this chapter.
- (b) *Improvements, agreements required.* The approval of any Development Order application shall be subject to the developer providing assurance that all required improvements, including, but not limited to, storm water and drainage facilities, streets and roadways, water and sewer lines and appurtenances, parking facilities, sidewalks, curbs, gutters, markers, monuments, open space and recreation facilities, shall be satisfactorily constructed according to the approved development plan. The following information shall be provided:
1. A written agreement that all improvements, whether required by this chapter or constructed at the developer's option, shall be constructed in accordance with the standards and provisions of this chapter.
 - i. The term of the agreement indicating that all required improvements shall be satisfactorily constructed within the period stipulated. The term shall not exceed five years from the recording of the plat or thirty percent occupancy of the development, whichever comes first.
 2. The projected total cost for each improvement. Cost for construction shall be determined by:
 - i. An estimate prepared and provided by the applicant's engineer; or
 - ii. A copy of the executed construction contract;
 3. Specification of the public improvements to be made and dedicated together with the timetable for making improvements;
 4. Agreement that, upon failure of the applicant to make required improvements (or to cause them to be made) according to the schedule for making such improvements, the city shall utilize the security provided in connection with the agreement.
 5. Provision of the amount and type of security provided to insure performance.
 6. Provisions that the amount of the security may be reduced periodically as construction proceeds and improvements are made.
- (c) *Amount and type of security.*
1. The City Manager shall be responsible for determining the adequacy of the security proposed to be provided by the developer.
 - i. Security requirements may be met but are not limited to the following:
 - a) Cash in the form of cashier's check or certified check;
 - b) Provision of an interest-bearing certificate of deposit in honor of the city with interest payable to the city; or
 2. *Irrevocable letter of credit.* The amount of security shall be 120 percent of the total construction costs for the required developer-installed improvements (public and private). The amount of security may be reduced commensurate with the completion and final acceptance of required improvements. In no case, however, shall the amount of the security be less than 120 percent of the cost of completing the remaining required improvements.
 3. *Completion of improvements.* When improvements are completed, final inspection shall be conducted and corrections, if any, shall be completed before final acceptance by the

city. The recommendation for final acceptance shall be made upon receipt of a certification of project completion by the city engineer.

- i. As required improvements are completed and accepted, the developer may apply for release of all or a portion of the security consistent with the requirements above.

4. *Maintenance of improvements.*

- i. A maintenance agreement and security shall be provided to assure the city that all required improvements shall be maintained by the developer according to the requirements of this chapter relating to roads, streets, stormwater drainage, open space and recreation areas.
 - ii. The period of maintenance shall be for a period of 18 months.
 - iii. The maintenance period shall begin with the acceptance by the city of construction of the improvements.
5. The security shall be in an amount equal to 15 percent of the construction cost of the improvements and shall be in effect for a period of not less than 24 months.
 6. Whenever proposed development provides for the creation of facilities or improvements which are not proposed for dedication to the city, a legal entity shall be created that shall be responsible for the ownership and maintenance of such facilities and/or improvements.
 7. When the proposed development is to be organized as a condominium under the provisions of Florida Statutes, common facilities and property shall be conveyed to the condominium association pursuant to that law.
 8. When no condominium is to be organized, an owner's association shall be created, and all common facilities and properties shall be conveyed to that association.
 9. No Development Order shall be issued for a development for which an owner's association is required until the association is established, and proof thereof filed with the Director of Community Development Services.
 10. An organization established for the purpose of owning and maintaining common facilities not proposed for dedication to the city shall be created by covenants running with the land. Such covenant shall be included with the final plat. Such organization shall not be dissolved, nor shall it dispose of any common facilities or open space by sale or otherwise without first offering to dedicate the same to the city.

Sec. 3-26. - Temporary Use Permits.

- (a) *Purpose and Intent.* To authorize the temporary uses and activities which do not exceed specific time frames.
- (b) *General Standards.*
 1. Only uses listed below, or otherwise approved as temporary uses in Article VII, may be allowed as temporary uses.
 2. Each temporary use shall be evaluated by Community Development Services for compliance with the standards and conditions set forth in this LDC and the applicable zoning district.
 3. A temporary use permit shall take effect at the time of permit issuance and is in effect only for the specific time-period established in the temporary use approval.
- (c) *Review Criteria.* When considering an application for a temporary use, the Community Development Services Director or Community Recreation and Enrichment Services Director, as appropriate, shall consider whether and the extent to which:

1. The temporary use is consistent with the purposes, goals, objectives, and policies of the Comprehensive Plan;
 2. The temporary use complies with all relevant and appropriate portions of Article VI and any established Development Standards;
 3. The temporary use is not incompatible with the character of the immediate surrounding area;
 4. The design, duration, and hours of operation of the temporary use minimizes adverse impacts on nearby properties, including visual and noise impacts;
 5. Whether the use complies with all relevant standards related to health, sanitation, and transportation;
 6. The temporary use complies with all other applicable provisions of this Code;
 7. Any permanent structures used in conjunction with a temporary use must comply with the requirement for adequate public facilities; and
 8. Whether any public safety detail will be necessary.
- (d) *Allowable temporary uses.* The following temporary uses shall require a permit:
1. Firework, pumpkin, and Christmas tree sales, to include a sales office.
 2. Outdoor display of merchandise.
 3. Temporary Storage Containers.
 4. Temporary Off-Site Vehicle Sales.
 5. Tents for other than Special Events.
 6. Other events not named but similar to those enumerated in this subsection.
- (e) *Outdoor Display of Merchandise*
1. Purpose and Intent.
 - i. To provide standards and criteria for review and approval of outdoor display of merchandise.
 - ii. To provide reasonable limitations or special conditions for outdoor display to address, minimize, or ameliorate potential impacts of the use on surrounding property and for the protection of the public health, safety, and welfare.
 2. General Requirements.
 - i. Outdoor display of merchandise is prohibited in all residential districts, except within the Agricultural zoning district for approved fruit and/or vegetable sales.
 - ii. Unless otherwise permitted, outdoor display of merchandise in the C-1 and C-2 districts is prohibited, except on improved property in accordance with the following standards:
 - iii. The following items may be displayed in conjunction with an existing licensed business location which retails these items: boats; new or used cars by auto dealerships or auto rental companies; bicycles; motorcycles; garden equipment such as lawnmowers; landscaping nursery items displayed by a nursery business; tires at auto repair businesses; and temporary uses authorized by this code.
 - iv. In addition to outdoor display listed above, the outdoor displays of fruit, vegetables, flowers, jewelry, books or antiques are allowed in the C-1, C-2, and in the mixed-use zoning district in conjunction with an approved commercial use, as an approved Temporary use.
 - v. These restrictions shall not apply to approved Special Events.
 - a) If such displays are placed on a public sidewalk or right-of-way during a special event, such displays shall comply with the following regulations:

- 1) Displays may be placed on the public sidewalk only directly in front of the lawfully existing business which retails the items being displayed.
- 2) At no time shall a display create a hazard for pedestrian or vehicular traffic.
- b) Displays shall be placed on tables, shelves and/or racks that are moved indoors or off-site during any hours the business is not open or the duly approved event is not permitted.
- vi. All other outdoor display of merchandise must be approved by the City Manager or designee following review at a public meeting.

