



CITY OF CRESTVIEW

OFFICE OF THE CITY CLERK

P.O. DRAWER 1209, CRESTVIEW, FLORIDA 32536

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

July 13, 2020

6:00 PM

Council Chambers

REGULAR COUNCIL MEETING

The Public is invited and encouraged to view our meetings on the City of Crestview Live stream a at <https://www.cityofcrestview.org> under agendas or the City of Crestview Facebook Page. You may submit questions on any agenda item in advance (by 3:00 PM the day of the meeting, please) to cityclerk@cityofcrestview.org.

1. **Call to Order**
2. **Invocation, Pledge of Allegiance**
3. **Open Policy Making and Legislative Session**
4. **Approve Agenda**
5. **Presentations and Reports**
6. **Consent Agenda**
7. **Public Hearings / Ordinances on Second Reading**
 - 7.1. Ordinance 1715 - Mixed-Use Comprehensive Plan Text Amendment
 - 7.2. Ordinance 1716 - Mixed-Use Land Development Code Text Amendment
 - 7.3. Ordinance 1717 - MLK Area Comprehensive Plan Amendment
 - 7.4. Ordinance 1718 - MLK Area Rezoning
 - 7.5. Ordinance 1719 - Brett Area Comprehensive Plan Amendment
 - 7.6. Ordinance 1720 - Brett Area Rezoning

7.7. Ordinance 1775 - Foxwood Annexation

7.8. Ordinance 1767 - Pharmaceutical Sales Special Exception

7.9. Ordinance 1776 Changes to the General Retirement System

8. Ordinances on First Reading

9. Resolutions

9.1. A Resolution to authorize a referendum on the annexation of the Foxwood Golf Course and neighborhood.

10. Action Items

10.1. Tentative Millage Rate

10.2. Charter Changes

11. City Clerk Report

12. City Manager Report

13. Comments from the Mayor and Council

14. Comments from the Audience

15. Adjournment

Note: The Presentations 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 Item 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 accommodation 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

CITY COUNCIL MEETING DATE: July 13, 2020

TYPE OF AGENDA ITEM: Ordinance

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Dawn Barnes
DATE: 7/6/2020
SUBJECT: Ordinance 1715 - Mixed-Use Comprehensive Plan Text Amendment

BACKGROUND:

Community Development Staff proposed a text amendment to the Future Land Use Element of the City of Crestview Comprehensive Plan, providing for a new Mixed-Use Residential Commercial Future Land Use (MX-RC).

Community Development Services hosted a Public Outreach Meeting at the Mount Zion AME Church on July 2, 2019 to introduce the proposed changes to the property owners.

Community Development Services brought the item before the Local Planning Agency as a discussion item on July 16, 2019.

The Local Planning Agency recommended approval on August 27, 2019 and the first reading was on September 9, 2019.

The State then had an opportunity to review and comment. After discussions with the State, this amendment moved forward with no changes.

DISCUSSION:

In the past, the City's zoning code allowed for cumulative or cascading zoning. In other words, the uses permitted by right in a residential zoning district were also permitted in commercial and industrial zoning districts. For example, a low-density dwelling zone may only allow single family residences, a medium density dwelling zone may allow single and multi-family residences, a commercial zone will also allow for residential dwellings and retail while an industrial zone would allow all uses permitted within all other districts and manufacturing.

In the early 2000's, the City Council, at the time, rescinded the cumulative component of the City's Zoning Code. This move created a many legally nonconforming uses as single-family dwellings were no longer permitted within the existing commercial zoning districts.

Over the last few years Planning staff has received multiple requests for Zoning and Land Use Changes within areas just outside of the Downtown core area (Midtown Areas). The great majority of these requests centered on the fact that Single Family Dwellings were not a permitted use within many areas that are currently dominated by this use type. While single family development and zoning changes were being sought after, staff was also made aware of the continued need for commercial opportunity in these areas. Business owners

and residents commented to staff, indicating that the continuity of commercial development in the neighborhood was essential.

Staff analyzed the historical trends, existing uses, conformities verse non-conformities, and development potential within the two subject areas to establish possible Future Land Use Map Amendments and Zoning Changes and conflicts therewith. Additionally, staff examined if the currently adopted language would satisfy present desires and development trends within the study areas. Staff investigated the effectiveness of various Comprehensive Plan language and Map amendments, as well as zoning district creation, regarding improving the levels of conformity, increasing development options, and the maintenance of the status quo throughout the “Midtown” areas.

Staff has determined that the creation of a new Future Land Use designation would be instrumental in allowing for the appropriate development patterns and trends to continue while ensuring that new development would be in keeping with the prevailing neighborhood characteristic and historic charm.

Staff developed the Mixed-Use Residential Commercial (MX-RC) Future Land Use category. This category seeks to allow for the continued mixture of uses that has historically occurred throughout the areas surrounding the downtown core of the city. The future land use category also attempts to protect the existing prevailing development while advancing commercial opportunity in a scaled and conservative manner. Additionally, the MX-RC attempts to strike a middle ground between the high intensity commercial center of the City and the medium and low-density residential areas by allowing a medium density of 10 units/acre and a smaller Floor Area Ratios compared to the DMU district.

GOALS & OBJECTIVES

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

Foundational – these are the four 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.

Communication – To engage, inform and educate public and staff.

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

Community Character – Promote desirable growth with a hometown atmosphere.

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

The adoption of Ordinance 1715 will have no financial impact on the City of Crestview’s finances.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1715 on second reading.

Attachments

None

ORDINANCE: 1715

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF ITS ADOPTED COMPREHENSIVE PLAN; BY ESTABLISHING A NEW FUTURE LAND USE CATEGORY TO BE KNOWN AS THE MIXED-USE RESIDENTIAL COMMERCIAL CATEGORY; PROVIDING FOR REVISING THE FUTURE LAND USE MAP (FLUM) TO INCLUDE THE CATEGORY; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR PURPOSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA, AS FOLLOWS:

SECTION 1. Authority. The authority for enactment of this Ordinance is Section 2 of the City Charter, §163.3187 F.S., §166.021 F.S., §166.041 F.S. and the adopted Comprehensive Plan.

SECTION 2. Purpose. The purpose of this Amendment is to create a new Future Land use Category applicable to the areas of the City that are adjacent to the general downtown area of Crestview in order to provide a mixture of residential and light intensity non-residential uses between the downtown area and surrounding low density residential neighborhoods. New Policy 7.A.3.4(i) creates the new category.

SECTION 3. Findings of Fact. The City Council of the City of Crestview finds the following:

- A. This amendment will promote compact, orderly, and infill development and will discourage urban sprawl; and
- B. Provides increased housing opportunities near the downtown employment, shopping and education centers; and
- C. Provides for the improvement and protection of existing development patterns within the downtown adjacent areas; and
- D. Provides for uses that have a demonstrated need within the downtown adjacent areas;
- E. Provides for increased economic opportunity within the downtown adjacent areas;
- F. A public hearing has been conducted after "due public notice" by the Crestview Planning Board sitting as the Local Planning Agency with its recommendations reported to the City Council; and
- G. A public hearing precedent to final adoption of this Ordinance has been duly noticed and conducted by the City Council; and

H. This amendment is consistent with the adopted Comprehensive Plan and is in the best interests of the City and its citizens.

SECTION 4. Adoption of Comprehensive Plan Amendment. Amendment 19-3ESR as attached hereto in Attachment “A” to this Ordinance is hereby adopted and Attachment “A” is incorporated herein by reference.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. Scrivener’s Errors. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager’s designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 7. Ordinance to be Liberally Construed. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 8. Repeal of Conflicting Codes, Ordinances, and Resolutions. All Charter provisions, codes, ordinances and resolutions or parts of charters provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 9. Effective Date. The effective date of this plan amendment and ordinance shall be thirty-one (31) days after adoption on second reading by the City Council, unless the amendment is challenged pursuant to §163.3187, F.S. If challenged, the effective date shall be the date a Final Order is issued by the State Land Planning Agency or the Administration Commission finding the amendment in compliance with §163.3184, F.S.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA ON THE _____ DAY OF _____, 2020.

ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN
Mayor

ATTACHMENT A

19-3ESR – Amendment to the Comprehensive Plan of the City of Crestview.

Policy 7.A.3.4

i. MIXED USE – RESIDENTIAL/COMMERCIAL (MX-RC)

1. Description:

This category is intended to serve as a buffer zone between commercial and residential development and to encourage and allow for a mixture of residential, office, and low intensity commercial and convenience uses within areas located outside of the downtown commercial core and also in areas determined to be appropriate for a mixture of uses due to existing development patterns, location, availability of adequate public facilities, and market demands.

2. Permitted Uses:

Uses permitted within this district shall be limited to residential, low intensity commercial, office and public/institutional uses. Non-residential land uses shall be allowed provided compatibility with residential uses is established through recognized methods of transitioning, buffering, and/or separation of incompatible uses.

3. Residential Density:

A density of up to 10 dwelling units per acre (10 du/ac) is allowed.

Clustering of dwelling units may be considered for approval to achieve a mixture of housing types and to preserve open spaces left in a natural state. Density bonuses delineated in the Land Development Code shall be considered in this category but at no time shall density be increased to over 15 units per acre.

4. Non-Residential and Mixed-Use Intensity:

The Floor Area Ratio (FAR) of non-residential development shall not exceed 0.80. The FAR shall not exceed 1.75 for mixed-use development.



Staff Report

CITY COUNCIL MEETING DATE: July 13, 2020

TYPE OF AGENDA ITEM: Ordinance

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Dawn Barnes
DATE: 7/6/2020
SUBJECT: Ordinance 1716 - Mixed-Use Land Development Code Text Amendment

BACKGROUND:

Community Development Staff proposed a text amendment to the Land Development Code, Chapter 102, Section 102-129. – Districts and Boundaries, providing for a new Mixed-Use Neighborhood Commercial Zoning District. The proposed change will serve to implement the proposed Mixed-Use Residential Commercial Future Land Use Category of the Comprehensive Plan.

Community Development Services hosted a Public Outreach Meeting at the Mount Zion AME Church on July 2, 2019 to introduce the proposed changes to the property owners.

Community Development Services brought the item before the Local Planning Agency as a discussion item on July 16, 2019.

The Local Planning Agency recommended approval on August 27, 2019 and the first reading was on September 9, 2019.

DISCUSSION:

In the past, the City's zoning code allowed for cumulative or cascading zoning. In other words, the uses permitted by right in a residential zoning district were also permitted in commercial and industrial zoning districts. For example, a low-density dwelling zone may only allow single family residences, a medium density dwelling zone may allow single and multi-family residences, a commercial zone will also allow for residential dwellings and retail while an industrial zone would allow all uses permitted within all other districts and manufacturing.

In the early 2000's, the City Council, at the time, rescinded the cumulative component of the City's Zoning Code. This move created a many legally nonconforming uses as single-family dwellings were no longer permitted within the existing commercial zoning districts.

Over the last few years Planning staff has received multiple requests for Zoning and Land Use Changes within areas just outside of the Downtown core area (Midtown Areas). The great majority of these requests centered on the fact that Single Family Dwellings were not a permitted use within many areas that are currently dominated by this use type. While single family development and zoning changes were being sought after, staff was also made aware of the continued need for commercial opportunity in these areas. Business owners and residents commented to staff, indicating that the continuity of commercial development in the

neighborhood was essential.

Staff analyzed the historical trends, existing uses, conformities verse non-conformities, and development potential within the two subject areas to establish possible Future Land Use Map Amendments and Zoning Changes and conflicts therewith. Additionally, staff examined if the currently adopted language would satisfy present desires and development trends within the study areas. Staff investigated the effectiveness of various Comprehensive Plan language and Map amendments, as well as zoning district creation, regarding improving the levels of conformity, increasing development options, and the maintenance of the status quo throughout the “Midtown” areas.

Staff has determined that the creation of a new Mixed-Use Zoning district is appropriate to advance and implement the new MX-RC Future Land Use requirements.

The new Mixed-Use Neighborhood Commercial (MX-NC) Zoning district is focused on allowing various uses within the same development, the same area and the within the same structure while ensuring compatibility between residential and non-residential uses. It concentrates on diminishing nonconforming uses and structures with expanded uses and decreased setback lines that more closely match the great majority of existing sites. The new Zoning district seeks to create more walkability and pedestrian friendly areas through sidewalk requirements for new development and redevelopment that increases impervious surface area by 50% or more.

GOALS & OBJECTIVES

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

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

Financial Sustainability – Achieve long term financial sustainability.

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Play – Expand recreational and entertainment activities within the city.

Community Culture – Develop a specific identity for Crestview.

FINANCIAL IMPACT

The adoption of Ordinance 1716 will have no financial impact on the City of Crestview’s finances.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1716 on second reading.

Attachments

None

ORDINANCE: 1716

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR AUTHORITY; PROVIDING FOR AMENDMENTS TO ARTICLE VII, LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS, OF CHAPTER 102 OF THE CODE OF ORDINANCES, CITY OF CRESTVIEW, FLORIDA; PROVIDING FOR AMENDMENTS TO SECTION 102-129, DISTRICTS AND BOUNDARIES, ESTABLISHING AND ADDING THE ZONING REGULATIONS NECESSARY TO IMPLEMENT A NEIGHBORHOOD COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA AS FOLLOWS:

SECTION 1. AUTHORITY. The authority for enactment of this ordinance is Section 166.041, Florida Statutes and Chapter 102, City Code.

SECTION 2. SECTION 102-129, DISTRICTS AND BOUNDARIES, ARTICLE VII, LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS OF CHAPTER 102 OF THE CODE OF ORDINANCES, CITY OF CRESTVIEW, FLORIDA, is hereby amended to read as follows:

Sec. 102-129. - Districts and boundaries.

(a) In order to classify and regulate the uses of land and buildings, the height and bulk of buildings, the area and other open spaces about buildings and the intensity of land uses, the city is divided into ~~thirteen~~ fourteen districts known as follows:

A	Agricultural district
R-1A	A one (single) family district
R-1	A one (single) family district
R-2	Multiple-family district (medium density)
R-3	Multiple-family district (high density)
C-1	Commercial district
C-2	Downtown commercial district
DMU	Downtown Mixed use district
<u>MX-NC</u>	<u>Mixed-Use Neighborhood Commercial</u>
M-1	Industrial district
P	Public land district
E	Conservation district
PUD	Planned unit development district
PMDD	Planned mixed development district

(k) MX-NC (Mixed-Use Neighborhood/Commercial District)

1. Purpose and Intent.

1. To accommodate single and multi-family, mixed-use buildings, and neighborhood-serving retail, service, and other uses within appropriate locations outside of the downtown commercial center and other areas where the mixture of residential and limited non-residential uses are deemed appropriate when considering growth patterns, location, market demands, and other factors as necessary. This zoning designation is not designed for residential subdivision development.
2. To encourage a mixture of development that exhibits the physical design characteristics of pedestrian-oriented and the traditional neighborhood storefront-style shopping streets; and
3. To promote the health, safety, and well-being of residents by encouraging physical activity, alternative transportation, and greater social interaction.

1. Compatibility.

1. Compatibility between different use types is a paramount concern within this district and as such the special use standards, setbacks, buffering and landscaping standards have been developed to help ensure that different uses can be in proximity to one another.
2. When, in the opinion of the Community Development Services Director, a proposed use is incompatible with adjacent existing uses, The Director may require additional appropriate means of establishing an acceptable level of compatibility, to include but not be limited to additional buffering yard width, height, and/or plantings and the widening of required setbacks.
2. Uses Permitted. Uses are allowed in “MX-NC” zoning districts in accordance with Table 102-129.01.

TABLE 102-129.01. MX-NC USES		
Zoning District		
USE GROUP		Zoning District
Use Category		MX-NC
P = Permitted by-right		
S = Special Use		
X = Not Allowed		
RESIDENTIAL		
Household Living		
<u>Artist Live/Work Space located above the ground floor</u>		P
<u>Dwelling Units located above the ground floor</u>		P
<u>Single Family Dwelling - Attached</u>		P
<u>Single Family Dwelling - Detached</u>		P
<u>Multi-unit (3+ units) Residential</u>		P
<u>Single-Room Occupancy</u>		P
<u>Townhouse</u>		P
Group Living		
<u>Assisted Living</u>		P
<u>Group Home</u>		P
<u>Nursing Home</u>		P
<u>Transitional Residences</u>		S
<u>Transitional Shelters</u>		S
NON-RESIDENTIAL		
Public and Institutional		
<u>Colleges and Universities</u>		S
<u>Cultural Exhibits and Libraries</u>		P
<u>Day Care</u>		P

<u>Hospital</u>	<u>S</u>
<u>Lodge or Private Club</u>	<u>P</u>
<u>Parks and Recreation</u>	<u>P</u>
<u>Pharmacy</u>	<u>S</u>
<u>Postal Service</u>	<u>P</u>
<u>Public Safety Services</u>	<u>P</u>
<u>Religious Assembly</u>	<u>P</u>
<u>School</u>	<u>P</u>
<u>Utilities and Services, Minor</u>	<u>P</u>
<u>Utilities and Services, Major</u>	<u>S</u>
<u>Commercial</u>	
<u>Adult Use</u>	<u>X</u>
<u>Animal Services</u>	
<u>Shelter/Boarding Kennel</u>	<u>X</u>
<u>Sales and Grooming</u>	<u>P</u>
<u>Veterinary</u>	<u>P</u>
<u>Artist Work or Sales Space (Studio)</u>	<u>P</u>
<u>Drive-Through Facility</u>	<u>X</u>
<u>General Retail</u>	<u>P</u>
<u>Eating and Drinking Establishments</u>	
<u>Restaurant</u>	<u>P</u>
<u>Tavern</u>	<u>S</u>
<u>Financial Services</u>	<u>P</u>
<u>Food and Beverage Retail Sales</u>	<u>P</u>
<u>Gas Stations</u>	<u>X</u>
<u>Office and Medical Service</u>	<u>P</u>
<u>Parking, Commercial (Non-accessory)</u>	<u>S</u>
<u>Personal Service, including health clubs and gyms</u>	<u>P</u>
<u>Non-Auto Repair Service</u>	<u>P</u>
<u>INDUSTRIAL AND MANUFACTURING</u>	<u>X</u>
*Other uses, similar to those identified above and in keeping with the purpose and intent of the district, may be considered for approval.	

1. Special Uses.
1. When a Special Use, as identified within Table 102-129.01, is proposed on a lot or parcel abutting a single-family or duplex dwelling use, minimum rear and side setback requirements shall be doubled unless additional setback requirements are identified elsewhere in this Article.
 2. Those uses identified in Table 102-129.01, as Special uses, may be permitted upon approval by the Development Administrator when the following requirements are satisfied.
 1. Group Living special uses shall maintain a minimum 1,000-foot separation from other similar uses, as measured from front door to front door along a typical pedestrian way. Applications for Group Living special uses shall include copies of all applicable Florida state licensure and other appropriate documentation.
 2. Hospital special uses may exceed the maximum gross floor areas as identified in subsection 4 below but shall maintain minimum 25-foot setbacks from all property lines and at least 75% of all parking areas shall be to the side or rear of the primary structure.
 3. Utility services shall be screened from the right-of-way and from adjacent properties by a landscape buffer yard meeting the minimum material requirements of Sec. 102-573.

4. Tavern special uses shall maintain a minimum 1,000-foot separation from another similar use, as measured from front door to front door along a typical pedestrian pathway. Other distance restrictions regulating placement of Taverns, as required by this Code may apply.
5. Non-accessory parking special uses shall be required to install a minimum five (5) foot wide buffer yard, meeting the minimum material requirements of Sec. 102-573, around the entire parking area. The interior parking requirements as per Sec. 102-573 shall apply.
6. Pharmacy special uses shall not be located within any new residential development and shall only be located on parcels abutting a collector roadway. Pharmacy uses shall not be collocated with any use except for another medical or medical office use. A single drive-through window may be allowed in conjunction with a pharmacy use only when the pharmacy is located on a parcel which is adjacent to non-residential uses only.
7. Colleges and University special uses may exceed the maximum gross floor areas as identified in subsection 4 below but shall maintain minimum 25-foot setbacks from all property lines and at least 75% of all parking areas shall be to the side or rear of the primary structure(s).
2. Development Standards.
 1. The gross floor area of commercial establishments in the MX-NC district shall not exceed 5,000 square feet. A Special Exception may be granted for commercial uses with greater than 5,000 square feet of gross floor area, after review by the Community Development Services Director and approval by the LPA. However, no commercial establishment shall exceed 10,000 square feet of gross floor area.
 2. Office uses, including medical and dental, shall not exceed 15,000 square feet of gross floor area. Governmental office uses may exceed the maximum square feet of gross floor area allowance.
 3. Mixed-use developments shall be limited by the commercial and office use gross square foot maximums, as provided above.
 4. Mixed-use developments that provide above ground floor residential uses may exceed those maximums by 25% when the total use ratio, as determined by square footage of residential uses to non-residential uses, of the entire development, is 40% or greater.
 5. Indoor/Outdoor Operations.
 1. All permitted uses in the MX-NC district must be conducted within completely enclosed buildings unless otherwise expressly authorized herein.
 1. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas of a restaurant.
 2. This requirement does not apply to the exterior sale of wares and food during authorized special events.
 3. Outside storage of materials may occur within side and rear yards when not visible from any right-of-way or adjacent properties. Stored materials shall not become a nuisance of any kind.
 6. Minimum Lot Area. The minimum lot area per dwelling unit shall be 2,000 sq. ft. The minimum lot area for non-residential development shall be 8,000 sq. ft.
 7. Minimum Lot Width. The minimum lot width for a single-family dwelling is 35 feet.
 8. Lot Coverage. Residential development shall not exceed 60% lot coverage.
 9. Floor Area Ratio. The maximum FAR shall be 1.75 for mixed-use buildings and 0.80 for all other non-residential buildings.
 10. Setbacks
 1. Front. All development shall maintain a minimum ten (10) foot front setback from the Right-of-way line.
 2. Corner lots. Development shall maintain a minimum ten (10) foot front setback from all

- rights-of-way lines.
3. The minimum rear setback shall be 20 percent of the lot depth, except when an MX-NC zoned property abuts a Residentially-zoned property. In this instance, the minimum rear setback required shall be the same as required for a residential use on the abutting Residentially zoned lot.
 4. Five (5) foot wide interior side setbacks are required in the MX-NC district, except when MX-NC zoned property abuts a Residentially-zoned property. In this instance, the minimum side setback required shall be the same as required for the residential use on the abutting Residentially zoned lot.
 11. *Building Height.* The maximum building height shall be 45 feet for mixed-use buildings and 35 feet for all other buildings. Church steeples, parapet walls, antennas, and HVAC equipment may extend above the maximum allowable height.
 1. With each additional story, over two stories, all required setbacks shall be increased by 25 %.
 12. *Building Separation.* There shall be a minimum ten (10) foot separation between buildings within the same development.
 13. *Home Based Business and Occupations.*
 1. Home occupations are encouraged in the MX-NC zoning district and the following standards, when in conflict with the home occupation standards as outlined elsewhere in the Code, shall supersede.
 2. Home occupations shall be permitted in the MX-NC in keeping with the following:
 1. Home occupations shall not occupy more than 50% of the area of a single-story dwelling unit but may occupy the entirety of the first-floor area of a multi-story dwelling unit.
 2. Home occupations shall be limited to uses that are non-industrial in nature.
 3. All applicable Florida Building and Life Safety codes shall be satisfied.
 4. All applicable licensure through a State or Federal agency shall be required.
 5. Vehicular traffic shall not be generated in an amount greater than parking is available onsite or to an extent that the paved right-of-way is encumbered upon, or to a point determined to detract from the public's health, safety, and welfare.
 6. Outdoor storage of materials shall be permitted in side and rear yards only, when shielded from public view behind a privacy fence.
 7. One wall sign, not exceeding 8 square feet shall be permitted.
 1. Signs may be externally lit only, and the light source shall be placed in such a manner as to not create light-spillover onto adjacent properties.
 8. No home occupation shall create an attractive nuisance nor any noise, vibration, fumes, odors, electrical interference or any other perceived public nuisance. No home occupation shall detract from a neighboring dwelling unit's owners' or occupants' reasonable expectation of use of their property.
 14. *Bonuses and Adjustments.*
 1. When a new development coordinates with Okaloosa County or other transportation authority, to develop a transit stop, onsite, that will be utilized by an existing transit system, in their normal routes of operation, the development may be eligible for up to a 25% reduction in required parking.
 1. The stop must provide cover and seating for pedestrians wishing to utilize the transit system.
 2. When a new development creates a cross connection(s) for vehicular and pedestrian traffic, with an abutting-existing non-residential or mixed-use, the development may be eligible for a 10% reduction in required parking or landscaping.
 1. Required buffer yard widths shall not be diminished.
 2. A minimum five foot (5') wide sidewalk shall accompany the vehicular cross connection. The sidewalk shall connect to any existing or proposed sidewalks on

either side of the cross connection.

15. Other Improvements.

1. Sidewalks. All new development, except single-family and duplex development, shall install a minimum five (5) foot wide sidewalk the entire length of the front yard. Front yard, in this instance, is defined as that area between the side property lines, extending from the right-of-way line to the front of the building. Corner lots shall install a sidewalk along the entire frontage of the site.
 1. Sidewalks may be installed within the right-of-way upon approval by the Director of Public Services.
 2. Redevelopment which increases the impervious surface area of the site by 50% or more shall be required to install a sidewalk as identified above.
 2. Landscaping. All new development, other than single-family or duplex development, shall be required to install a minimum five (5) foot wide landscaped area between the front of the building and all abutting rights-of-way lines.
 1. There shall be located within the landscaped area, a minimum of one tree per 25 linear feet of right-of-way or one tree per 40 feet and one shrub per 5 feet of right-of-way.
 2. The landscape material standards as provided in Sec. 102-574(5) shall be satisfied.
 3. Redevelopment which increases the impervious surface area of the site by 50% or greater shall be required to satisfy the landscape standards as identified above.
 4. Where redevelopment occurs on a site that cannot accommodate front yard landscaping because the existing structure does not meet the required setbacks for the district, appropriate alternative placement onsite may substitute.
 3. Buffering. Development with a higher intensity than existing abutting development shall provide buffering as follows:
 1. Multi-Family of three (3) or more units when proposed on lands abutting a single-family dwelling or zoning district shall be required to install a six-foot wall or privacy fence.
 2. Mixed-Use development when proposed on lands abutting a single-family (attached or detached) dwelling or single-family zoning district, shall provide a minimum 5-foot-wide landscaped buffer yard and a six-foot wall or privacy fence between the uses adjacent to the property line.
 3. New non-residential development when proposed on lands abutting a single-family (attached or detached) dwelling or single-family zoning district, shall provide a minimum 10-foot-wide landscaped buffer yard and a six-foot wall or privacy fence.
 4. Required buffer yards shall meet the minimum buffer yard material requirements of Sec. 102-573.
 4. Parking. Adherence to the parking standards, as identified in Article VIII of these Land Use Regulations, shall be required, except for the following:
 1. Single family dwellings, not exceeding five bedrooms, shall be required to provide two onsite parking spaces. Driveway connections to the right-of-way for Single family dwellings shall satisfy the requirements of this Land Development Code. However, the driveway portion located on private property may be constructed of milled asphalt, gravel, concrete wheel strips, or another approved, improved-surface.
 2. Multi-family dwelling units shall provide 1.5 onsite parking spaces per dwelling unit with three or fewer bedrooms.
 3. Off-street parking located behind the primary structure onsite shall be eligible for up to a 25% reduction in the amount of required parking.
 4. The Community Development Services Director or designee may allow for a reduction in the required amount of parking, when the applicant provides valid reason substantiated by technical data and analysis performed by a certified

professional, specializing in transportation Planning or Engineering.

5. The Community Development Services Director may approve shared parking configurations with adjacent properties within 500 feet of the subject property when:
 1. A parking agreement, signed by both property owners and notarized, is submitted.
 2. A shared parking analysis provided by the applicant, demonstrates through technical data and analysis, that the shared parking arrangement will satisfy Code requirements for each use, during peak hour operation.
 6. Where sufficient area for on-street parking is available, it may be utilized to satisfy a development's parking requirements, when approved by the Director of Public Services.
1. Surface improvement may be required.
 7. At no time shall the required parking be diminished, by bonuses or adjustments, to below 50% of the required spaces.

SECTION 3. SEVERABILITY. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions of this ordinance are declared severable.

SECTION 4. SCRIVENER'S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager's designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 5. ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 6. REPEAL OF CONFLICTING CODES, ORDINANCES, AND RESOLUTIONS. All Charter provisions, codes, ordinances and resolutions or parts of charters provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA ON THE _____ DAY OF _____, 2020.

ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN
Mayor



Staff Report

CITY COUNCIL MEETING DATE: July 13, 2020

TYPE OF AGENDA ITEM: Ordinance

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Dawn Barnes
DATE: 7/6/2020
SUBJECT: Ordinance 1717 - MLK Area Comprehensive Plan Amendment

BACKGROUND:

The City of Crestview proposed a Comprehensive Plan Amendment to the Future Land Use Map for 156 parcels consisting of ± 45.6 acres, located in Section 17, Township 3 North, Range 23 West, generally bounded by Oakdale Avenue West, Walnut Avenue West, Lloyd Street North/South, and Wilson Street North/South.

The proposal requests the Mixed-Use Residential Commercial (MX-RC) future land use designation for the properties.

Community Development Services hosted a Public Outreach Meeting at the Mount Zion AME Church on July 2, 2019 to introduce the proposed changes to the property owners.

Community Development Services brought the item before the Local Planning Agency as a discussion item on July 16, 2019.

The Local Planning Agency recommended approval on August 27, 2019 and the first reading was on September 9, 2019.

DISCUSSION:

In the past, the City's zoning code allowed for cumulative or cascading zoning. In other words, the uses permitted by right in a residential zoning district were also permitted in commercial and industrial zoning districts. For example, a low-density dwelling zone may only allow single family residences, a medium density dwelling zone may allow single and multi-family residences, a commercial zone will also allow for residential dwellings and retail while an industrial zone would allow all uses permitted within all other districts and manufacturing.

In the early 2000's, the City Council, at the time, rescinded the cumulative component of the City's Zoning Code. This move created a many legally nonconforming uses as single-family dwellings were no longer permitted within the existing commercial zoning districts.

Over the last few years Planning staff has received multiple requests for Zoning and Land Use Changes within areas just outside of the Downtown core area (Midtown Areas). The great majority of these requests centered on the fact that Single Family Dwellings were not a permitted use within many areas that are currently dominated by this use type. While single family development and zoning changes were being sought after, staff was also made aware of the continued need for commercial opportunity in these areas. Business owners and

residents commented to staff, indicating that the continuity of commercial development in the neighborhood was essential.

Staff analyzed the historical trends, existing uses, conformities verse non-conformities, and development potential within the two subject areas to establish possible Future Land Use Map Amendments and Zoning Changes and conflicts therewith. Additionally, staff examined if the currently adopted language would satisfy present desires and development trends within the study areas. Staff investigated the effectiveness of various Comprehensive Plan language and Map amendments, as well as zoning district creation, regarding improving the levels of conformity, increasing development options, and the maintenance of the status quo throughout the “Midtown” areas.

Staff has determined that the creation of a new Future Land Use designation would be instrumental in allowing for the appropriate development patterns and trends to continue while ensuring that new development would be in keeping with the prevailing neighborhood characteristic and historic charm.

Staff developed the Mixed-Use Residential Commercial (MX-RC) Future Land Use category. This category seeks to allow for the continued mixture of uses that has historically occurred throughout the areas surrounding the downtown core of the city. The future land use category also attempts to protect the existing prevailing development while advancing commercial opportunity in a scaled and conservative manner. Additionally, the MX-RC attempts to strike a middle ground between the high intensity commercial center of the City and the medium and low-density residential areas by allowing a medium density of 10 units/acre and a smaller Floor Area Ratios compared to the DMU district.

GOALS & OBJECTIVES

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

Foundational – these are the four 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.

Communication – To engage, inform and educate public and staff.

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

Community Character – Promote desirable growth with a hometown atmosphere.

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.