Sec. 3-27 – 3-29. - (Reserved)

Sec. 3-30. - Minor Re-plat

- (a) A minor plat shall be defined as modifying the geometry of the lots of an existing platted subdivision within the limitations of the existing zoning and future land use designations.
- (b) Where development involves a minor replat as defined by this Chapter, the City may issue a development permit without requiring an application review process and a final development order.
- (c) Developers shall be required to record the minor replat in the official county records at no expense to the city and provide a copy to the city.
- (d) Prior to approval of a minor replat by the Planning Administrator, or designee, the following standards shall be met:
 1. Each proposed lot must conform to the requirements of this chapter and adopted ordinances of the city.
 2. If any lot abuts a street right-of-way that does not conform to the design specifications provided in this chapter, the owner may be required to dedicate one-half the right-of-way width necessary to meet the minimum design requirements.

Sec. 3-31. - Specific Review Procedures - Quasi-Judicial Permits and Approvals

- (a) The following sections outline the various application types and approvals which shall require quasi-judicial proceedings. The Public hearing processes outlined in Sec. 3-28 shall apply.

Sec. 3-32. - General Requirements

- (a) Effective Date. All quasi-judicial permits where the Land Development Board issues the final decision shall take effect on the date the Order for the application in question is recorded in the public record.

Sec. 3-33. Variances

- (a) General.
 1. A variance may be sought from any bulk, area, or dimensional standard contained this LDC.
 2. Nonconforming use of neighboring lands, structures, or buildings in the same district, and permitted use of land, structures, or buildings in other districts, shall not be considered grounds for the issuance of a variance.
- (b) Approval Criteria. In order to authorize a variance, the PDB must find that the application meets all of following criteria:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;
2. That the special conditions and circumstances do not result from the actions of the applicant;
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings, or structures in the same zoning district;
4. That literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these regulations and would cause or impart unnecessary and undue hardship on the applicant;
5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;
6. That granting the variance will not change the use to one that is not permitted in the zoning district or different from other land in the same district; and
7. That the granting of the variance will be in harmony with the general intent and purpose of these regulations, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

(c) Effect of Approval. An approved variance shall run with the land.

Sec. 3-34. - Special Exception Uses.

(a) Purpose and Intent.

1. The intent of this section is to permit Special Exception uses which are essential to, or would promote the public health, safety, or welfare in one or more zoning districts, but which might impair the integrity and character of the zoning district or an adjoining district, such that restrictions or conditions on location, size, extent, and character of performance may be imposed in addition to those standards already imposed in the Land Development Code.

(b) General.

1. No variances shall be granted that would reduce or eliminate minimum requirements for special exception uses.
2. The PDB may prescribe appropriate conditions and safeguards in conformity with the special exception use requirements. All such conditions shall be part of the terms under which the special exception is granted approval.
3. A special exception shall run with the life of the use but shall be considered abandoned if the use is discontinued for longer than 12 consecutive months.
4. The proposed use shall comply with all requirements of the underlying zoning district(s), the Land Development Code, and all other applicable law.

(c) *Standards and Criteria.* The following standards shall apply to all applications for special exception uses. The Community Development Services Director shall submit a report and recommendation to the PDB based on these standards.

1. The proposed Special Use's consistency with the Comprehensive Plan?
2. The site must be suitable for the type of special use exception proposed by virtue of its location, shape, topography, and the nature of surrounding development.
3. All buildings shall be setback an adequate distance from property lines and rights-of-way. Greater building setbacks may be required when deemed necessary to protect surrounding properties.

4. Potential adverse impact to surrounding property must be mitigated to the maximum extent possible.

Sec. 3-35. - Vacations of Plats, Easements, and Rights-of-way.

(a) Purpose and Intent.

1. The purpose and intent of this section is to provide procedures for City Council to vacate rights-of-way, easements, and plats pursuant to authority granted under Florida law. The City Council may adopt ordinances vacating plats in whole or in part of subdivisions within the corporate limits of the city, returning the property covered by such plats either in whole or in part into acreage for the purpose of taxation, or vacating public rights-of-way, public easements, or other property in response to applications filed from adjoining property owners.

(b) General.

1. The city may retain an easement for utilities or drainage over any vacated right-of-way and that no use may be made of vacated right-of-way which will be inconsistent with or interfere with the retained easement. The party seeking vacation of a plat, city street, alley, other right-of-way, public easement, or other property must show or submit the following:
 - i. A completed application on forms provided by Community Development Services.
 - ii. Petitioner has title to the tract or parcel of land covered by the plat or portion of the plat of which vacation is sought, unless the petitioner is the City of Crestview;
 - iii. Letter of approval from Okaloosa County, if applicable;
 - iv. Letter of approval from affected telephone companies;
 - v. Letter of approval from affected cable companies; and
 - vi. Letter of approval from any other affected utility companies (e.g., water, sewer);
 - vii. If a Vacation is being sought, the signatures of all abutting property owners consenting to such a vacation.
2. Applicants requesting to vacate rights-of-way or easements shall provide a recent boundary survey or survey sketch of the property prepared by a registered surveyor showing the area to be vacated and provide a complete legal description(s). The survey or sketch shall show all pavement and all utility and drainage facilities, including water, sewer, cable lines, utility poles, swales, ditches, manholes, and catch basins. Separate drawings and legal descriptions are required for each vacation area when right-of-way and easement configurations differ.

(c) Standards and Criteria. Applications for vacations shall be reviewed in accordance with the following criteria:

1. Whether the plat, easements, or rights-of-way are required by the City for any future transportation, access, water management, or public utility purposes.
2. Whether any required easements are necessary to accommodate the vacation of any plat, easement, or right-of-way.
3. If alternate routes are required or available that do not cause adverse impacts to surrounding areas.
4. If the closure of a right-of-way negatively affects areas utilized for vehicles to turn around and exit an area.
5. Whether local utility providers have given consent to the vacation of the plat, easements, or rights-of-way. The local utility providers may require additional easements or relocation of existing utilities facilities to complete the vacation.

(d) *Additional Procedures and Noticing Requirements.* In addition to the standard notice requirements required by this Code, the following additional notice requirements apply for vacations:

1. Specific notice requirements for vacations. Public hearing notices to vacate a plat or portion thereof shall be published once a week for two consecutive weeks, the first publication being not less than two weeks prior to the date of public hearing on the petition.
2. If the parcel to be vacated includes an alley, all property owners serviced by the alley and all property owners serviced by a connecting alley shall be noticed.
3. Adoption and recording of resolution and ordinance. After public hearing, the City Council may approve an application for a vacation if it determines there is no reasonably foreseeable public use for the vacated area. Approval of a vacation shall be by resolution or ordinance. The City may retain easements for utilities or drainage in and upon the vacated area. Upon adoption of the resolution vacating the plat or portion thereof, the City Clerk shall furnish to the petitioner a certified copy thereof and the petitioner shall cause the same to be recorded in the public records of the county and shall return a copy, showing the recording information, to Community Development Services.
4. Effect. The adoption and recording of a vacation shall have the effect of vacating all streets and alleys and city-owned easements shown on the portion of the plat so vacated, unless the resolution or ordinance specifically reserved unto the city such city-owned easements or such streets or alleys. If public rights-of-way are vacated, the resolution or ordinance shall specify whether or not easements are reserved therein for utilities and drainage. The resolution or ordinance shall not have the effect of vacating any public canal shown on the portion of the plat vacated, unless the resolution or ordinance specifically so provides.
5. Petitioner's responsibility. The city, City Council, and all officers, employees, and agents thereof shall not assume any responsibility or liability for any matters and things to be done or completed by the petitioner pursuant to the provisions hereof. It is recognized that this procedure may affect substantial interests in real property and other proprietary rights, and the petitioner shall assume full and complete responsibility for compliance with the requirements of law and these procedures in connection with or arising out of any vacation proceedings instituted by the petitioner.