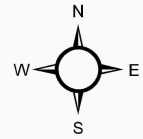
FINANCIAL IMPACT

The adoption of Ordinance 1717 will have no financial impact on the City of Crestview’s finances.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1717 on second reading.

Subject Parcels Current FLU



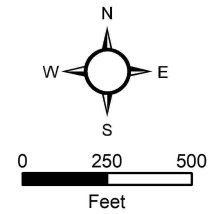
0 250 500
Feet

Legend

- City Limits
- Subject Parcels
- City Future Land Use**
- Commercial (C)
- Industrial (IN)
- Low Density Residential (LDR)
- Medium Density Limited Residential (MDLR)
- Medium Density Residential (MDR)
- High Density Residential (HDR)
- Mixed Use (MU)
- Downtown Mixed Use
- Public Lands (PL)
- Conservation (CON)
- Pending Comp Plan Amendment

PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Adopted Future Land Use



Legend

- Subject Parcels
- City Limits
- City Future Land Use**
- Commercial (C)
- Industrial (IN)
- Low Density Residential (LDR)
- Medium Density Limited Residential (MDLR)
- Medium Density Residential (MDR)
- High Density Residential (HDR)
- Mixed Use (MU)
- Downtown Mixed Use
- Public Lands (PL)
- Conservation (CON)
- Pending Comp Plan Amendment
- Mixed-Use Residential Commercial (MX-RC)

45.59+/- acres of land
Ex FLU = Low Density Residential (LDR)
Downtown Mixed Use (DMU)
Public Lands (PL)
Adopted FLU = Mixed-Use Residential
Commercial (MX-RC)

PREPARED BY CITY OF CRESTVIEW
 COMMUNITY DEVELOPMENT SERVICES
 PARCEL INFORMATION PROVIDED BY
 OKALOOSA COUNTY GIS DEPARTMENT
 NAD 1983 STATE PLANE, NORTH ZONE
 U.S. SURVEY FEET

Attachments

None

ORDINANCE: 1717

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, AMENDING ITS ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR PURPOSE; PROVIDING FOR CHANGING THE FUTURE LAND USE DESIGNATION FROM THE LOW DENSITY RESIDENTIAL, DOWNTOWN MIXED USE, PUBLIC LANDS, AND THE COMMERCIAL FUTURE LAND USE CATEGORIES TO THE MIXED-USE RESIDENTIAL COMMERCIAL (MX-RC) FUTURE LAND USE CATEGORY ON APPROXIMATELY 45.6 ACRES, MORE OR LESS, IN SECTION 17, TOWNSHIP 3 NORTH, RANGE 23 WEST; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA, AS FOLLOWS:

SECTION 1. Authority. The authority for enactment of this Ordinance is Section 2 of the City Charter, §163.3187 F.S., §166.021 F.S., §166.041 F.S. and the adopted Comprehensive Plan.

SECTION 2. Findings of Fact. The City Council of the City of Crestview finds the following:

- A. This amendment will promote compact, orderly, and infill development and will discourage urban sprawl; and
- B. Provides increased housing opportunities near the downtown employment, shopping and education centers; and
- C. Provides for the improvement and protection of existing development patterns within the downtown adjacent areas; and
- D. Provides for uses that have a demonstrated need within the downtown adjacent areas;
- E. Provides for increased economic opportunity within the downtown adjacent areas;
- F. A public hearing has been conducted after "due public notice" by the Crestview Planning Board sitting as the Local Planning Agency with its recommendations reported to the City Council; and
- G. A public hearing precedent to final adoption of this Ordinance has been duly noticed and conducted by the City Council; and
- H. This amendment is consistent with the adopted Comprehensive Plan and is in the best interests of the City and its citizens.

SECTION 3. Purpose. The purpose of this Ordinance is to adopt an amendment to the "City of Crestview Comprehensive Plan: 2020." The amendment is known as 19-4ESR and it is as described in Section 4 below.

SECTION 4. Future Land Use Map Amendment. The Future Land Use Map is amended by changing the future land use category of 156 parcels as identified in Exhibit "B" containing approximately 45.6 acres of land, more or less, from Low Density Residential, Downtown Mixed Use, Public Lands, and the Commercial Future Land Use Categories to the Mixed-Use Residential Commercial Future Land Use Category. The Future Land Map Amendment, shown and delineated in Exhibit "A" to this Ordinance is hereby adopted and Exhibit "A" is incorporated herein by reference.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. Scrivener's Errors. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager's designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 7. Ordinance to be Liberally Construed. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 8. Repeal of Conflicting Codes, Ordinances, and Resolutions. All Charter provisions, codes, ordinances and resolutions or parts of charters provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 9. Effective Date. The effective date of this plan amendment and ordinance shall be thirty-one (31) days after adoption on second reading by the City Council, unless the amendment is challenged pursuant to §163.3187, F.S. If challenged, the effective date shall be the date a Final Order is issued by the State Land Planning Agency or the Administration Commission finding the amendment in compliance with §163.3184, F.S.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA ON THE _____ DAY OF _____, 2020.

ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN
Mayor

EXHIBIT A

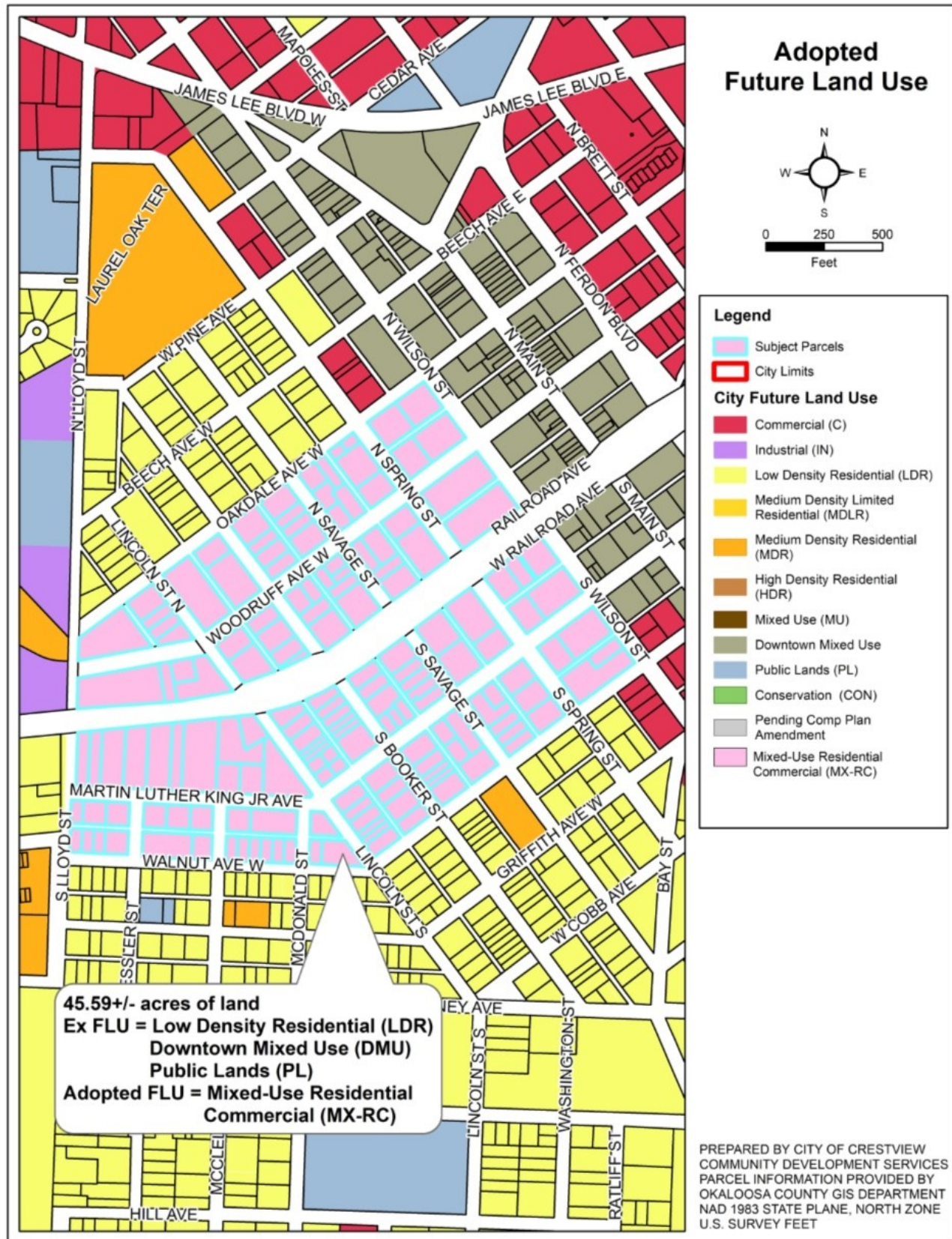


EXHIBIT B

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17-3N-23-2490-0020-0020	17-3N-23-2490-0076-0100	17-3N-23-2490-0117-0030	17-3N-23-2490-0182-004D
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Staff Report

CITY COUNCIL MEETING DATE: July 13, 2020

TYPE OF AGENDA ITEM: Ordinance

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Dawn Barnes
DATE: 7/6/2020
SUBJECT: Ordinance 1718 - MLK Area Rezoning

BACKGROUND:

The City of Crestview proposed a zoning change for 156 parcels consisting of $\pm$ 45.6 acres, located in Section 17, Township 3 North, Range 23 West, generally bounded by Oakdale Avenue West, Walnut Avenue West, Lloyd Street North/South, and Wilson Street North/South.

The proposal requests the Mixed-Use Neighborhood Commercial (MX-NC) zoning designation for the properties.

Community Development Services hosted a Public Outreach Meeting at the Mount Zion AME Church on July 2, 2019 to introduce the proposed changes to the property owners.

Community Development Services brought the item before the Local Planning Agency as a discussion item on July 16, 2019.

The Local Planning Agency recommended approval on August 27, 2019 and the first reading was on September 9, 2019.

DISCUSSION:

In the past, the City's zoning code allowed for cumulative or cascading zoning. In other words, the uses permitted by right in a residential zoning district were also permitted in commercial and industrial zoning districts. For example, a low-density dwelling zone may only allow single family residences, a medium density dwelling zone may allow single and multi-family residences, a commercial zone will also allow for residential dwellings and retail while an industrial zone would allow all uses permitted within all other districts and manufacturing.

In the early 2000's, the City Council, at the time, rescinded the cumulative component of the City's Zoning Code. This move created a many legally nonconforming uses as single-family dwellings were no longer permitted within the existing commercial zoning districts.

Over the last few years Planning staff has received multiple requests for Zoning and Land Use Changes within areas just outside of the Downtown core area (Midtown Areas). The great majority of these requests centered on the fact that Single Family Dwellings were not a permitted use within many areas that are currently dominated by this use type. While single family development and zoning changes were being sought after, staff was also made aware of the continued need for commercial opportunity in these areas. Business owners and

residents commented to staff, indicating that the continuity of commercial development in the neighborhood was essential.

Staff analyzed the historical trends, existing uses, conformities verse non-conformities, and development potential within the two subject areas to establish possible Future Land Use Map Amendments and Zoning Changes and conflicts therewith. Additionally, staff examined if the currently adopted language would satisfy present desires and development trends within the study areas. Staff investigated the effectiveness of various Comprehensive Plan language and Map amendments, as well as zoning district creation, regarding improving the levels of conformity, increasing development options, and the maintenance of the status quo throughout the “Midtown” areas.

Staff has determined that the creation of a new Mixed-Use Zoning district is appropriate to advance and implement the new MX-RC Future Land Use requirements.

The new Mixed-Use Neighborhood Commercial (MX-NC) Zoning district is focused on allowing various uses within the same development, the same area and the within the same structure while ensuring compatibility between residential and non-residential uses. It concentrates on diminishing nonconforming uses and structures with expanded uses and decreased setback lines that more closely match the great majority of existing sites.

The new Zoning district seeks to create more walkability and pedestrian friendly areas through sidewalk requirements for new development and redevelopment that increases impervious surface area by 50% or more.

GOALS & OBJECTIVES

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

Foundational – these are the four 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.

Communication – To engage, inform and educate public and staff.

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

Community Character – Promote desirable growth with a hometown atmosphere.

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.

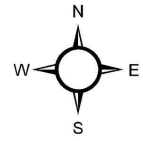
FINANCIAL IMPACT

The adoption of Ordinance 1718 will have no financial impact on the City of Crestview’s finances.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1718 on second reading.

Subject Parcels Current Zoning



0 250 500
Feet

Legend

- Subject Parcels
- City Limits
- Zoning**
- Commercial (C-1)
- Commercial (C-2)
- Industrial (M-1)
- Single Family Dwelling District (R-1)
- Single Family Dwelling District (R-1A)
- Single or Multi-Family Dwelling District (R-2)
- Multi-Family Dwelling District (R-3)
- Downtown Mixed Use (DMU)
- Planned Unit Development (PUD)
- Agricultural (A)
- Public Lands (P)
- Conservation (E)
- Pending Rezoning

PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Attachments

None

ORDINANCE: 1718

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE REZONING OF 45.6 ACRES, MORE OR LESS, OF REAL PROPERTY, LOCATED IN SECTION 17, TOWNSHIP 3 NORTH, RANGE 23 WEST, FROM THE COMMERCIAL (C-1), SINGLE AND MULTI-FAMILY DWELLING (R-2) AND SINGLE FAMILY DWELLING (R-1) ZONING DISTRICTS TO THE MIXED-USE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING (MX-NC); PROVIDING FOR AUTHORITY; PROVIDING FOR THE UPDATING OF THE CRESTVIEW ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA AS FOLLOWS:

SECTION 1. AUTHORITY. The authority for enactment of this ordinance is Section 166.041, Florida Statutes and Chapter 102, City Code.

SECTION 2. PROPERTY REZONED. The 45.6 acres, more or less, of real property, being comprised of 156 parcels of land, as identified in and attached hereto as Exhibit "B", lying within the corporate limits of Crestview, Florida, with 45.6 acres, more or less, being formerly zoned Commercial (C-1), Single and Multi-Family Dwelling (R-2) and Single Family Dwelling (R-1) Zoning Districts with the Mixed-Use Residential Commercial Future Land Use Map designation recently ratified by the Florida Department of Economic Development, is hereby rezoned to the Mixed-Use Neighborhood Commercial District Zoning (MX-NC) to wit.

SECTION 3. MAP UPDATE. The Crestview Zoning Map, attached hereto and made a part hereof as Exhibit A., current edition, is hereby amended to reflect the above changes concurrent with passage of this ordinance.

SECTION 4. SEVERABILITY. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions of this ordinance are declared severable.

SECTION 6. SCRIVENER'S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager's designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 7. ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 8. REPEAL OF CONFLICTING CODES, ORDINANCES, AND RESOLUTIONS. All

Charter provisions, codes, ordinances and resolutions or parts of charters provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 9. EFFECTIVE DATE. The effective date of this Ordinance shall be the date Comprehensive Plan Amendment 19-4ESR is adopted by Ordinance # 1717 becomes legally effective.

**PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW,
FLORIDA ON THE _____ DAY OF _____, 2020.**

ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN
Mayor

EXHIBIT A

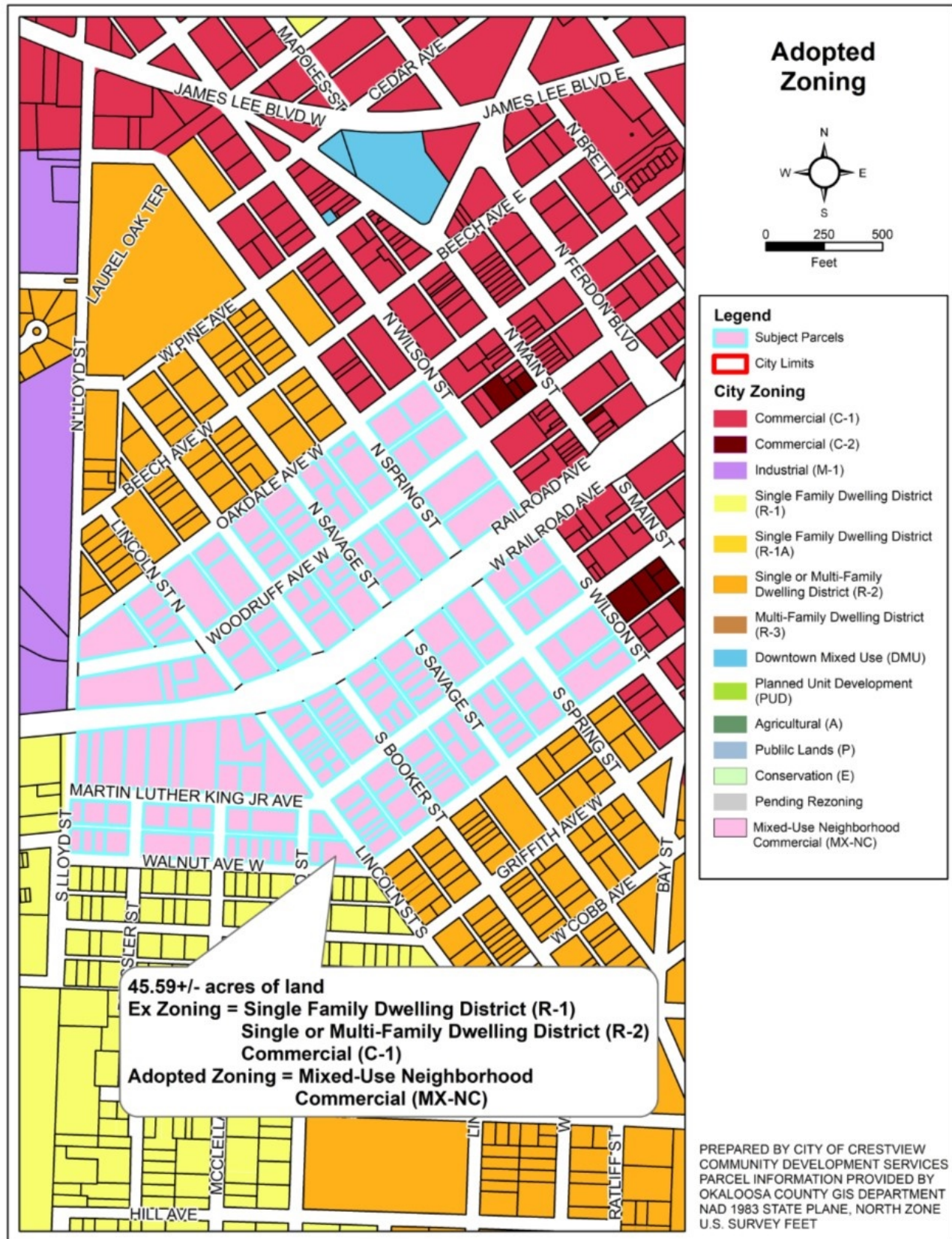


EXHIBIT B

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Staff Report

CITY COUNCIL MEETING DATE: July 13, 2020

TYPE OF AGENDA ITEM: Ordinance

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Dawn Barnes
DATE: 7/6/2020
SUBJECT: Ordinance 1719 - Brett Area Comprehensive Plan Amendment

BACKGROUND:

The City of Crestview proposed a Comprehensive Plan Amendment to the Future Land Use Map for 78 parcels consisting of $\pm$ 25.71 acres, located in Section 17, Township 3 North, Range 23 West, generally bounded by Edney Avenue East, Walnut Avenue East, Brett Street South, Amos Street, Field Avenue East, and Rayburn Street South.

The proposal requests the Mixed-Use Residential Commercial (MX-RC) future land use designation for the properties.

Community Development Services hosted a Public Outreach Meeting at the Mount Zion AME Church on July 2, 2019 to introduce the proposed changes to the property owners. The area originally brought to the Outreach meeting did not include the areas East of Amos Street.

Community Development Services brought the item before the Local Planning Agency as a discussion item on July 16, 2019.

The Local Planning Agency recommended approval on August 27, 2019 and September 24, 2019 and the first reading was on October 14, 2019.

DISCUSSION:

In the past, the City's zoning code allowed for cumulative or cascading zoning. In other words, the uses permitted by right in a residential zoning district were also permitted in commercial and industrial zoning districts. For example, a low-density dwelling zone may only allow single family residences, a medium density dwelling zone may allow single and multi-family residences, a commercial zone will also allow for residential dwellings and retail while an industrial zone would allow all uses permitted within all other districts and manufacturing.

In the early 2000's, the City Council, at the time, rescinded the cumulative component of the City's Zoning Code. This move created a many legally nonconforming uses as single-family dwellings were no longer permitted within the existing commercial zoning districts.

Over the last few years Planning staff has received multiple requests for Zoning and Land Use Changes within areas just outside of the Downtown core area (Midtown Areas). The great majority of these requests centered on the fact that Single Family Dwellings were not a permitted use within many areas that are currently

dominated by this use type. While single family development and zoning changes were being sought after, staff was also made aware of the continued need for commercial opportunity in these areas. Business owners and residents commented to staff, indicating that the continuity of commercial development in the neighborhood was essential.

Staff analyzed the historical trends, existing uses, conformities verse non-conformities, and development potential within the two subject areas to establish possible Future Land Use Map Amendments and Zoning Changes and conflicts therewith. Additionally, staff examined if the currently adopted language would satisfy present desires and development trends within the study areas. Staff investigated the effectiveness of various Comprehensive Plan language and Map amendments, as well as zoning district creation, regarding improving the levels of conformity, increasing development options, and the maintenance of the status quo throughout the “Midtown” areas.

Staff has determined that the creation of a new Future Land Use designation would be instrumental in allowing for the appropriate development patterns and trends to continue while ensuring that new development would be in keeping with the prevailing neighborhood characteristic and historic charm.

Staff developed the Mixed-Use Residential Commercial (MX-RC) Future Land Use category. This category seeks to allow for the continued mixture of uses that has historically occurred throughout the areas surrounding the downtown core of the city. The future land use category also attempts to protect the existing prevailing development while advancing commercial opportunity in a scaled and conservative manner. Additionally, the MX-RC attempts to strike a middle ground between the high intensity commercial center of the City and the medium and low-density residential areas by allowing a medium density of 10 units/acre and a smaller Floor Area Ratios compared to the DMU district.

GOALS & OBJECTIVES

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

Foundational – these are the four 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.

Communication – To engage, inform and educate public and staff.

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

Community Character – Promote desirable growth with a hometown atmosphere.

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.

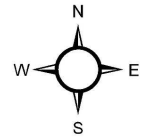
FINANCIAL IMPACT

The adoption of Ordinance 1719 will have no financial impact on the City of Crestview’s finances.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1719 on second reading.

Subject Parcels Current FLU



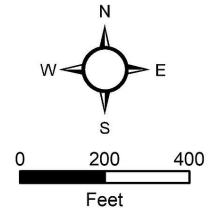
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Feet

Legend

- City Limits
- Subject Parcels
- City Future Land Use**
 - Commercial (C)
 - Industrial (IN)
 - Low Density Residential (LDR)
 - Medium Density Limited Residential (MDLR)
 - Medium Density Residential (MDR)
 - High Density Residential (HDR)
 - Mixed Use (MU)
 - Downtown Mixed Use
 - Public Lands (PL)
 - Conservation (CON)
 - Pending Comp Plan Amendment

PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Adopted Future Land Use



Legend

Subject Parcels

City Limits

City Future Land Use

- Commercial (C)
- Industrial (IN)
- Low Density Residential (LDR)
- Medium Density Limited Residential (MDLR)
- Medium Density Residential (MDR)
- High Density Residential (HDR)
- Mixed Use (MU)
- Downtown Mixed Use
- Public Lands (PL)
- Conservation (CON)
- Pending Comp Plan Amendment
- Mixed-Use Residential Commercial (MX-RC)

25.71+/- acres of land
Ex FLU = Low Density Residential (LDR)
Medium Density Limited Residential (MDLR)
Medium Density Residential (MDR)
Public Lands (PL)
Industrial (IN)
Adopted FLU = Mixed-Use Residential
Commercial (MX-RC)

PREPARED BY CITY OF CRESTVIEW
 COMMUNITY DEVELOPMENT SERVICES
 PARCEL INFORMATION PROVIDED BY
 OKALOOSA COUNTY GIS DEPARTMENT
 NAD 1983 STATE PLANE, NORTH ZONE
 U.S. SURVEY FEET

Attachments

None

ORDINANCE: 1719

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, AMENDING ITS ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR PURPOSE; PROVIDING FOR CHANGING THE FUTURE LAND USE DESIGNATION FROM THE LOW DENSITY RESIDENTIAL, MEDIUM DENSITY LIMITED RESIDENTIAL, MEDIUM DENSITY RESIDENTIAL, AND THE COMMERCIAL FUTURE LAND USE CATEGORIES TO THE MIXED-USE RESIDENTIAL COMMERCIAL (MX-RC) FUTURE LAND USE CATEGORY ON APPROXIMATELY 25.7 ACRES, MORE OR LESS, IN SECTION 17, TOWNSHIP 3 NORTH, RANGE 23 WEST; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA, AS FOLLOWS:

SECTION 1. Authority. The authority for enactment of this Ordinance is Section 2 of the City Charter, §163.3187 F.S., §166.021 F.S., §166.041 F.S. and the adopted Comprehensive Plan.

SECTION 2. Findings of Fact. The City Council of the City of Crestview finds the following:

- A. This amendment will promote compact, orderly, and infill development and will discourage urban sprawl; and
- B. Provides increased housing opportunities near the downtown employment, shopping and education centers; and
- C. Provides for the improvement and protection of existing development patterns within the downtown adjacent areas; and
- D. Provides for uses that have a demonstrated need within the downtown adjacent areas;
- E. Provides for increased economic opportunity within the downtown adjacent areas;
- F. A public hearing has been conducted after "due public notice" by the Crestview Planning Board sitting as the Local Planning Agency with its recommendations reported to the City Council; and
- G. A public hearing precedent to final adoption of this Ordinance has been duly noticed and conducted by the City Council; and
- H. This amendment is consistent with the adopted Comprehensive Plan and is in the best interests of the

City and its citizens.

SECTION 3. Purpose. The purpose of this Ordinance is to adopt an amendment to the "City of Crestview Comprehensive Plan: 2020." The amendment is known as 19-5ESR and it is as described in Section 4 below.

SECTION 4. Future Land Use Map Amendment. The Future Land Use Map is amended by changing the future land use category of 78 parcels as identified in Exhibit "B" containing approximately 25.7 acres of land, more or less, from Low Density Residential, Medium Density Limited Residential, Medium Density Residential, and the Commercial Future Land Use Categories to the Mixed-Use Residential Commercial Future Land Use Category. The Future Land Use Map Amendment, shown and delineated in Exhibit "A" to this Ordinance is hereby adopted and Exhibit "A" is incorporated herein by reference.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. Scrivener's Errors. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager's designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 7. Ordinance to be Liberally Construed. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 8. Repeal of Conflicting Codes, Ordinances, and Resolutions. All Charter provisions, codes, ordinances and resolutions or parts of charters provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 9. Effective Date. The effective date of this plan amendment and ordinance shall be thirty-one (31) days after adoption on second reading by the City Council, unless the amendment is challenged pursuant to §163.3187, F.S. If challenged, the effective date shall be the date a Final Order is issued by the State Land Planning Agency or the Administration Commission finding the amendment in compliance with §163.3184, F.S.

**PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW,
FLORIDA ON THE _____ DAY OF _____, 2020.**

ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN
Mayor

EXHIBIT A

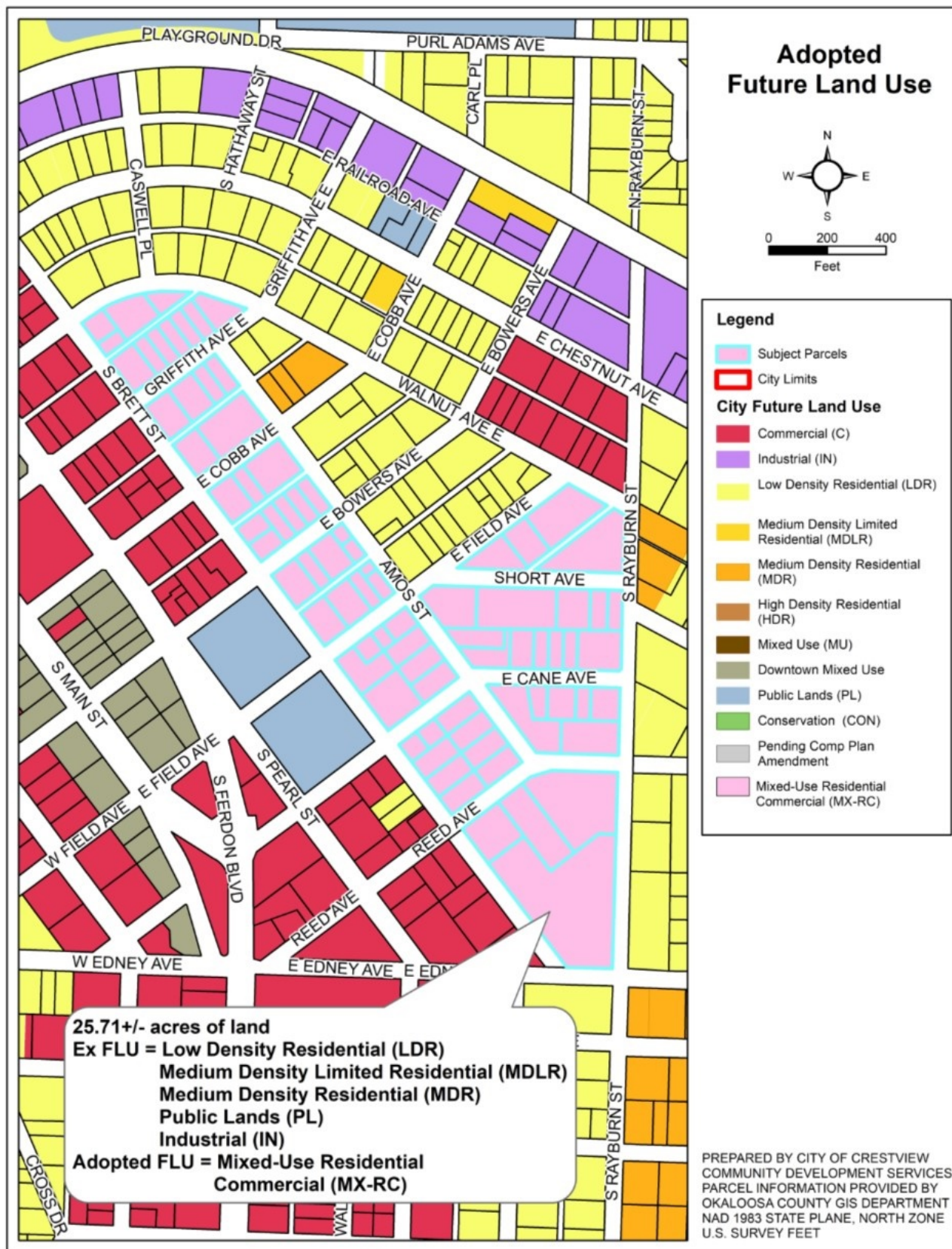


EXHIBIT B

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Staff Report

CITY COUNCIL MEETING DATE: July 13, 2020

TYPE OF AGENDA ITEM: Ordinance

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Dawn Barnes
DATE: 7/6/2020
SUBJECT: Ordinance 1720 - Brett Area Rezoning

BACKGROUND:

The City of Crestview proposed a zoning change for 78 parcels consisting of ± 25.71 acres, located in Section 17, Township 3 North, Range 23 West, generally bounded by Edney Avenue East, Walnut Avenue East, Brett Street South, Amos Street, Field Avenue East, and Rayburn Street South.

The proposal requests the Mixed-Use Neighborhood Commercial (MX-NC) zoning designation for the properties.

Community Development Services hosted a Public Outreach Meeting at the Mount Zion AME Church on July 2, 2019 to introduce the proposed changes to the property owners. The area originally brought to the Outreach meeting did not include the areas East of Amos Street.

Community Development Services brought the item before the Local Planning Agency as a discussion item on July 16, 2019.