Sec. 3-36. - Zoning Change (Re-zoning)

(a) *Initiation.* Applications for a change in zoning may be initiated in the following manner:

1. The City Council, upon its own motion;
2. The Planning and Development Board, upon its own motion;
3. The property owner(s) of at least fifty-one percent of the land in the proposed rezoning area;
4. The City Manager for a City initiated rezoning; or
5. Community Development Services, following approval of a similar use determination.

(b) *Review Criteria.* An application for a rezoning shall be reviewed in accordance with the following criteria:

1. Whether the proposed zoning district is consistent with the City Comprehensive Plan;
2. Whether the full range of uses allowed in the proposed zoning district will be compatible with existing uses in the area under consideration;
3. Whether the range of uses allowed in the proposed zoning district will be compatible with existing and potential uses in the area under consideration;

4. Whether the proposed zoning district will serve a community need or broader public purpose;
 5. The characteristics of the proposed rezoning area are suitable for the uses permitted in the proposed zoning district; and
 6. Whether a zoning district other than the district requested will create fewer potential adverse impacts to existing uses in the surrounding area.
- (c) *Effective date of approval.* A rezoning shall take effect upon City Council adoption of the ordinance approving the zoning change.
- (d) *Effect of Denial.* An application for a rezoning which has been previously denied by the City Council shall not be accepted for at least one year after the date of denial. An application to rezone property to a designation that is different than the designation which was denied by the City Council, will be accepted and considered without consideration of time since the previous application was denied.

Sec. 3-37. - Planned Unit Developments (PUD)

- (a) *General.*
1. A Planned Unit Development (PUD) is an area designed for development as a cohesive unit, where uses and innovations in design and layout of the development provide public benefits when compared to standard zoning or uniform lot and block subdivision patterns and design features.
 2. In a PUD, the various land use elements are designed so that they interrelate with each other. The boundary between a PUD and adjacent land area(s) requires particular attention to ensure transition and that land use patterns are compatible.
 3. Permitted uses in a PUD must be consistent with the Comprehensive Plan future land use classification for the site(s) in question.
- (b) *Purpose and Intent.* The purpose and intent of a PUD are to:
1. Innovation in Design. To encourage innovations in residential, commercial, mixed-use, and industrial development so that the needs of the population may be met by greater variety in type, design and layout of buildings and land uses and by the conservation and more efficient use of the space.
 2. Appropriate Land Use. To promote the most appropriate use(s) of the land.
 3. High Quality Development. To improve the design, character, and quality of new development.
 4. Infrastructure. To facilitate the adequate and efficient provisions of roads and utilities.
 5. Increased Compatibility. To achieve compatibility with surrounding neighborhoods and developments.
 6. Provision of Open Space. To preserve open space as development occurs.
 7. Clustering of Uses. To provide for necessary commercial, recreational, and public facilities that are conveniently located to housing.
 8. Increased Flexibility. To provide for flexibility in design for new development and future redevelopment.
 9. Comprehensive Plan. To achieve the goals of the Comprehensive Plan.
 10. To provide a method for previously approved Planned Development Projects to continue to develop under the terms of an approved PDP Development Order and to allow modification to existing PDP approvals under the PUD procedures.
- (c) *Minimum Parcel Size.* The minimum parcel size for a PUD is:
1. Non-residential or mixed-use PUD. One acre.
 2. All other PUDs. Three acres.

- (d) *PUD approval steps.* The PUD review and approval process includes:
1. A rezoning to the PUD zoning district, which establishes the densities, intensities, and permitted uses within the PUD; and
 2. A Master Concept Plan, which establishes the design, layout, and dimensional standards of the PUD.
- (e) *Application and submittal requirements.* Application and submittal requirements for a PUD are established in this Article. A PUD requires:
1. An application for a rezoning to the PUD zoning district; and
 2. A Master Concept Plan submittal.
 3. Submittal of the specific PUD application requirements listed below.
 4. PUD application for parcels ten acres or larger may apply for a rezone to the PUD zoning district without submitting a Master Concept Plan for concurrent review and processing.
- (f) *Pre-application meeting required.* A pre-application meeting shall be held with City Staff prior to the submittal of a PUD application. The applicant shall indicate the requested PUD zoning district and a sketch of the PUD Master Concept Plan, if applicable, at the meeting.
- (g) *Specific PUD Submittal Requirements.* A PUD application shall include the following:
1. A Letter of Intent, including:
 - i. Reasons the PUD procedure is more desirable than a conventional plan;
 - ii. General site description including all parcels and acreages; and
 - iii. General project description.
 2. A PUD Master Concept Plan indicating:
 - i. Location of the uses within the site;
 - ii. Dimensional standards such as height, setbacks, and lot sizes;
 - iii. Vehicle circulation patterns, parking areas, and points of access;
 - iv. Pedestrian and bicycle circulation with links to other external path systems;
 - v. Open space plan; and
 - vi. Landscape and buffer plans.
 3. Sample formation of HOA or other organization to operate and maintain open space and other on-site public or private improvements.
 4. Phasing plan, if applicable.
- (h) *Review Standards and Criteria.*
1. Every PUD shall be in conformance with the adopted Comprehensive Plan. The maximum density and/or intensity within any PUD shall be consistent with the future land use designation of the site as determined by the Comprehensive Plan.
 2. Specific uses, densities, and intensities for each PUD shall be established in the PUD rezoning ordinance. The approved uses, densities, and intensities for a PUD shall take precedence over other standards and requirements in these regulations. The uses approved in a PUD shall be considered permitted uses.
 3. Specific bulk, area, and dimensional standards for each PUD shall be approved in the MCP for a PUD and shall take precedence over the standards and requirements in these regulations for development that are not within an approved PUD. Elements to be evaluated for a PUD shall include:
 - i. Appropriateness of the proposed density and/or intensity of the development;
 - ii. Internal and external compatibility of the development and surrounding uses;
 - iii. Transition and separation between surrounding uses;
 - iv. Public amenities, if applicable;
 - v. Access points and vehicular and pedestrian circulation patterns;
 - vi. Details and design of internal and external buffers;

- vii. Arrangement and functionality of open space; and
 - viii. Additional amenities that will serve the project.
4. Open Space.
- i. For all PUDs, a minimum of twenty percent of the total land area shall consist of open space.
 - a) The City may consider a request by the applicant for less than twenty percent open space when deemed appropriate because of size, location, or nature of the proposed development.
 - ii. The amenities or off-site improvements shall be utilized by the City or developed by the applicant to mitigate the reduction of open space or to fulfill the recreational needs of the City as required by the Comprehensive Plan.
 - iii. Areas that Do Not Count as Open Space.
 - a) Parking and loading areas,
 - b) Streets, and rights-of-way shall not count toward usable open space.
 - iv. Areas that Count as Open Space.
 - a) Water bodies,
 - b) Surface water retention areas,
 - c) Preservation areas, and riparian areas that are preserved as open space shall count towards this minimum standard, even when they are not usable by or accessible to the residents of the PUD.
 - d) All other open space shall be conveniently accessible from all occupied structures in the PUD.
 - v. Improvements Required. All common open space and recreational facilities shall be shown on the PUD Master Concept Plan and shall be constructed and fully improved according to the development schedule established for each development phase of the PUD.
 - vi. Landscaping along Sidewalks. All sidewalks within a PUD must be shaded by canopy trees. The area used for shading the sidewalks can be considered as part of the minimum open space requirement.
 - vii. Maintenance of Open Space. All open space shall continue to conform to its intended use, as specified on the PUD Master Concept Plan. To ensure that public open space identified in the PUD will be used as open space, restrictions, easements, or covenants shall be recorded in deeds or the open space areas may be dedicated to the public to ensure their maintenance and to prohibit the division of any public open space.
 - viii. Any subdivision of land will require a Property Owners Association (POA) or Home Owners Association (HOA) to ensure that open spaces within a PUD are maintained.
 - ix. The City is not required to accept dedication of open space areas.
5. PUD Perimeter Buffers. The boundary between a PUD and adjacent land uses shall be landscaped with a buffer that has sufficient width and shall include screening to ensure a proper transition and increase compatibility between land uses. The buffer shall be approved in conjunction with the Master Plan.
6. Street Standards. All streets, roads, and drive aisles shall be designed and constructed in conformance with the Right-of-way Standards identified in this Land Development Code.
7. Phasing. When a PUD is developed in phases, a proportional amount of the open space and recreation areas shall be included in each phase, in order to comply with the open space requirements of this chapter at the completion of each phase of the development.

- (i) *Master Concept Plan and concurrent Preliminary Subdivision Plan review.* The approved Master Concept Plan may be used for Preliminary Subdivision Plan approval, provided the required details and information for review are included in the Master Plan.
- (j) *Amendments to Planned Unit Developments.*
 - 1. Administrative Amendments. Amendments to an approved PUD may be approved administratively if they meet the following criteria:
 - i. Density or intensity is increased by less than ten percent.
 - ii. Open space is not decreased by more than five percent.
 - iii. There are no changes to any condition of approval.
 - iv. There is no change in permitted uses or types of structures.
 - v. Dimensional standards are changed by no more than ten percent.
 - 2. Review Standards for amendments. An approved PUD Master Concept Plan may be amended if the applicant demonstrates that the proposed modification:
 - i. Is consistent with the efficient development and preservation of the entire PUD;
 - ii. Does not affect in a substantially adverse manner either the enjoyment of the land abutting upon, adjoining or across a street from the planned unit development;
 - iii. Is not granted solely to confer a special benefit upon any person;
 - iv. Does not contain proposed uses that detract from other uses approved in the PUD;
 - v. Does not contain an open space plan that differs substantially in quantity or quality from the originally approved plan; and
 - vi. Contains streets and utilities that are coordinated with planned and existing street and utilities for the remainder of the PUD.
 - 3. Amendments that require City Council Approval. Any amendment to a PUD that does not meet the criteria in subsections 1 through 2 above, must be approved by the City Council.
- (k) *Effect of PUD approvals.*
 - 1. PUD zoning. A rezoning to a PUD zoning district shall run with the land.
 - 2. Master Concept Plans. A Master Concept Plan shall be valid for any time period established in the conditions of approval for the Plan. If a specific time period is not specified then the MCP shall run with the land.

OR

 - 3. If a Site Development Plan, a building permit for vertical construction, or a subdivision plat has not been approved within 2 years, the Master Concept Plan shall be null and void, unless an extension has been approved by the City Council.
- (l) *Extensions.* A PUD may receive one extension that is valid for two years. Upon expiration of the extension, the Master Concept Plan shall be null and void.

Sec. 3-38 Specific Review Procedures - Legislative Approvals

- (a) The following sections outline the various application types and approvals which shall require legislative proceedings. The Public hearing processes outlined in Sec. 3-11(k) shall apply.

Sec. 3-39. - Annexations

- (a) *Purpose of Annexations.* Annexations shall be considered for the following reasons:
 - 1. The annexation implements the Comprehensive Plan.
 - 2. The annexation increases the City's inventory of non-residential lands.
 - 3. The annexation results in the removal of enclaves.

4. The annexation results in the logical extension of City boundaries.
- (b) *Manner of Initiation.* Applications to annex property in to the City may be initiated in the following manner:
 1. The City Council; or
 2. By a petition of one or more owners of property within an area proposed for annexation.
- (c) *Review Criteria.* Proposed annexations shall be reviewed in accordance with the requirements of Chapter 171, Florida Statutes.
- (d) *Effective date of approval:* The effective date of an annexation will take place in accordance with Chapter 171, Florida Statutes.

Sec. 3-40. - Final Plat Approval

- (a) The Subdivision and Plat approval processes are required as per Article XXI.

Sec. 3-41. - Future Land Use Map Amendments

- (a) *Purpose of Amendments.* Future Land Use Map amendments shall be considered for the following reasons:
 1. The amendment implements the goals, objectives, and policies of the Comprehensive Plan.
 2. The amendment promotes compliance with changes to other city, state, or federal regulations.
 3. The amendment results in compatible land uses within a specific area.
 4. The amendment implements findings of reports, studies, or other documentation regarding functional requirements, contemporary planning practices, environmental requirements, or similar technical assessments.
 5. The amendment is consistent with the City's ability to provide adequate public facilities and services.
 6. The amendment prepares the City for future growth, such as reflecting changing development patterns, identifying demands for community services, reflecting changes necessary to accommodate current and planned growth in population, and facilitating community infrastructure and public services.
- (b) *Manner of Initiation.* Applications for a Future Land Use Map amendments may be initiated in the following manner:
 1. The City Council by its own motion;
 2. The Planning and Development Board by its own motion;
 3. The City Manager for City initiated requests; or
 4. By a petition of one or more property owners of at least 51% of the property owners of an area proposed for amendment.
- (c) *Review Criteria.* Proposed future land use map amendments shall be reviewed in accordance with the requirements of Chapter 163, Florida Statutes, and the following criteria:
 1. Whether the proposed future land use amendment is consistent with the goals, policies, and future land use designations of the City Comprehensive Plan;
 2. The amendment protects the health, safety, and welfare of the community;
 3. The proposed amendment and all of the consistent zoning districts, and the underlying permitted uses, are compatible with the physical and environmental features of the site;
 4. The range of zoning districts and all of the allowed uses in those districts are compatible with surrounding uses in terms of land suitability or density and that a change will not result in negative impacts on the community or traffic that cannot be mitigated through application of the development standards in this Code;

5. The site is capable of accommodating all of the allowed uses, whether by right or otherwise, considering existing or planned infrastructure for roads, sanitary and water supply systems, stormwater, parks, etc.; and
 6. Other factors deemed appropriate by the Planning and Development Board and City Council.
- (d) *Effective date of approval.* The effective date of a future land use map amendment shall be in accordance with Chapter 163, Florida Statutes.

Sec. 3-42. - Comprehensive Plan Text Amendments

- (a) *Purpose of Amendments.* Comprehensive Plan text amendments shall be considered for the following reasons:
1. The amendment clarifies the intent of the Comprehensive Plan.
 2. The amendment corrects an error in the Comprehensive Plan.
 3. The amendment addresses changes to state legislation, recent case law, or opinions from the Attorney General of the State of Florida.
 4. The amendment implements the Comprehensive Plan.
 5. The amendment promotes compliance with changes to other city, state, or federal regulations.
 6. The amendment results in compatible land uses within the future land use designation.
 7. The amendment implements findings of reports, studies, or other documentation regarding functional requirements, contemporary planning practices, environmental requirements, or similar technical assessments.
 8. The amendment promotes the City's ability to provide adequate public facilities and services.
- (b) *Manner of Initiation.* Comprehensive Plan Text Amendments may be initiated in the following manner:
1. The City Council;
 2. The Planning and Development Board; or
 3. The City Manager for City initiated requests.
- (c) *Review Criteria.* Proposed comprehensive plan text amendments shall be reviewed in accordance with the requirements of Florida Statutes, Chapter 163, and the following criteria:
1. The amendment is consistent with the goals and policies of the City Comprehensive Plan;
 2. The amendment protects the health, safety, and welfare of the community; or
 3. Other factors deemed appropriate by the Planning and Development Board and City Council.
- (d) *Effective date of approval.* The effective date of a comprehensive plan text amendment shall be in accordance with Chapter 163, Florida Statutes.