The Local Planning Agency recommended approval on August 27, 2019 and September 24, 2019 and the first reading was on October 14, 2019.

DISCUSSION:

In the past, the City's zoning code allowed for cumulative or cascading zoning. In other words, the uses permitted by right in a residential zoning district were also permitted in commercial and industrial zoning districts. For example, a low-density dwelling zone may only allow single family residences, a medium density dwelling zone may allow single and multi-family residences, a commercial zone will also allow for residential dwellings and retail while an industrial zone would allow all uses permitted within all other districts and manufacturing.

In the early 2000's, the City Council, at the time, rescinded the cumulative component of the City's Zoning Code. This move created a many legally nonconforming uses as single-family dwellings were no longer permitted within the existing commercial zoning districts.

Over the last few years Planning staff has received multiple requests for Zoning and Land Use Changes within areas just outside of the Downtown core area (Midtown Areas). The great majority of these requests centered on the fact that Single Family Dwellings were not a permitted use within many areas that are currently dominated by this use type. While single family development and zoning changes were being sought after, staff

was also made aware of the continued need for commercial opportunity in these areas. Business owners and residents commented to staff, indicating that the continuity of commercial development in the neighborhood was essential.

Staff analyzed the historical trends, existing uses, conformities verse non-conformities, and development potential within the two subject areas to establish possible Future Land Use Map Amendments and Zoning Changes and conflicts therewith. Additionally, staff examined if the currently adopted language would satisfy present desires and development trends within the study areas. Staff investigated the effectiveness of various Comprehensive Plan language and Map amendments, as well as zoning district creation, regarding improving the levels of conformity, increasing development options, and the maintenance of the status quo throughout the “Midtown” areas.

Staff has determined that the creation of a new Mixed-Use Zoning district is appropriate to advance and implement the new MX-RC Future Land Use requirements.

The new Mixed-Use Neighborhood Commercial (MX-NC) Zoning district is focused on allowing various uses within the same development, the same area and the within the same structure while ensuring compatibility between residential and non-residential uses. It concentrates on diminishing nonconforming uses and structures with expanded uses and decreased setback lines that more closely match the great majority of existing sites. The new Zoning district seeks to create more walkability and pedestrian friendly areas through sidewalk requirements for new development and redevelopment that increases impervious surface area by 50% or more.

GOALS & OBJECTIVES

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

Foundational – these are the four 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.

Communication – To engage, inform and educate public and staff.

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

Community Character – Promote desirable growth with a hometown atmosphere.

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.

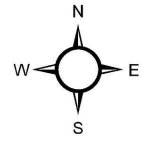
FINANCIAL IMPACT

The adoption of Ordinance 1720 will have no financial impact on the City of Crestview’s finances.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1720 on second reading.

Subject Parcels Current Zoning



0 200 400
Feet

Legend

Subject Parcels

City Limits

Zoning

Commercial (C-1)

Commercial (C-2)

Industrial (M-1)

Single Family Dwelling District (R-1)

Single Family Dwelling District (R-1A)

Single or Multi-Family Dwelling District (R-2)

Multi-Family Dwelling District (R-3)

Downtown Mixed Use (DMU)

Planned Unit Development (PUD)

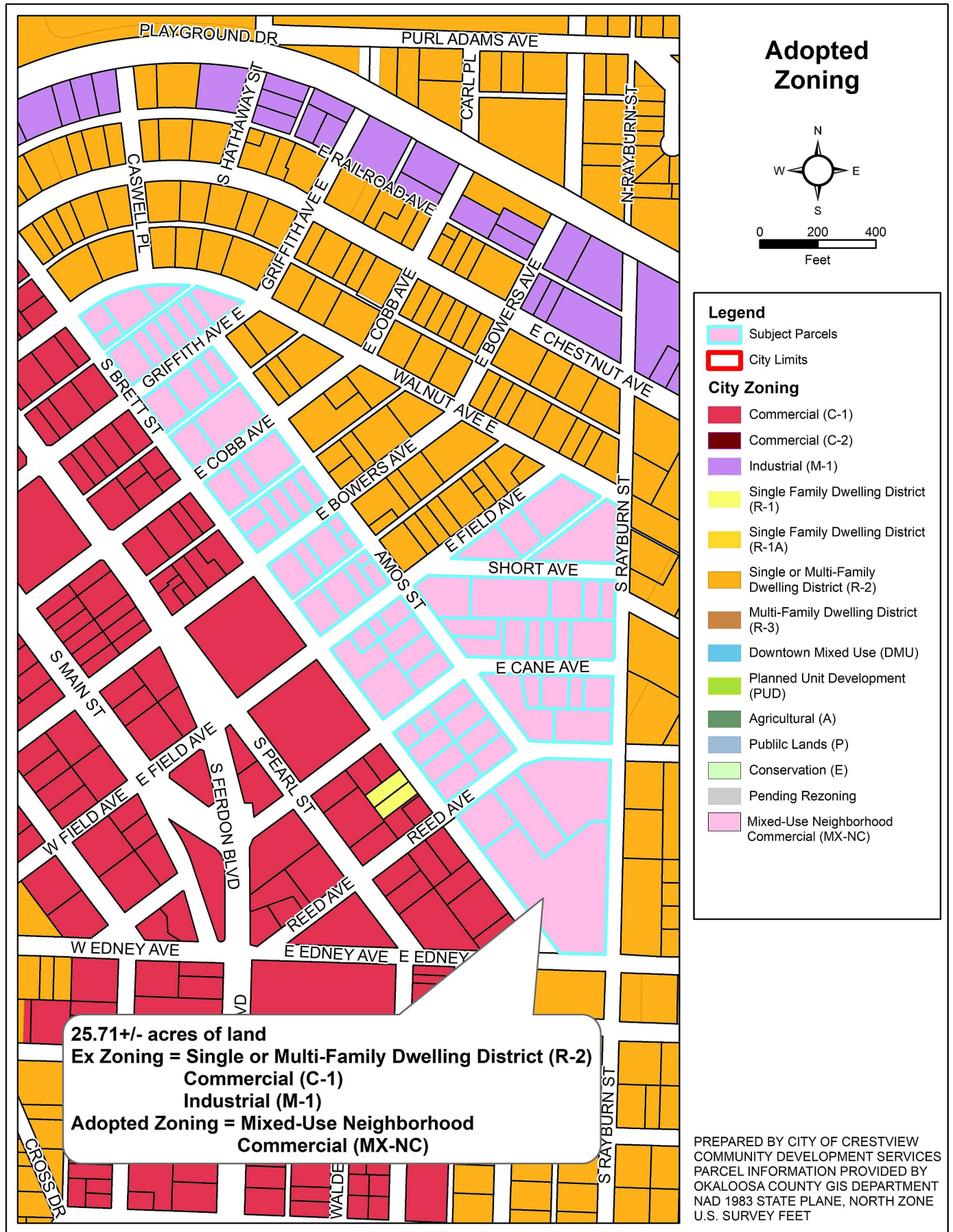
Agricultural (A)

Public Lands (P)

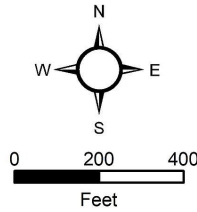
Conservation (E)

Pending Rezoning

PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET



Adopted Zoning



- Legend**
- Subject Parcels
 - City Limits
- City Zoning**
- Commercial (C-1)
 - Commercial (C-2)
 - Industrial (M-1)
 - Single Family Dwelling District (R-1)
 - Single Family Dwelling District (R-1A)
 - Single or Multi-Family Dwelling District (R-2)
 - Multi-Family Dwelling District (R-3)
 - Downtown Mixed Use (DMU)
 - Planned Unit Development (PUD)
 - Agricultural (A)
 - Public Lands (P)
 - Conservation (E)
 - Pending Rezoning
 - Mixed-Use Neighborhood Commercial (MX-NC)

25.71+/- acres of land
Ex Zoning = Single or Multi-Family Dwelling District (R-2)
Commercial (C-1)
Industrial (M-1)
Adopted Zoning = Mixed-Use Neighborhood Commercial (MX-NC)

PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Attachments

None

ORDINANCE: 1720

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE REZONING OF 25.7 ACRES, MORE OR LESS, OF REAL PROPERTY, LOCATED IN SECTION 17, TOWNSHIP 3 NORTH, RANGE 23 WEST, FROM THE COMMERCIAL (C-1), THE SINGLE AND MULTI-FAMILY DWELLING (R-2), AND THE INDUSTRIAL (I) ZONING DISTRICTS TO THE MIXED-USE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING (MX-NC); PROVIDING FOR AUTHORITY; PROVIDING FOR THE UPDATING OF THE CRESTVIEW ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA AS FOLLOWS:

SECTION 1. AUTHORITY. The authority for enactment of this ordinance is Section 166.041, Florida Statutes and Chapter 102, City Code.

SECTION 2. PROPERTY REZONED. The 25.7 acres, more or less, of real property, being comprised of 78 parcels of land, as identified in and attached hereto as Exhibit "B", lying within the corporate limits of Crestview, Florida, with 25.7 acres, more or less, being formerly zoned Commercial (C-1), Single and Multi-Family Dwelling (R-2), and Industrial (I) with the Mixed-Use Residential Commercial Future Land Use Map designation recently ratified by the Florida Department of Economic Development, is hereby rezoned to the Mixed-Use Neighborhood Commercial District Zoning (MX-NC) to wit.

SECTION 3. MAP UPDATE. The Crestview Zoning Map, current edition, attached hereto and made a part hereof as Exhibit "A", is hereby amended to reflect the above changes concurrent with passage of this ordinance.

SECTION 4. SEVERABILITY. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions of this ordinance are declared severable.

SECTION 6. SCRIVENER'S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager's designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 7. ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 8. REPEAL OF CONFLICTING CODES, ORDINANCES, AND RESOLUTIONS. All Charter provisions, codes, ordinances and resolutions or parts of charters provisions, codes, ordinances and

resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 9. EFFECTIVE DATE. The effective date of this Ordinance shall be the date Comprehensive Plan Amendment 19-5ESR is adopted by Ordinance # 1719 and becomes legally effective.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA ON THE _____ DAY OF _____, 2020.

ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN
Mayor

EXHIBIT A

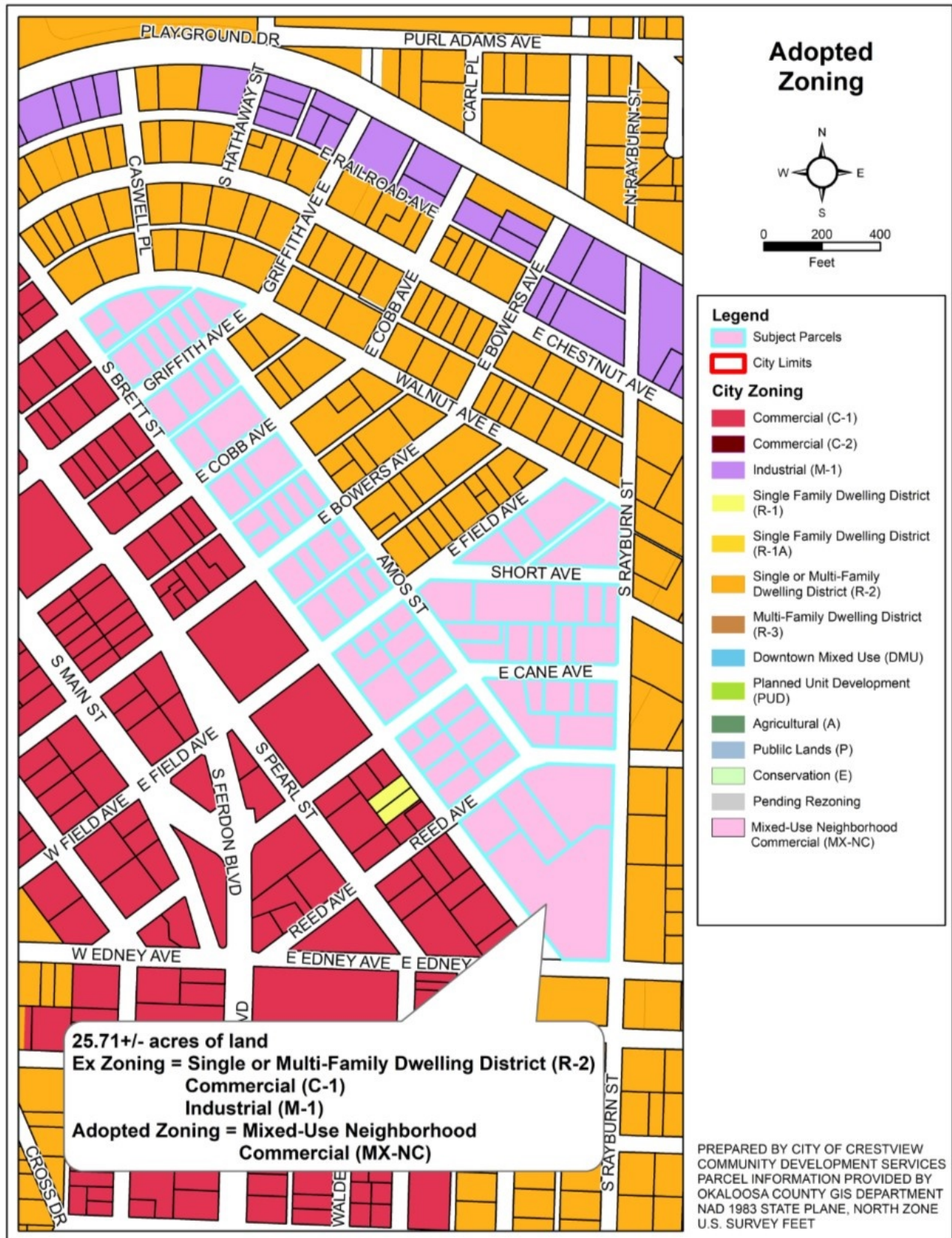


EXHIBIT B

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17-3N-23-2490-0094-001A	17-3N-23-2490-0141-005B
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17-3N-23-2490-0094-004B	17-3N-23-2490-0142-0010
17-3N-23-2490-0094-0050	17-3N-23-2490-0142-0030
17-3N-23-2490-0094-0060	17-3N-23-2490-0142-0060
17-3N-23-2490-0094-0070	17-3N-23-2490-0142-0090
17-3N-23-2490-0094-0080	17-3N-23-2490-0142-0100
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17-3N-23-2490-0097-0010	17-3N-23-2490-0142-0130
17-3N-23-2490-0097-0030	17-3N-23-2490-0142-0160
17-3N-23-2490-0097-0050	17-3N-23-2490-0142-0170
17-3N-23-2490-0097-0060	17-3N-23-2490-0142-0180
17-3N-23-2490-0097-0070	17-3N-23-2490-0142-0210
17-3N-23-2490-0097-0110	17-3N-23-2490-0142-0220
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17-3N-23-2490-0100-0030	17-3N-23-2490-0146-001A
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17-3N-23-2490-0102-0110	17-3N-23-2490-0150-0060
17-3N-23-2490-0141-001B	17-3N-23-2490-0154-0010
17-3N-23-2490-0141-0020	17-3N-23-2490-0154-0020
17-3N-23-2490-0141-0030	17-3N-23-2490-0154-0040



Staff Report

CITY COUNCIL MEETING DATE: July 13, 2020

TYPE OF AGENDA ITEM: Ordinance

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Trae Duley, Planner
DATE: 7/6/2020
SUBJECT: Ordinance 1775 - Foxwood Annexation

BACKGROUND:

The City of Crestview has initiated the annexation for the development known as Foxwood Country Club and the surrounding neighborhood.

The annexation will consist of 202.29 acres, more or less overall and 145 single family residential lots.

City staff has held several public meetings to discuss this process. Additionally, notice letters were sent to all properties within the area.

Once approved, the annexation will have to be finalized through an election by the properties found within the annexation.

This is the same ordinance that was originally seen in April of this year at the first reading. Due to a delay in the merger of the bank that holds the property and the purchase of the property the annexation process had to be restarted.

This ordinance was approved with no changes at first reading on June 22, 2020.

DISCUSSION:

The city is proposing this ordinance to begin the involuntary annexation process of the Foxwood Country Club neighborhood.