Sec. 3-43. - Land Development Code Text Amendments

- (a) *Purpose of Amendments.* Land Development Code (LDC) text amendments shall be considered for the following reasons:
1. The amendment clarifies the intent of the LDC.
 2. The amendment corrects an error in the LDC.
 3. The amendment addresses changes to state legislation, recent case law, or opinions from the Attorney General of the State of Florida.
 4. The amendment implements the LDC or Comprehensive Plan.
 5. The amendment promotes compliance with changes to other city, state, or federal regulations.

6. The amendment adds district uses that are consistent with the character of the current range of allowed uses.
 7. The amendment results in providing compatible land uses within the City.
 8. The amendment implements findings of reports, studies, or other documentation regarding functional requirements, contemporary planning practices, environmental requirements, or similar technical assessments.
- (b) *Manner of Initiation.* Applications for a LDC text amendment may be initiated in the following manner:
1. The City Council by its own motion;
 2. The Planning and Development Board by its own motion; or
 3. The City Manager for City initiated requests, including text amendments associated with a similar use determination.
- (c) *Review Criteria.* Proposed LDC text amendments shall be reviewed in accordance with the following criteria:
1. Whether the proposed LDC text amendment is consistent with the goals, policies, and future land use designations of the City Comprehensive Plan;
 2. The amendment results in compatible land uses within a zoning designation;
 3. The amendment protects the health, safety, and welfare of the community; or
 4. Other factors deemed appropriate by the Planning and Development Board and City Council.
- (d) *Effective date of approval.* The effective date of a LDC text amendment shall take place upon adoption.

Existing Code		
Chapter 102	LAND USE REGULATIONS	New location
ARTICLE I. 102-1	IN GENERAL	I
ARTICLE II. 102-21	ADMINISTRATION	III
ARTICLE III. 102-51	DEFINITIONS	II
ARTICLE IV. 102-61	PUBLIC PARTICIPATION	III
ARTICLE V. 102-81	GENERAL REQUIREMENTS	III
ARTICLE VI. 102-101	CONCURRENCY MANAGEMENT SYSTEM	^-OUT-
ARTICLE VII. 102-116	LAND USE, TYPE, DENSITY, INTENSITY, ZONING & REGULATORY CONTROLS	IV
ARTICLE VIII. 102-146	TRAFFIC CIRCULATION	VI
ARTICLE IX. 102-161	HOUSING	VI
ARTICLE X. 102-181	INFRASTRUCTURE	^-OUT-, VI
ARTICLE XI. 102-201	CONSERVATION	V
ARTICLE XII. 102-216	RECREATION AND OPEN SPACE	V
ARTICLE XIII. 102-241	INTERGOVERNMENTAL COORDINATION ELEMENT	^-OUT-
ARTICLE XIV. 102-261	CAPITAL IMPROVEMENTS	^-OUT-
ARTICLE XV. 102-281	LEVELS OF SERVICE	^-OUT-
ARTICLE XVI. 102-301	SIGNS	VII
ARTICLE XVII. 102-326	CHECKLISTS	^-OUT-
ARTICLE XVIII. 102-351	ADMINISTRATIVE FEES	^-OUT-
ARTICLE XIX. 102-371	WATER AND SEWER IMPACT FEE ORDINANCE	^-OUT-
ARTICLE XX. 102-401	FLOOD DAMAGE PREVENTION	V
ARTICLE XXI. 102-481	SUBDIVISION REGULATION	VI
ARTICLE XXII. 102-531	MOBILE AND MANUFACTURED HOUSING	VIII
ARTICLE XXIII. 102-570	LANDSCAPE DEVELOPMENT	VI
ARTICLE XXIV. 102-600	ITINERANT VENDORS, MOBILE FOOD VENDORS, PEDDLERS & SOLICITORS	^-OUT-

New LDC Articles	
Article I	General Administration
Article II	Definitions
Article III	Administrative Procedures
Article IV	Zoning Districts and Overlays
Article V	Environment and Resource Protection
Article VI	Design and Development Standards
Article VII	Accessory, Temporary, and Special Use Situations
Article VIII	Standards for Transportation, Access, Parking, and Loading
Article IX	Variations from Standards in the LDC

Articles removed or placed elsewhere	
ARTICLE VI.	CONCURRENCY MANAGEMENT SYSTEM
ARTICLE X.	INFRASTRUCTURE
ARTICLE XIII.	INTERGOVERNMENTAL COORDINATION ELEMENT
ARTICLE XIV.	CAPITAL IMPROVEMENTS
ARTICLE XV.	LEVELS OF SERVICE
ARTICLE XVII.	CHECKLISTS
ARTICLE XVIII.	ADMINISTRATIVE FEES
ARTICLE XIX.	WATER AND SEWER IMPACT FEE ORDINANCE
ARTICLE XXIV.	ITINERANT VENDORS, MOBILE FOOD VENDORS, PEDDLERS AND SOLICITORS

Goals for
Planning & Zoning

and the Planning &
Development Board

The Foundation

- This new Planning and Development Board (PDB) is taking the place of the former Land Planning Agency board (LPA) and former Board of Adjustments (BOA). This new board will act with the authority and duties directed by Florida Statute 163.3174.
- The existing Land Development Code is being rewritten. Chapter 3 was rewritten and already approved to create this new PDB and improve the processes for development review and other Planning and Zoning functions. The remainder of the LDC is being worked on and the anticipated schedule is listed below.

The NEW PDB & Chapter 3

- Sec. 3-1 – Planning and Development Board
- Sec. 3-2 – Powers and Duties
- Sec. 3-3 – Membership; vacancy
 - Use of alternates, their role and requirements.
 - Attendance is important!
- All digital: email and web based. NO special software, no special computer system required.