Adoption of this ordinance is the first step in the process that will eventually result in a vote by the neighborhood.

The city is currently under contract to purchase the property with the intent to eventually develop the property into a recreation complex with a nine hole municipal golf course, baseball and softball fields, walking trails, a pool, tennis courts and a privately run restaurant.

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

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

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

The annexation of the parcels into the City is expected to partially help offset the costs of the purchase of the property and subsequent need to provide and improve needed infrastructure, such as but not limited to, sanitary sewer.

RECOMMENDED ACTION

Staff respectfully requests Council to adopt Ordinance 1775 on second reading and send for signatures.

Attachments

1. Foxwood Newspaper Exhibit

ORDINANCE: 1775

AN ORDINANCE ANNEXING TO THE CITY OF CRESTVIEW, FLORIDA, ± 202.29 ACRES OF CONTIGUOUS LANDS LOCATED IN SECTION 26, TOWNSHIP 3 NORTH, RANGE 24 WEST, AND BEING DESCRIBED AS SET FORTH HEREIN; PROVIDING FOR AUTHORITY; PROVIDING FOR LAND DESCRIPTION; PROVIDING FOR BOUNDARY; PROVIDING FOR LAND USE AND ZONING DESIGNATION; PROVIDING FOR AMENDMENT TO THE BASE, LAND USE AND ZONING MAPS; PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR FILING WITH THE CLERK OF CIRCUIT COURT OF OKALOOSA COUNTY, THE CHIEF ADMINISTRATIVE OFFICER OF OKALOOSA COUNTY AND THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA AS FOLLOWS:

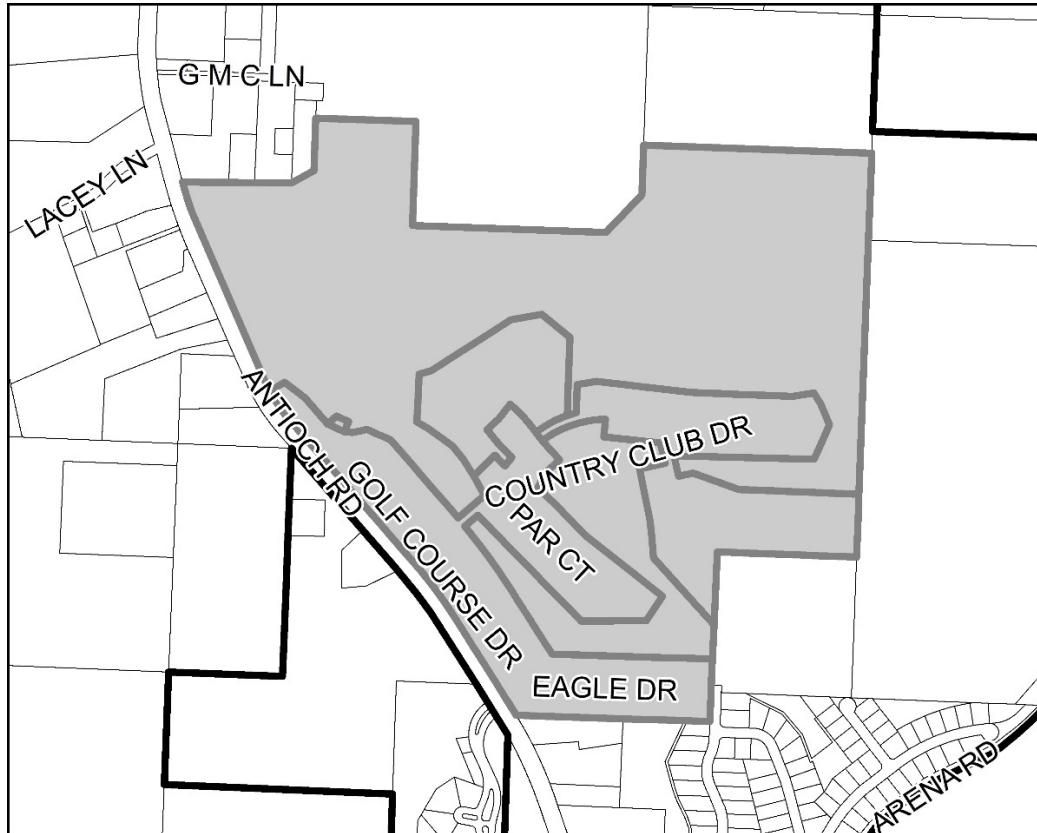
SECTION 1 – AUTHORITY.The authority for enactment of this ordinance is Chapter 171, Florida Statutes, and Section 2 of the City Charter.

SECTION 2 – LAND DESCRIPTION.The following described unincorporated area contiguous to the City of Crestview, Florida, is hereby annexed to the City:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 3 NORTH, RANGE 24 WEST, OKALOOSA COUNTY, FLORIDA; THENCE PROCEED N 00°02'17" E ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26, A DISTANCE OF 1838.04'; THENCE, DEPARTING THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26 PROCEED N 89°52'18" W, A DISTANCE OF 1318.31' TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 26; THENCE PROCEED S 00°04'08" E, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 26, A DISTANCE OF 300.00'; THENCE, DEPARTING THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 26 PROCEED S 41°39'12" W, A DISTANCE OF 300.52' TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION

26; THENCE PROCEED ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 26, N 89°52'05" W, A DISTANCE OF 1117.33' TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 26; THENCE PROCEED, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 26, N 00°10'33" W, A DISTANCE OF 618.56'; THENCE, DEPARTING THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 26, PROCEED N 89°43'08" W, A DISTANCE OF 568.73'; THENCE PROCEED S 00°29'06" E, A DISTANCE OF 339.80'; THENCE PROCEED S 55°52'32" W, A DISTANCE OF 142.57'; THENCE PROCEED N 89°43'08" W, A DISTANCE OF 626.19' TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 26; THENCE PROCEED ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 26, S 00°11'07" E, A DISTANCE OF 68.28' TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF ANTIOCH ROAD, (100.00 FOOT RIGHT OF WAY), SAID POINT LYING ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 2814.93 FEET; THENCE PROCEED ALONG THE ARC OF SAID CURVED EASTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 07°03'11 SECONDS, AN ARC DISTANCE OF 346.51 FEET, (CHORD BEARING AND DISTANCE = S 22°09'25" E, 346.29'), TO THE POINT OF TANGENCY OF SAID CURVE; THENCE PROCEED S 25°41'00" E, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 768.32' TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1223.57 FEET; THENCE PROCEED ALONG THE ARC OF SAID CURVED EASTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 17°33'15", AN ARC DISTANCE OF 374.87', (CHORD BEARING AND DISTANCE = S 34°33'13" E, 373.41'), TO THE POINT OF TANGENCY OF SAID CURVE; THENCE PROCEED ALONG SAID EASTERLY RIGHT OF WAY LINE, S 43°28'19" E, A DISTANCE OF 997.94' TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 2914.93'; THENCE PROCEED ALONG THE ARC OF SAID CURVED EASTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 8°56'00", AN ARC DISTANCE OF 454.48', (CHORD BEARING AND DISTANCE = S 39°00'19" E, 454.02') TO THE POINT OF TANGENCY OF SAID CURVE; THENCE PROCEED ALONG SAID EASTERLY RIGHT OF WAY LINE, S 34°32'19" E, A DISTANCE OF 555.09' TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 2718.49'; THENCE PROCEED ALONG THE ARC OF SAID CURVED EASTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 2°09'16", AN ARC DISTANCE OF 102.22' (CHORD BEARING AND DISTANCE = S 33°29'52" E, 102.21') TO A POINT BEING AT THE INTERSECTION OF THE SAID EASTERLY RIGHT OF WAY LINE AND THE SOUTHERN LINE OF COUNTRY CLUB ESTATES OF CRESTVIEW UNIT 1, AS PLATTED IN PLAT BOOK 8, PAGES 100 AND 101, OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE PROCEED ALONG THE SAID SOUTHERN LINE OF THE SAID PLAT N 89°49'47" E, A DISTANCE OF 1114.36'; THENCE PROCEED ALONG THE EAST LINE OF THE SAID PLAT N 00°02'40" E, A DISTANCE OF 560.00' TO THE SOUTHERN POINT OF FOXWOOD ESTATES OF CRESTVIEW, UNIT II, AS PLATTED IN PLAT BOOK 9, PAGES 69 AND 70; THENCE PROCEED ALONG THE EAST LINE OF SAID FOXWOOD ESTATES, N 00°02'40" E, A DISTANCE OF 422.05' TO A POINT ON THE SOUTHERN LINE OF SAID FOXWOOD ESTATES; THENCE

PROCEED ALONG THE SAID SOUTHERN LINE S 89°57'34" E, A DISTANCE OF 811.52' TO A POINT ON THE EAST LINE OF SAID FOXWOOD ESTATES AND ALSO BEING ON THE EAST LINE OF SECTION 26; THENCE PROCEED ALONG THE SAID EAST LINE, N 00°00'13" E, A DISTANCE OF 500.00' TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED, CONTAINING 202.29 ACRES, MORE OR LESS.



SECTION 3 – BOUNDARY.The existing boundary line of the City of Crestview, Florida, is modified to include the herein referenced tract of land and the base, zoning and land use maps shall be updated to reflect these changes pursuant to law.

SECTION 4 – LAND USE AND ZONING.Pursuant to general law, the property hereby annexed was subject to Okaloosa County land development, land use plan, and zoning or subdivision regulations, which shall remain in full force and effect until rezoning and land use changes are finalized by the City in compliance with the Comprehensive Plan.

SECTION 5 – COMPREHENSIVE PLAN UPDATE.Pursuant to Chapter 163.011, et seq. petitioner for annexation shall apply through the City for a Comprehensive Plan change which will designate the future land use category for the parcel as Pending with Pending to be assigned and run concurrent with the approval and adoption of the Comprehensive Plan amendment by the proper authorities.

SECTION 6 – MAP UPDATE.The Base, Zoning and Future Land Use Maps shall be updated at the earliest

possible date.

SECTION 7 – FILING. Upon passage, the City Clerk is directed to file a copy of this ordinance with the Clerk of Circuit Court of Okaloosa County and with the Florida Department of the State.

SECTION 8 – SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 9 – SCRIVENER’S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager’s designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 10 – ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 11 – REPEAL OF CONFLICTING CODES, ORDINANCES, AND RESOLUTIONS. All Charter provisions, codes, ordinances and resolutions or parts of charter provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

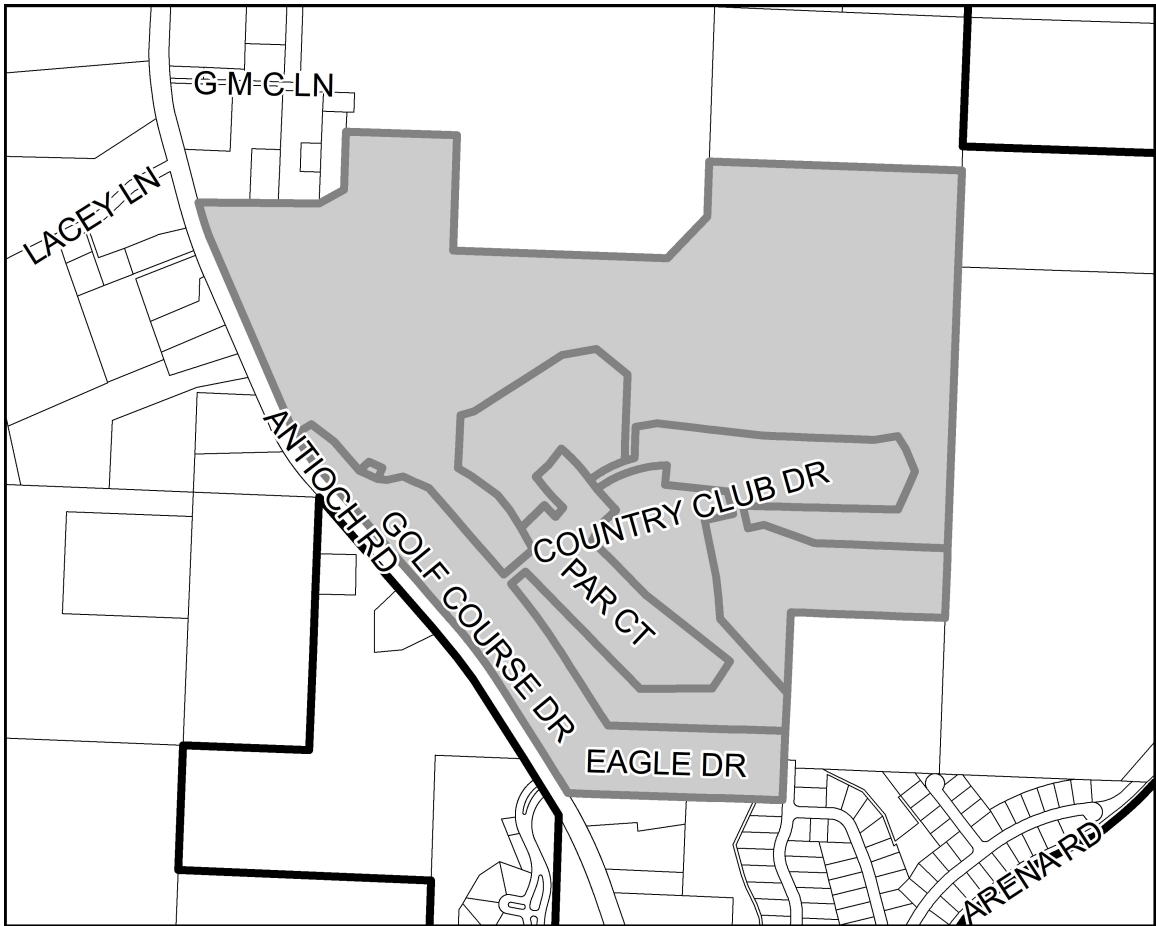
SECTION 12 – EFFECTIVE DATE. This ordinance shall take effect 10 days after approval by the vote of the registered electors of the area proposed to be annexed in a referendum required by Section 171.0413, Florida Statutes.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW,
FLORIDA ON THE _____ DAY OF _____, 2020.
ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN
Mayor





Staff Report

CITY COUNCIL MEETING DATE: June 22, 2020

TYPE OF AGENDA ITEM: Ordinance

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Trae Duley, Planner
DATE:
SUBJECT: Ordinance 1767 - Pharmaceutical Sales Special Exception

BACKGROUND:

In November of 2016, the citizens of the State of Florida voted to approve Amendment 2, which allowed the use of medical marijuana in the State of Florida.

On November 13, 2017 the City Council adopted Ordinance 1629, an ordinance amending Chapter 18 of the Code of Ordinances addressing Cannabis related activities. Ordinance 1629 Revoked the temporary moratorium initially adopted by the City Council. The moratorium prohibited the sale of cannabis within the city limits until such time as the City Council determined the permanent disposition of the issue.

The City Council based its decision to ban medical marijuana treatment centers from being located within the boundaries of the municipality on Section 381.986(11)(b)1 of the Florida Statutes.

At a regular council meeting in December 2019 the City Council members were approached by several residents asking questions about the City's prohibition on the sale of medical marijuana within the city limits.

On January 30, 2020 during a workshop to discuss the Cannabis ordinance the City Council instructed the City Manager to prepare an ordinance to allow medical marijuana facilities in appropriate zoning districts.

This was approved at first reading on May 11, 2020 with no changes.

This ordinance was changed at the second reading on Jun 8, 2020 and is back for the first reading again. The first change requested was to adjust the minimum lot size to 3/4 of an acre (32,670 SF). The second change was to adjust the setbacks required to be consistent with the zone setbacks.

DISCUSSION:

Ordinance 1767 amends Chapter 102 of article VII of the Code of Ordinances.

Section 102-129 will provide a new set of regulations for Pharmaceutical Sales in the Land Development Code. The items in this section include but not limited to;

- Established this code to allowing special exceptions for Pharmaceutical Sales in Commercial (C-1), Commercial (C-2), Downtown Mixed Use (DMU) Industrial (M-1) zoning districts. While allowing this use at the same time protecting the integrity of the surrounding areas.

- Provides minimum lots sizes required is 32,670
- Provides minimum building size is 2,500 square feet floor area. The “floor area” of a building is the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings.
- Provides minimum required front, side and rear yards to be consistent with the zoning.
- Provides minimum parking will be one space for each 150 square feet of floor area, plus one space per employee on the largest staffed shift. When calculation of the number of required parking spaces results in a fractional number, a fraction of less than one-half shall be disregarded and a fraction of one-half or more shall be rounded to the next highest whole number. Employee parking shall be designated by permanent signage.
- Only one structure may be located on the parcel.
- No outdoor refuse collection or storage area shall be located in a street yard, and all such areas shall maintain a minimum setback of ten feet from any lot line and shall be enclosed and on a paved or concrete surface.

The above list is not a comprehensive list of items included within section 102-129 is intended to point out some of the significant items. The format and adoption of this section will increase the efficiency of the review and regulations of such developments.

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.

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

Infrastructure- Satisfy current and future infrastructure needs

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

Opportunity- Promote an environment that encourages economic and educational opportunity

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

There will be no financial impact on the existing City budget.

RECOMMENDED ACTION

Staff respectfully requests approval of Ordinance 1767 on first reading.

Attachments

1. Pharmaceutical Sales Special Exception Ordinance

ORDINANCE NO. 1767

AN ORDINANCE PROVIDING FOR ESTABLISHMENT OF A SPECIAL EXCEPTION FOR PHARMACEUTICAL SALES IN THE COMMERCIAL (C-1) DISTRICT; AMENDING SUBSECTION (F) OF SECTION 102-129 OF ARTICLE VII, CHAPTER 102, LAND USE REGULATIONS; PROVIDING FOR ESTABLISHMENT OF A SPECIAL EXCEPTION FOR PHARMACEUTICAL SALES IN THE COMMERCIAL (C-2) DISTRICT; PROVIDING FOR ESTABLISHMENT OF A SPECIAL EXCEPTION FOR PHARMACEUTICAL SALES IN THE DOWNTOWN MIXED USE (DMU) DISTRICT; AMENDING SUBSECTION (H) OF SECTION 102-129 OF ARTICLE VII, CHAPTER 102, LAND USE REGULATIONS; PROVIDING FOR ESTABLISHMENT OF A SPECIAL EXCEPTION FOR PHARMACEUTICAL SALES IN THE INDUSTRIAL (M-1) DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA:

SECTION 1 – AUTHORITY. Pursuant to Chapter 163 of the Florida Statutes, the City of Crestview possesses the authority to enact land development regulations necessary and desirable to implement the City's adopted comprehensive plan, including regulation of the use of land and ensuring safe and convenient onsite traffic flow.

SECTION 2 – CREATION OF SPECIAL EXCEPTION FOR PHARMACEUTICAL SALES IN COMMERCIAL (C-1) DISTRICT. Within subsection (f) of Section 102-129 of Article VII, Chapter 102, Land Use Regulations, there is hereby created the following sub-section:

(8) Special Exceptions. After review of an application and plans by the Community Development Services director or designee, the following may be approved as special exceptions:

- a. Stores manufacturing selling, leasing or renting pharmaceutical equipment, supplies and consumables, including prescription and non-prescription medicines and holistic medicine supplies, and Medical Marijuana Treatment Centers licensed by the State of Florida, provided the following requirements are met:
 1. Minimum Lot Size Requirements. The minimum required lot size is 32,670 square feet.
 2. Building Size Requirements.
 - i. Floor Area. The minimum building size is 2,500 square feet floor area. The "floor area" of a building is the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings. The "floor area" of a building shall include basement floor area when more than one-half of the basement height is above the established curb level or above the finished lot grade level where curb level has not been established, elevator shafts and stairwells at each floor, floor space used for mechanical equipment — except equipment, open or enclosed, located on the roof — penthouses, attic space having headroom of seven feet, ten inches or more, interior balconies and mezzanines, and enclosed porches, and floor area devoted to accessory uses.

However, any space devoted to off-street parking or loading shall not be included in "floor area."

- ii. Floor Area Ratio. The maximum building size is limited by a floor area ratio of 0.10. The "floor area ratio" of the building on any lot is the floor area of the building on that lot divided by the area of such lot.
3. Minimum Yard Requirements. The minimum required front, side and rear yards shall meet the requirements of the C-1 zoning district.
4. Minimum Off-Street Parking and Loading Requirements; Location. The parking and loading requirements shall be as follows:
 - i. One space for each 150 square feet of floor area, plus one space per employee on the largest staffed shift. When calculation of the number of required parking spaces results in a fractional number, a fraction of less than one-half shall be disregarded and a fraction of one-half or more shall be rounded to the next highest whole number. Employee parking shall be designated by permanent signage.
 - ii. Provisions for off-street loading and number of required berths shall be made in accordance with Article VIII of the Land Use Regulations. On-street loading or unloading is prohibited. Loading areas shall not obstruct pedestrian pathways.
 - iii. Parking spaces shall meet the minimum size set forth in Article VIII.
 - iv. All driveways, access aisles and parking spaces shall be surfaced in paver bricks, concrete or asphalt. Wheel stops are required for each parking space.
 - v. Parking and loading spaces are prohibited in landscape buffers, easement areas, and right of way areas.
 - vi. The provision of parking spaces and passenger loading areas for persons who have disabilities is governed by Chapter 553, Florida Statutes.
 - vii. All required parking shall be provided on the same lot or project as the principal use. The location of required parking spaces shall not interfere with normal traffic flow or with the operation of queuing and backup areas. A minimum queuing distance of 25 feet is required between the property line and the first parking space.
 - viii. Off-site parking shall not be used to determine compliance with minimum parking spaces set forth in this section.
 - ix. A minimum of ten percent of the required parking spaces shall be located at the side or rear of each building it is intended to serve. A public pedestrian walk shall connect all parking areas to a facility entrance. Such pedestrian access way shall be a minimum of four feet in width, clearly marked, well lit, and unobstructed.
5. Number of Structures. Only one structure may be located on the parcel.
6. Landscaping and Buffering. Article XXIII of the Land Use Regulations applies to the uses authorized as special exceptions, except that any exemptions set forth in Section 102-572 shall not apply.
7. Site and Development Plan Review. Site and development plan review shall be required.
8. Outdoor Refuse Collection and Storage Areas. No outdoor refuse collection or storage area shall be located in a street yard, and all such areas shall maintain a minimum setback of ten feet from any lot line and shall be enclosed and on a paved or concrete surface.

SECTION 3 – AMENDMENT OF SUBSECTION (F) OF SECTION 102-129 OF ARTICLE VII, CHAPTER 102, LAND USE REGULATIONS. Subsection (f) of Section 102-129 of Article VII, Chapter 102, Land Use Regulations is hereby amended as follows to delete apothecaries and pharmacies as permitted uses in the C-1 district:

(f) *C-1 (commercial district)*. Within any C-1 commercial district, no building, structure, land or water shall be used except for one or more of the following uses:

(1) *Uses permitted.*

a. ~~Apothecary shops and pharmacies.~~

SECTION 4 – CREATION OF SPECIAL EXCEPTION FOR PHARMACEUTICAL SALES IN DOWNTOWN COMMERCIAL (C-2) DISTRICT. Within subsection (g) of Section 102-129 of Article VII, Chapter 102, Land Use Regulations, there is hereby created the following sub-section:

(8) *Special Exceptions.* After review of an application and plans by the Community Development Services director or designee, the following may be approved as special exceptions:

a. Stores manufacturing selling, leasing or renting pharmaceutical equipment, supplies and consumables, including prescription and non-prescription medicines and holistic medicine supplies, and Medical Marijuana Treatment Centers licensed by the State of Florida, provided the following requirements are met:

1. *Minimum Lot Size Requirements.* The minimum required lot size is 32,670 square feet.

2. *Building Size Requirements.*

i. *Floor Area.* The minimum building size is 2,500 square feet floor area. The “floor area” of a building is the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings. The “floor area” of a building shall include basement floor area when more than one-half of the basement height is above the established curb level or above the finished lot grade level where curb level has not been established, elevator shafts and stairwells at each floor, floor space used for mechanical equipment — except equipment, open or enclosed, located on the roof — penthouses, attic space having headroom of seven feet, ten inches or more, interior balconies and mezzanines, and enclosed porches, and floor area devoted to accessory uses. However, any space devoted to off-street parking or loading shall not be included in “floor area.”

ii. *Floor Area Ratio.* The maximum building size is limited by a floor area ratio of 0.10. The “floor area ratio” of the building on any lot is the floor area of the building on that lot divided by the area of such lot.

3. *Minimum Yard Requirements.* The minimum required front, side and rear yards shall meet the requirements of the C-2 zoning district.

4. *Minimum Off-Street Parking and Loading Requirements; Location.* The parking and loading requirements shall be as follows:

i. One space for each 150 square feet of floor area, plus one space per employee on the largest staffed shift. When calculation of the number of required parking spaces results in a fractional number, a fraction of less than one-half shall be disregarded and a fraction of one-half or more shall be rounded to the next highest whole number. Employee parking shall be designated by permanent signage.

- ii. Provisions for off-street loading and number of required berths shall be made in accordance with Article VIII of the Land Use Regulations. On-street loading or unloading is prohibited. Loading areas shall not obstruct pedestrian pathways.
- iii. Parking spaces shall meet the minimum size set forth in Article VIII.
- iv. All driveways, access aisles and parking spaces shall be surfaced in paver bricks, concrete or asphalt. Wheel stops are required for each parking space.
- v. Parking and loading spaces are prohibited in landscape buffers, easement areas, and right of way areas.
- vi. The provision of parking spaces and passenger loading areas for persons who have disabilities is governed by Chapter 553, Florida Statutes.
- vii. All required parking shall be provided on the same lot or project as the principal use. The location of required parking spaces shall not interfere with normal traffic flow or with the operation of queuing and backup areas. A minimum queuing distance of 25 feet is required between the property line and the first parking space.
- viii. Off-site parking shall not be used to determine compliance with minimum parking spaces set forth in this section.
- ix. A minimum of ten percent of the required parking spaces shall be located at the side or rear of each building it is intended to serve. A public pedestrian walk shall connect all parking areas to a facility entrance. Such pedestrian access way shall be a minimum of four feet in width, clearly marked, well lit, and unobstructed.
- 5. Number of Structures. Only one structure may be located on the parcel.
- 6. Landscaping and Buffering. Article XXIII of the Land Use Regulations applies to the uses authorized as special exceptions, except that any exemptions set forth in Section 102-572 shall not apply.
- 7. Site and Development Plan Review. Site and development plan review shall be required.
- 8. Outdoor Refuse Collection and Storage Areas. No outdoor refuse collection or storage area shall be located in a street yard, and all such areas shall maintain a minimum setback of ten feet from any lot line and shall be enclosed and on a paved or concrete surface.

SECTION 5 – CREATION OF SPECIAL EXCEPTION FOR PHARMACEUTICAL SALES IN DOWNTOWN MIXED USE (DMU) DISTRICT. Within subsection (h) of Section 102-129 of Article VII, Chapter 102, Land Use Regulations, there is hereby created the following sub-section:

(9) Special Exceptions. After review of an application and plans by the Community Development Services director or designee, the following may be approved as special exceptions:

- a. Stores manufacturing selling, leasing or renting pharmaceutical equipment, supplies and consumables, including prescription and non-prescription medicines and holistic medicine supplies, and Medical Marijuana Treatment Centers licensed by the State of Florida, provided the following requirements are met:
 - 1. Minimum Lot Size Requirements. The minimum required lot size is 32,670 square feet.
 - 2. Building Size Requirements.
 - i. Floor Area. The minimum building size is 2,500 square feet floor area. The “floor area” of a building is the sum of the gross horizontal areas of the several

floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings. The "floor area" of a building shall include basement floor area when more than one-half of the basement height is above the established curb level or above the finished lot grade level where curb level has not been established, elevator shafts and stairwells at each floor, floor space used for mechanical equipment — except equipment, open or enclosed, located on the roof — penthouses, attic space having headroom of seven feet, ten inches or more, interior balconies and mezzanines, and enclosed porches, and floor area devoted to accessory uses. However, any space devoted to off-street parking or loading shall not be included in "floor area."

- ii. Floor Area Ratio. The maximum building size is limited by a floor area ratio of 0.10. The "floor area ratio" of the building on any lot is the floor area of the building on that lot divided by the area of such lot.
3. Minimum Yard Requirements. The minimum required front, side and rear yards shall meet the requirements of the DMU zoning district.
4. Minimum Off-Street Parking and Loading Requirements; Location. The parking and loading requirements shall be as follows:
 - i. One space for each 150 square feet of floor area, plus one space per employee on the largest staffed shift. When calculation of the number of required parking spaces results in a fractional number, a fraction of less than one-half shall be disregarded and a fraction of one-half or more shall be rounded to the next highest whole number. Employee parking shall be designated by permanent signage.
 - ii. Provisions for off-street loading and number of required berths shall be made in accordance with Article VIII of the Land Use Regulations. On-street loading or unloading is prohibited. Loading areas shall not obstruct pedestrian pathways.
 - iii. Parking spaces shall meet the minimum size set forth in Article VIII.
 - iv. All driveways, access aisles and parking spaces shall be surfaced in paver bricks, concrete or asphalt. Wheel stops are required for each parking space.
 - v. Parking and loading spaces are prohibited in landscape buffers, easement areas, and right of way areas.
 - vi. The provision of parking spaces and passenger loading areas for persons who have disabilities is governed by Chapter 553, Florida Statutes.
 - vii. All required parking shall be provided on the same lot or project as the principal use. The location of required parking spaces shall not interfere with normal traffic flow or with the operation of queuing and backup areas. A minimum queuing distance of 25 feet is required between the property line and the first parking space.
 - viii. Off-site parking shall not be used to determine compliance with minimum parking spaces set forth in this section.
 - ix. A minimum of ten percent of the required parking spaces shall be located at the side or rear of each building it is intended to serve. A public pedestrian walk shall connect all parking areas to a facility entrance. Such pedestrian access way shall be a minimum of four feet in width, clearly marked, well lit, and unobstructed.
5. Number of Structures. Only one structure may be located on the parcel.
6. Landscaping and Buffering. Article XXIII of the Land Use Regulations applies to the

uses authorized as special exceptions, except that any exemptions set forth in Section 102-572 shall not apply.

7. Site and Development Plan Review. Site and development plan review shall be required.
8. Outdoor Refuse Collection and Storage Areas. No outdoor refuse collection or storage area shall be located in a street yard, and all such areas shall maintain a minimum setback of ten feet from any lot line and shall be enclosed and on a paved or concrete surface.