Board Members

Doug Capps
Malcolm Haynes
Michael Roy
Mario Werth
Ellis Conner

Alternates

Michael Gilbert
William Toannon

Ex Officio

Okaloosa County School Board
Eglin Air Force Base

Moving Forward

- What will be reviewed by PDB?
- Provides for simpler review process.
 - If project meets code, it moves forward.
 - Shortened staff time, shortened review time.
- Economic perspective
 - Improve economic support, jobs, retain companies
- Controlled growth
 - Emphasis on public health, safety, and welfare

Quasi-judicial

Variances

Vacations (easements, r/w)

Final Plats

PUDs, Amendments

Zoning Changes

Appeals

Legislative

Annexations

LDC Text Amendments

Comp Plan Text Amendments

FLU Map Amendments

Coming Soon:

- The first meeting of the PDB will have Chapters 7 and 9 for review. Comments can be provided at that meeting or any time until the final document will be compiled in November. That final document then will go to the City Council for first and second hearing.
- The meeting in September will have Chapters 4 and 6 with subsequent chapters following.
- Final compiled document presented in November / December timeframe to PDB, then to City Council for final approval and adoption.
- Start 2021 with new code.
- New Zoning map and new Future Land Use map
- New Comprehensive Plan 2021

Proposed Schedule for Completing LDC

		Dates subject to current conditions. (Revised for PDB meeting dates)				
Chapter	Order	PDB	PDB	Council 1	Council 2	Go Live
1 - General Admin	8	10/5/2020	12/7/2020	12/28/2020	1/11/2020	1/12/2020
2 - Definitions	9	10/5/2020	12/7/2020	12/28/2020	1/11/2020	1/12/2020
3 - Admin Procedures	1	Complete	Complete	Complete	5/11/2020	5/12/2020
4 - Zoning	5	9/8/2020	12/7/2020	12/28/2020	1/11/2020	1/12/2020
5 - Environmental	7	10/5/2020	12/7/2020	12/28/2020	1/11/2020	1/12/2020
6 - Design	2	9/8/2020	12/7/2020	12/28/2020	1/11/2020	1/12/2020
7 - Access	3	7/6/2020	12/7/2020	12/28/2020	1/11/2020	1/12/2020
8 - Transportation	6	10/5/2020	12/7/2020	12/28/2020	1/11/2020	1/12/2020
9 - Variations	4	7/6/2020	12/7/2020	12/28/2020	1/11/2020	1/12/2020
10 - Map	Ongoing	TBD	TBD	TBD	TBD	January*

Coming Soon:

Existing Code			New LDC Articles	
Chapter 102	LAND USE REGULATIONS	New location	Article I	General Administration
ARTICLE I. 102-1	IN GENERAL	I	Article II	Definitions
ARTICLE II. 102-21	ADMINISTRATION	III	Article III	Administrative Procedures
ARTICLE III. 102-51	DEFINITIONS	II	Article IV	Zoning Districts and Overlays
ARTICLE IV. 102-61	PUBLIC PARTICIPATION	III	Article V	Environment and Resource Protection
ARTICLE V. 102-81	GENERAL REQUIREMENTS	III	Article VI	Design and Development Standards
ARTICLE VI. 102-101	CONCURRENCY MANAGEMENT SYSTEM	`-OUT-	Article VII	Accessory, Temporary, and Special Use Situations
ARTICLE VII. 102-116	LAND USE, TYPE, DENSITY, INTENSITY, ZONING & REGULATORY CONTROLS	IV	Article VIII	Standards for Transportation, Access, Parking, and Loading
ARTICLE VIII. 102-146	TRAFFIC CIRCULATION	VI	Article IX	Variations from Standards in the LDC
ARTICLE IX. 102-161	HOUSING	VI		
ARTICLE X. 102-181	INFRASTRUCTURE	`-OUT-, VI		
ARTICLE XI. 102-201	CONSERVATION	V		
ARTICLE XII. 102-216	RECREATION AND OPEN SPACE	V		
ARTICLE XIII. 102-241	INTERGOVERNMENTAL COORDINATION ELEMENT	`-OUT-		
ARTICLE XIV. 102-261	CAPITAL IMPROVEMENTS	`-OUT-		
ARTICLE XV. 102-281	LEVELS OF SERVICE	`-OUT-		
ARTICLE XVI. 102-301	SIGNS	VII		
ARTICLE XVII. 102-326	CHECKLISTS	`-OUT-		
ARTICLE XVIII. 102-351	ADMINISTRATIVE FEES	`-OUT-		
ARTICLE XIX. 102-371	WATER AND SEWER IMPACT FEE ORDINANCE	`-OUT-		
ARTICLE XX. 102-401	FLOOD DAMAGE PREVENTION	V		
ARTICLE XXI. 102-481	SUBDIVISION REGULATION	VI		
ARTICLE XXII. 102-531	MOBILE AND MANUFACTURED HOUSING	VIII		
ARTICLE XXIII. 102-570	LANDSCAPE DEVELOPMENT	VI		
ARTICLE XXIV. 102-600	ITINERANT VENDORS, MOBILE FOOD VENDORS, PEDDLERS & SOLICITORS	`-OUT-		
			Articles removed or placed elsewhere	
			ARTICLE VI.	CONCURRENCY MANAGEMENT SYSTEM
			ARTICLE X.	INFRASTRUCTURE
			ARTICLE XIII.	INTERGOVERNMENTAL COORDINATION ELEMENT
			ARTICLE XIV.	CAPITAL IMPROVEMENTS
			ARTICLE XV.	LEVELS OF SERVICE
			ARTICLE XVII.	CHECKLISTS
			ARTICLE XVIII.	ADMINISTRATIVE FEES
			ARTICLE XIX.	WATER AND SEWER IMPACT FEE ORDINANCE
			ARTICLE XXIV.	ITINERANT VENDORS, MOBILE FOOD VENDORS, PEDDLERS AND SOLICITORS



A NEW VIEW

City of Crestview
Strategic Plan 2020



Vision



To be known as a forward thinking, hospitable, and growing community that embraces diversity with a family-centric culture.

The following features are essential for Crestview to be a preferred place to live, work and play:

- To be a physically attractive City that preserves its history, provides exceptional living space and protects its natural environment;
- To be a safe community from a public health and safety perspective;
- To be a community that is accessible and easy to move about
- To be a community with a strong jobs base with living wages and the opportunity for youth to remain in the community;
- To provide a variety of recreation and cultural programs and activities which make life in the City fulfilling;
- To create a distinctive City identity with a hometown atmosphere.

Values in Emphasis



The City exemplifies a commitment to integrity, professionalism and respect and demonstrates those values during its daily endeavors. This strategic plan is based on the following six values:

- Dedication to community enrichment;
- Emphasis on community input and citizen engagement;
- Community partnerships;
- Fiscally responsible
- Sustainability;
- Transparency

Mission



***TO IMPROVE THE QUALITY OF LIFE BY PROVIDING
EXCEPTIONAL MUNICIPAL SERVICES***

Structure of the Strategic Plan

The strategic plan is organized into strategic focus areas of which there are two types – foundational and quality of life. The structure of this strategic plan is shown in the following graphic.

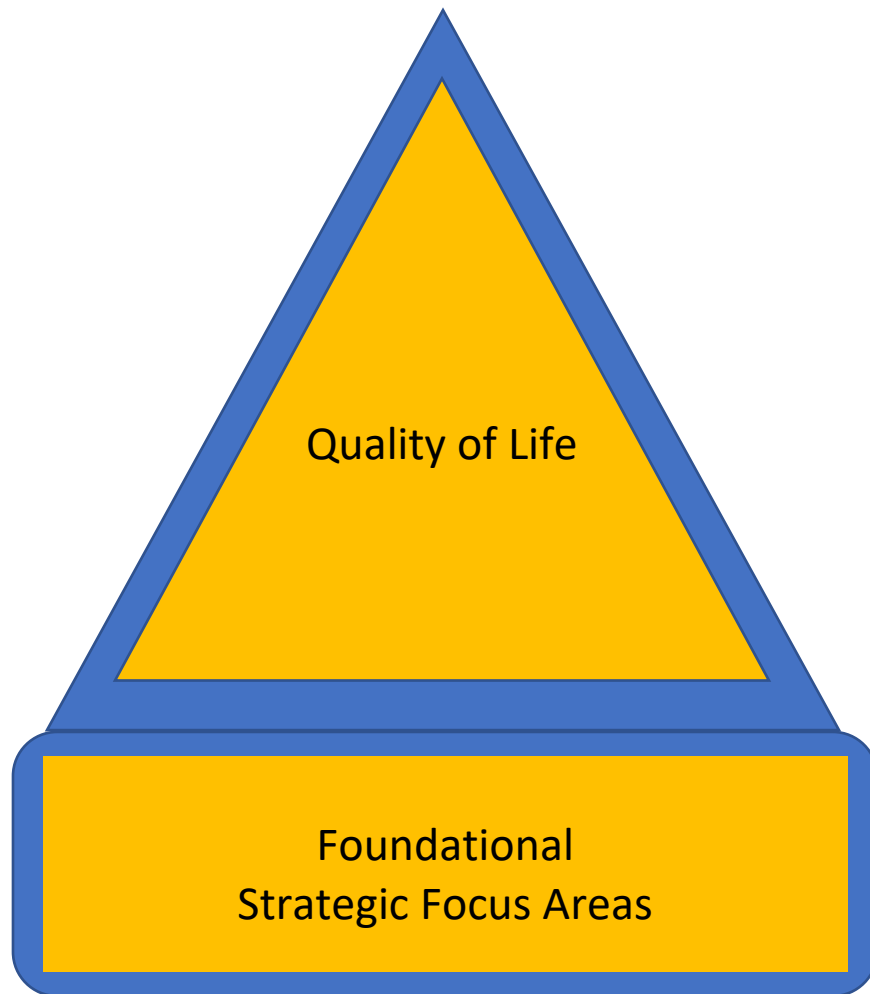


Figure 1: Strategic Plan Hierarchy



Figure 2: Foundational Strategic Focus Areas

Figure 2 illustrates the four foundational strategies. Effectiveness in these four strategies are fundamental to achieving any other strategies. Figure 2 is the quality of life strategy which add value to life in the City. Figure 3 shows the six experiences which comprise quality of life.



Figure 3: Quality of Life – The six experiences

There are six experiences which determine the quality of life in a community. The most basic is community character – the sense of place of a community. Is it physically attractive, well-cared for, a place of pride? The next most basic is safety. Are people protected, is there emergency response, is it a healthy place? The next experience is mobility – can one get around town and it is accessible? The experience of opportunity can take many forms – operating a business, obtaining a good job, education. Whatever the form, is there a hopeful future? Play covers all the recreational aspects of civic life – sports, culture, entertainment. Finally, there is the experience of a community culture in which people feel is comfortable and attractive. In Crestview this culture can be briefly summarized as a small-town culture.

Strategic Focus Areas - Foundational

FINANCIAL SUSTAINABILITY



Goal: Achieve long term financial sustainability

Strategies

- Create methods to increase revenues
- Continue to increase efficiency
- Increase community involvement and volunteerism
- Build reserves

ORGANIZATIONAL CAPACITY, EFFECTIVENESS AND EFFICIENCY



Goal: To efficiently & effectively provide the highest quality of public services

Strategies

- Improve recruitment
- Improve retention
- Foster team building and cohesiveness “cooperative culture”
- Develop clear and consistent city-wide policy
- Improved education, training & development
- Improved performance measures (individual & City wide)
- Evaluate alternative funding sources
- Operational analysis (efficiency test)
- Adequate staffing and equipment
- Disaster preparedness planning

INFRASTRUCTURE



Goal: Satisfy current and future infrastructure needs

Strategies

- Implement proactive long-range planning processes
- Evaluate buildings & facilities & equipment
- Create/evaluate funding strategies
- Strengthen community partnerships

COMMUNICATION



Goal: To Engage, inform and educate public and staff

Strategies

- Establish and disseminate message
- Improve internal communication
- Improve external communication
- Enhance citizen involvement
- Increase transparency

Strategic Focus Areas – Quality of Life

COMMUNITY CHARACTER



Goal: Promote desirable growth with a hometown atmosphere

Strategies

- Remove blight
- Create programs to promote incentives for downtown revitalization and preservation
- Beautification
- Develop programs that target specific industries

SAFETY



Goal: Ensure the continuous safety of citizens and visitors

Strategies

- Maintain competent and qualified public safety staff
- Improve coordination and communication internally and with other agencies
- Improve pedestrian access, visibility and protection
- Improve citizen relations
- Develop smart-City technology
- Continuous risk assessment

MOBILITY



Goal: Provide safe, efficient and accessible means for mobility

Strategies

- Pursue funding options and solutions
- Develop long-term mobility plan
- Develop long-term mitigation strategies
- Review of current plans and policies
- Support multi-modal alternatives
- Strengthen Public education
- Strengthen inter-governmental relationships

OPPORTUNITY



Goal: Promote an environment that encourages economic and educational opportunity

Strategies

- Improve processes for new business development
- Educate potential entrepreneurs and developers
- Advertise Crestview's advantages
- Determine desired industries
- Increase educational program

PLAY



Goal: Expand recreational and entertainment activities within the City

Strategies

- Evaluate and prioritize wants of community for entertainment and leisure services
- Evaluate existing facilities and programs
- Evaluate internal and external partnerships for increased cultural and entertainment activities
- Evaluate options for entertainment and leisure unique to Crestview

COMMUNITY CULTURE



Goal: Develop a specific identity for Crestview

Strategies

- Identify public desires
- Develop programs that promote public participation and City pride
- Create a marketing strategy
- Create a community campaign

Strengths, Weaknesses. Opportunities and Threats Analysis-May 2020

WEAKNESSES- THREAT

1. COMMUNICATION
2. PRO-GROWTH, JOBS, PRO-BUSINESS
3. PUBLIC SAFETY, SIDEWALKS, STREETLIGHTS
4. LESS TALK - MORE ACTION
5. TRANSPORTATION -MONITORING ROADS THAT GETS DONE
6. OVERALL QUALITY OF LIFE
7. ENCROACHMENT OF CRIME
8. LEVELS OF LIFE
9. SLEEP CITY NO PRIDE, HOUSING IS LOW, BEDROOM COMMUNITY
10. HIGH SCHOOL OVERCROWDED
11. GET EVERYONE ON THE SAME PAGE
12. INABILITY TO DRAW THE BUSINESSES WE WOULD LIKE TO SEE IN THE CITY
13. UNPREPARED FOR FUTURE GROWTH
14. LOSING THE YOUNGER GENERATION TO OTHER CITY FOR WORK
15. SUPERSITE GROWTH
16. TRANSIT POPULATION
17. SHOULD NOT RELY SOLELY ON THE MILITARY
18. WILL PEOPLE BE SKILLED FOR THE GROWTH AND JOBS?
19. PARKS NEED TO BE UPGRADED
20. NEED TO COMMUNICATE THE NEW VIEW
21. NO ENTERTAINMENT
22. NEW FORM OF GOVERNMENT AND FULFILL THE COMMUNITIES EXPECTATION FOR THE NEW DIRECTION
23. TRUST CITY MANAGEMENT, STAFF AND COUNCIL
24. LIMITING FUNDING SOURCES
25. NO CHARGE FOR STORMWATER FEES - ASSESS FEES IN A CONSISTANT MANNER
26. PLAN B FOR FUNDING IF TAXES ARE REDUCED
27. INFRASTRUCTURE AND STAFFING FOR GROWTH
28. BE COMPETITIVE IN THE MARKET
29. DISASTER PREPARDNESS ★

30. WOULD THE MILITARY MOVE IF WE HAVE A DISASTER?
31. CLEAN UP AND RESERVE FUNDS FOR DISASTERS. 1 MILLION IN RESERVE ★
32. NEED MORE STAFFING IN SEVERAL DEPARTMENTS, OVERWORKED
33. EQUIPMENT- FIRE, STAFFING, PAYSCALE
34. MODERNIZE REGULATORY REVIEW STREAMLINE THE PROCESS UP FOR DEVELOPMENT
35. NEW CONSTRUCTION FORMS BUILDING PROCESS, NEW CONSTRUCTION MATERIAL
36. LABOR MARKET PRIVATE VS GOVERNMENT
37. EQUAL DISTRIBUTION OF TAX BURDEN
38. RECRUITMENT OF QUALIFIED PEOPLE
39. CITY LIMIT, HARD TO PROVIDE SERVICES
40. AGING SEWER PLANT
41. BRING YOUR OWN PEANUT BUTTER

STRENGTHS- OPPORTUNITY

1. FRIENDLY, LIVABLE COMMUNITY
2. AFFORDABLE LAND/HOUSING
3. BUSINESS AND GROWTH OF SHOAL RIVER RANCH
4. VOTE FOR CHANGE
5. INTERSTATE 10
6. LOCATION AND RESOURCES
7. ROOM TO GROW, PLENTY OF LAND
8. DIVERSITY IN THE AREA
9. GREAT RELATIONSHIP WITH COUNTY COMMISSIONERS
10. CITIZEN INVOLVMENT
11. GREAT CITY EMPLOYEES
12. FORWARD THINKING, MOVING FORWARD WITH A GOOD PLAN
13. HIGHLY SKILLED WORK FORCE IN THE AREA, MILITARY IS GOOD FOR WORKFORCE NEED GOOD JOBS TO KEEP THEM HERE
14. OPPORTUNITY TO RELAY TO CITIZENS THE CITY'S PLAN MOVING FORWARD, CREATE THE NARRATIVE
15. LARGE FAITH COMMUNITY, GREAT PLACE TO BE, SOCIAL CAPITALIST TO WORK TOGETHER
16. TEAM PLAYERS
17. HIGH SCHOOL, GREAT SPORTS PROGRAMS
18. STREAMLINE PERMITTING PROCESSES FOR SMALL BUSINESS
19. COUNCIL WILLING TO GET THE JOB DONE
20. DON'T FORGET THE BIG RED MACHINE
21. COUNCIL WILLING TO INTERACT WITH THE PUBLIC
22. OPPORTUNITY FOR COMMUNITY TO ENGAGE IN ENTERTAINMENT
23. INVOLVE OUR CHURCH FAMILY'S IN CITY
24. DOWNTOWN AREA IS NICE
25. OPPORTUNITY'S TO WORK CLOSER WITH THE MILITARY
26. INCREASED BOND RATING FROM AN A TO A PLUS, MAKES BORROWING EASIER

27. COUNCIL WILLING TO WORK TOGETHER FOR THE BETTERMENT OF THE CITY
28. INCREASED OPPORTUNITY'S WITH THE NEW CITY MANAGER
29. DEDICATED EMPLOYEES TO THE CITY
30. WILLING TO VOLUNTEER
31. SHARING OF RESOURCES
32. GREAT RELATIONSHIPS WITH ALL DEPARTMENTS
33. FIRE DISPATCH, SPECIALTY CALLS
34. INCREASE ISO RATING, 10 BEING THE WORST WE ARE AT A 4
35. DEPARTMENT DOING MORE WITH STAFF
36. GOING PAPERLESS AND RECORD RETENTION, GREATER ACCESSIBILITY TO RECORDS
37. AWARD WINNING SCHOOLS, ROBOTICS
38. LAND IS A GOOD OPPORTUNITY, SHAPE THE DIRECTION OF THE EAST- WEST CONNECTOR
39. DOWNTOWN AND THE CHARACTER OF THE AREA
40. INVOLVEMENT OF CITIZENS, SENSE OF TEAMWORK
41. STAFF IS AMAZING, LONGEVITY OF STAFF
42. DESIRE TO DO WHAT IS RIGHT, CHARACTER OF STAFF
43. CHANGES IN COUNCIL AND STAFF, STAFF COOPERATION
44. ATTITUDE OF THE COUNCIL, ALLOWING LEADERS TO SPREAD THEIR WINGS
45. LIBRARY IS GREAT
46. DEPARTMENTS WORKING TOGETHER AND PULLING TOGETHER
47. CLEANING UP DAMAGED BUILDING, TAKING ADVANTAGE OF THE CULTURE TO REMOVE BLIGHT

ADD TO CITY

1. COMMUNITY ENTERTAINMENT
2. BRING PEOPLE TOGETHER
3. NEW BUSINESSES IN EMPTY BUILDINGS DOWNTOWN
4. IMPROVE ACCESSIBLY TRAVELING IN TOWN
5. ENTERTAINMENT DISTRICT
6. WORK ON THE PROCESS TO BRING IN THE RIGHT BUSINESSES TO THE AREA, SIMPLIFY PROCESS, BUSINESS FRIENDLY
7. HIGHWAY 90 HAS GREAT POTENTIAL FOR GROWTH AND BUSINESS
8. CREATING A COMMUNICATION NETWORK
9. EDUCATE THE PEOPLE AND IT WILL WORK
10. MAKE US A DESTINATION CITY INSTEAD OF BEDROOM COMMUNITY
11. NEWCOMERS' TO THE COMMUNITY OFFER WELCOME MEETINGS
12. PLACE FOR YOUNG PEOPLE, YOUTH CENTER, SWIMMING POOL
13. SPORTS COMPLEX, SPORTS TOURISM PLAN
14. SHOPPING
15. ATTRACT BUSINESSES THAT WILL DRAW OUTSIDE FUNDING
16. INCUBATOR HELP SMALL BUSINESS
17. ADD SUSTAINABILITY TO OPERATING THE CITY
18. INCREASE EFFICIENCYIN RUNNING THE CITY

LIKE TO KEEP

1. CULTURAL THINGS, CHARM

2. WORKING WITH EACH OTHER, GOOD RELATIONSHIP WITH THE CHAMBER
3. HISTORICAL LOOK OF DOWNTOWN
4. FAMILY ORIENTED CITY, HOSPITALITY
5. SMALL TOWN ATMOSPHERE
6. PEOPLE ACCEPT YOU
7. PUBLIC TRUST
8. ELIMINATE REACTIVE APPROACH
9. ACCESSIBILITY TO LEADERSHIP

GET RID OF

1. BLIGHT
2. MANAGE TRAFFIC, CONGESTION
3. BAD ATTITUDES
4. SHORT TERM PLANNING
5. NEGATIVITY TOWARDS THE CITY, LESS TAXES, SERVICES CITY OFFERS, MISCONCEPTION OF THE VALUE TO LIVE IN THE CITY
6. DRUGS
7. CITY LIMITS

ONE THING LEARNED TONIGHT

1. POSITIVE ATTITUDES
2. IMPROVED ACCESS TO COUNCIL AND STAFF
3. WORKING TOGETHER
4. TRANSPARENCY
5. IMPROVED DIRECTION WITH NEW CITY MANAGER, CITY MOVING FORWARD, PRO ACTIVE APPROACH
6. TEAMWORK
7. THE ABILITY TO BE ON THE SAME PAGE AND DOING IT IN AN OPEN FORUM
8. IMPROVED UNDERSTANDING
9. POSSIBILITY OF LEASING EQUIPMENT VS BUYING