SECTION 6 – AMENDMENT OF SUBSECTION (H) OF SECTION 102-129 OF ARTICLE VII, CHAPTER 102, LAND USE REGULATIONS. Subsection (h) of Section 102-129 of Article VII, Chapter 102, Land Use Regulations is hereby amended as follows to delete apothecaries and pharmacies as permitted uses in the DMU district:

(h) DMU (Downtown mixed used district): Within the DMU district, no building, structure, land or water shall be used except for one or more of the following uses:

(1) Uses permitted.

a. ~~Apothecary shops/pharmacies.~~

SECTION 7 – CREATION OF SPECIAL EXCEPTION FOR PHARMACEUTICAL SALES IN INDUSTRIAL (M-1) DISTRICT. Within subsection (i) of Section 102-129 of Article VII, Chapter 102, Land Use Regulations, subsection 3 is hereby amended as follows:

(3) Special Exceptions. After review of an application and plans by the ~~planning director~~ Community Development Services director or designee, ~~and subsequent approval by the planning commission and board of adjustment,~~ the following may be approved as special exceptions:

- a. Construction and demolition landfills.
- b. Stores manufacturing selling, leasing or renting pharmaceutical equipment, supplies and consumables, including prescription and non-prescription medicines and holistic medicine supplies, and Medical Marijuana Treatment Centers licensed by the State of Florida, provided the following requirements are met:
 1. Minimum Lot Size Requirements. The minimum required lot size is 32,670 square feet.
 2. Building Size Requirements.
 - i. Floor Area. The minimum building size is 2,500 square feet floor area. The "floor area" of a building is the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings. The "floor area" of a building shall include basement floor area when more than one-half of the basement height is above the established curb level or above the finished lot grade level where curb level has not been established, elevator shafts and stairwells at each floor, floor space used for mechanical equipment — except equipment, open or enclosed, located on the roof — penthouses, attic space having headroom of seven feet, ten inches or more, interior balconies and mezzanines, and enclosed porches, and floor area devoted to accessory uses. However, any space devoted to off-street parking or loading shall not be included in "floor area."
 - ii. Floor Area Ratio. The maximum building size is limited by a floor area ratio of 0.10. The "floor area ratio" of the building on any lot is the floor area of the

- building on that lot divided by the area of such lot.
3. Minimum Yard Requirements. The minimum required front, side and rear yards shall meet the requirements of the M-1 zoning district.
 4. Minimum Off-Street Parking and Loading Requirements; Location. The parking and loading requirements shall be as follows:
 - i. One space for each 150 square feet of floor area, plus one space per employee on the largest staffed shift. When calculation of the number of required parking spaces results in a fractional number, a fraction of less than one-half shall be disregarded and a fraction of one-half or more shall be rounded to the next highest whole number. Employee parking shall be designated by permanent signage.
 - ii. Provisions for off-street loading and number of required berths shall be made in accordance with Article VIII of the Land Use Regulations. On-street loading or unloading is prohibited. Loading areas shall not obstruct pedestrian pathways.
 - iii. Parking spaces shall meet the minimum size set forth in Article VIII.
 - iv. All driveways, access aisles and parking spaces shall be surfaced in paver bricks, concrete or asphalt. Wheel stops are required for each parking space.
 - v. Parking and loading spaces are prohibited in landscape buffers, easement areas, and right of way areas.
 - vi. The provision of parking spaces and passenger loading areas for persons who have disabilities is governed by Chapter 553, Florida Statutes.
 - vii. All required parking shall be provided on the same lot or project as the principal use. The location of required parking spaces shall not interfere with normal traffic flow or with the operation of queuing and backup areas. A minimum queuing distance of 25 feet is required between the property line and the first parking space.
 - viii. Off-site parking shall not be used to determine compliance with minimum parking spaces set forth in this section.
 - ix. A minimum of ten percent of the required parking spaces shall be located at the side or rear of each building it is intended to serve. A public pedestrian walk shall connect all parking areas to a facility entrance. Such pedestrian access way shall be a minimum of four feet in width, clearly marked, well lit, and unobstructed.
 5. Number of Structures. Only one structure may be located on the parcel.
 6. Landscaping and Buffering. Article XXIII of the Land Use Regulations applies to the uses authorized as special exceptions, except that any exemptions set forth in Section 102-572 shall not apply.
 7. Site and Development Plan Review. Site and development plan review shall be required.
 8. Outdoor Refuse Collection and Storage Areas. No outdoor refuse collection or storage area shall be located in a street yard, and all such areas shall maintain a minimum setback of ten feet from any lot line and shall be enclosed and on a paved or concrete surface.

SECTION 8 – SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without

the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 9 – SCRIVENER’S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager’s designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 10 – ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 11 – REPEAL OF CONFLICTING CODES, ORDINANCES, AND RESOLUTIONS. All Charter provisions, codes, ordinances and resolutions or parts of charter provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 12 – EFFECTIVE DATE. This ordinance shall take effect on the sixth business day following adoption, unless the Mayor decides to exercise the veto power in writing after adoption.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA ON THE _____ DAY OF _____, 2020.

ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN Mayor



Staff Report

CITY COUNCIL MEETING DATE: July 13, 2020

TYPE OF AGENDA ITEM: Ordinance

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Elizabeth Roy, City Clerk
DATE: 7/6/2020
SUBJECT: Ordinance 1776 Changes to the General Retirement System

BACKGROUND:

The City Manager was hired in February of 2019.

DISCUSSION:

As a part of the Contract for Hire, the City Council agreed to pay the manager's portion of the City retirement plan.

This is a generally accepted practice for City Manager contracts.

The general retirement plan has to be amended to reflect this change.

The general retirement board voted to approve this ordinance.

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.

FINANCIAL IMPACT

The financial impact to the City has been made a part of the budget.

RECOMMENDED ACTION

Staff respectfully requests the council to adopt ordinance 1776 on second reading and send for signatures.

Attachments

None

ORDINANCE: 1776

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, AMENDING ITS GENERAL RETIREMENT PLAN AS ESTABLISHED BY ORDINANCE 780, AMENDING ITEM 1 A UNDER SECTION 5; PROVIDING FOR AUTHORITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Crestview, Florida established a General Retirement Pension System in September of 1992; and

WHEREAS, the City of Crestview has determined that, by contract agreements, certain Management individuals may be exempt from participating in the General Retirement Pension System,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRESTVIEW, FLORIDA;

SECTION 1 AUTHORITY. The authority for the enactment of this ordinance is contained in Chapter 166.021 F.S and Section 4.02 City Charter

SECTION 2: Section 5. Contributions, Item 1 Member Contributions, Item A of Ordinance 780 shall be amended to read:

1. Member Contributions.

1. Amount. Members of the Retirement System shall be required to make regular contributions to the Fund in the amount of six and four tenths percent (6.4%) of his salary, except for exceptions outlined in Section 5. Contributions, Item 1 Member Contributions, Item C. Member contributions withheld by the City on behalf of the Member shall be deposited with the Board of Trustees at least monthly. The contributions made by each member to the fund shall be designated as employer contributions pursuant to 414(h) of the Internal Revenue code of 1986, Such designation is contingent upon the contributions being excluded from the Members' gross income for Federal Income Tax purposes. For all other purposes of the Plan, such contributions shall be considered to be Member contributions.

SECTION 3: Section 5. Contributions, Item 1 Member Contributions, Ordinance 780 shall be amended to read:

C: The City Council of the City of Crestview, may, as a factor in an Employment Agreement or Contract, agree to pay all or part of the employee that is the subject of the Employee agreement Contract contributions to the Retirement fund. Such funds shall be treated as outlined in Section 5. Item 1 A.

SECTION 4: REPEALER. All ordinances or parts of ordinances in conflict with these changes are hereby repealed to the extent of the conflict

SECTION 5 ; EFFECTIVE DATE. This ordinance shall take effect upon the Second Reading of the Ordinance by the City Council of the City of Crestview.



Staff Report

CITY COUNCIL MEETING DATE: July 13, 2020

TYPE OF AGENDA ITEM: Resolution

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Trae Duley, Planner
DATE: 7/6/2020
SUBJECT: Resolution 2020-11 A Resolution to authorize a referendum on the annexation of the Foxwood Golf Course and neighborhood.

BACKGROUND:

The City of Crestview has initiated the annexation for the development known as Foxwood Country Club and the surrounding neighborhood.

The annexation will consist of 202.29 acres, more or less overall and 145 single family residential lots.

City staff held several public meetings to discuss this process. Additionally, multiple notice letters were sent to all properties within the area.

The ordinance to annex was approved with no changes at first reading on June 22, 2020 and tonight, July 13, 2020 on second reading. Now the annexation needs to be finalized through a referendum election of the registered electors of the area proposed to be annexed prior to the ordinance of annexation becoming effective.

DISCUSSION:

The proposal of this resolution is to begin the process for the referendum election as set forth in Chapter 171, Florida Statutes for the involuntary annexation process of the Foxwood Country Club neighborhood.

Adoption of the annexation ordinance was the first step in the process and was completed July 13th, with the second reading.

The resolution authorizes the City Clerk and City Manager to work with the Okaloosa County Supervisor of Elections to take the necessary and proper steps to provide for a referendum vote on behalf of the City of Crestview.

This referendum will be held on November 3, 2020 during a general election a majority vote of the registered electors of the area proposed to be annexed will be needed for this referendum to pass.

The ballot will read as follows:

Annexation of Foxwood Country Club and Foxwood Estates:

For annexation of property described in ordinance number 1775 of the City of Crestview.

Against annexation of property described in ordinance number 1775 of the City of Crestview.

The city is currently under contract to purchase the property with the intent to eventually develop the property into a recreation complex with a nine hole municipal golf course, baseball and softball fields, walking trails, a pool, tennis courts and a privately run restaurant.

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.

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

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

The impact on the City budget cannot be determined at this point, however, it is expected to be minimal.

RECOMMENDED ACTION

Staff respectfully requests the Council approve Resolution 2020-11.

Attachments

None

RESOLUTION: 2020-11

**A RESOLUTION OF THE CITY OF CRESTVIEW CALLING FOR A
REFERENDUM ON THE ANNEXATION OF CERTAIN PROPERTY KNOWN
AS FOXWOOD ESTATES AND SURROUNDING AREA MORE
PARTICULARLY DESCRIBED HEREIN, ON NOVEMBER 3, 2020;
PROVIDING FOR A BALLOT QUESTION; AND PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, the City of Crestview desires to annex certain property described herein using the procedures for annexation set forth in Chapter 171, Florida Statutes; and

WHEREAS, Chapter 171 of the Florida Statutes requires a referendum election of the registered electors of the area proposed to be annexed prior to the ordinance of annexation becoming effective; and

WHEREAS, the City desires to call a referendum and authorize the Supervisor of Elections of Okaloosa County, Florida to conduct such referendum.

NOW THEREFORE, BE IT RESOLVED AND DECLARED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA:

SECTION 1 – AUTHORITY. Pursuant to Chapter 171 of the Florida Statutes, the City of Crestview possesses the authority to annex an area of contiguous, compact, unincorporated territory pursuant to the procedure for the adoption of a nonemergency ordinance in Chapter 166, Florida Statutes, and submit the ordinance to a vote of the registered electors of the area proposed to be annexed.

SECTION 2 – LAND DESCRIPTION; AREA PROPOSED TO BE ANNEXED. The following described unincorporated area contiguous to the City of Crestview is the area proposed to be annexed:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 3 NORTH, RANGE 24 WEST, OKALOOSA COUNTY, FLORIDA; THENCE PROCEED N 00°02'17" E ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26, A DISTANCE OF 1838.04'; THENCE, DEPARTING THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26 PROCEED N 89°52'18" W, A DISTANCE OF 1318.31' TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 26; THENCE PROCEED S 00°04'08" E, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 26, A DISTANCE OF 300.00'; THENCE, DEPARTING THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 26 PROCEED S 41°39'12" W, A DISTANCE OF 300.52' TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 26; THENCE PROCEED ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 26, N 89°52'05" W, A DISTANCE OF 1117.33' TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 26; THENCE PROCEED, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 26, N 00°10'33" W, A DISTANCE OF 618.56'; THENCE, DEPARTING THE EAST LINE OF THE NORTHEAST

QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 26, PROCEED N 89°43'08" W, A DISTANCE OF 568.73'; THENCE PROCEED S 00°29'06" E, A DISTANCE OF 339.80'; THENCE PROCEED S 55°52'32" W, A DISTANCE OF 142.57'; THENCE PROCEED N 89°43'08" W, A DISTANCE OF 626.19' TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 26; THENCE PROCEED ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 26, S 00°11'07" E, A DISTANCE OF 68.28' TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF ANTIOCH ROAD, (100.00 FOOT RIGHT OF WAY), SAID POINT LYING ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 2814.93 FEET; THENCE PROCEED ALONG THE ARC OF SAID CURVED EASTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 07°03'11 SECONDS, AN ARC DISTANCE OF 346.51 FEET, (CHORD BEARING AND DISTANCE = S 22°09'25" E, 346.29'), TO THE POINT OF TANGENCY OF SAID CURVE; THENCE PROCEED S 25°41'00" E, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 768.32' TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1223.57 FEET; THENCE PROCEED ALONG THE ARC OF SAID CURVED EASTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 17°33'15", AN ARC DISTANCE OF 374.87', (CHORD BEARING AND DISTANCE = S 34°33'13" E, 373.41'), TO THE POINT OF TANGENCY OF SAID CURVE; THENCE PROCEED ALONG SAID EASTERLY RIGHT OF WAY LINE, S 43°28'19" E, A DISTANCE OF 997.94' TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 2914.93'; THENCE PROCEED ALONG THE ARC OF SAID CURVED EASTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 8°56'00", AN ARC DISTANCE OF 454.48', (CHORD BEARING AND DISTANCE = S 39°00'19" E, 454.02') TO THE POINT OF TANGENCY OF SAID CURVE; THENCE PROCEED ALONG SAID EASTERLY RIGHT OF WAY LINE, S 34°32'19" E, A DISTANCE OF 555.09' TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 2718.49'; THENCE PROCEED ALONG THE ARC OF SAID CURVED EASTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 2°09'16", AN ARC DISTANCE OF 102.22' (CHORD BEARING AND DISTANCE = S 33°29'52" E, 102.21') TO A POINT BEING AT THE INTERSECTION OF THE SAID EASTERLY RIGHT OF WAY LINE AND THE SOUTHERN LINE OF COUNTRY CLUB ESTATES OF CRESTVIEW UNIT 1, AS PLATTED IN PLAT BOOK 8, PAGES 100 AND 101, OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE PROCEED ALONG THE SAID SOUTHERN LINE OF THE SAID PLAT N 89°49'47" E, A DISTANCE OF 1114.36'; THENCE PROCEED ALONG THE EAST LINE OF THE SAID PLAT N 00°02'40" E, A DISTANCE OF 560.00' TO THE SOUTHERN POINT OF FOXWOOD ESTATES OF CRESTVIEW, UNIT II, AS PLATTED IN PLAT BOOK 9, PAGES 69 AND 70; THENCE PROCEED ALONG THE EAST LINE OF SAID FOXWOOD ESTATES, N 00°02'40" E, A DISTANCE OF 422.05' TO A POINT ON THE SOUTHERN LINE OF SAID FOXWOOD ESTATES; THENCE PROCEED ALONG THE SAID SOUTHERN LINE S 89°57'34" E, A DISTANCE OF 811.52' TO A POINT ON THE EAST LINE OF SAID FOXWOOD ESTATES AND ALSO BEING ON THE EAST LINE OF SECTION 26; THENCE PROCEED ALONG THE SAID EAST LINE, N 00°00'13" E, A DISTANCE OF 500.00' TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED, CONTAINING 202.29 ACRES, MORE OR LESS.

SECTION 3 – Referendum.

3.1 A referendum election shall be held on November 3, 2020 to determine whether the area proposed to be

annexed to the City of Crestview shall be annexed.

3.2 The result of such election shall be determined by a majority of the registered electors of the area proposed to be annexed.

3.3 The ballot title shall appear on the official ballot in the following form:

Annexation of Foxwood Country Club and Foxwood Estates:

For annexation of property described in ordinance number 1775 of the
City of Crestview.

Against annexation of property described in ordinance number 1775 of
the City of Crestview.

Anexión de Foxwood Country Club y Foxwood Estates:

Para la anexión de la propiedad descrita en la ordenanza número 1775
de la ciudad de Crestview.

Contra la anexión de la propiedad descrita en la ordenanza número
1775 de la ciudad de Crestview.

3.4 Absentee paper ballots may be used by registered electors of the area proposed to be annexed for voting on this question for any reason set forth and prescribed in the Florida Statutes. The form of such absentee ballot shall be in accordance with the requirements prescribed by the election laws of Florida and shall have printed thereon the substance hereinabove set forth.

3.5 Notice of such referendum on annexation shall be published once each week for 2 consecutive weeks immediately preceding the date of the referendum in a newspaper of general circulation in the City of Crestview. The notice shall give the ordinance number (Ordinance 1775 of the City of Crestview), the time and places for the referendum, and a brief, general description of the area proposed to be annexed. The description shall include a map clearly showing the area and a statement that the complete legal description by metes and bounds and the ordinance can be obtained from the office of the City Clerk.

3.6 The Okaloosa County Supervisor of Elections is authorized to conduct the referendum on behalf of the
City of Crestview.

SECTION 4 – AUTHORIZATION OF OFFICERS. The City Clerk and City Manager are hereby authorized and directed to take all appropriate actions necessary to carry out the provisions of this resolution.

SECTION 5 – SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this resolution or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this resolution which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this resolution are declared severable.

SECTION 6 – SCRIVENER’S ERRORS. The correction of typographical errors which do not affect the intent of this resolution may be authorized by the City Manager or the City Manager’s designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 7 – RESOLUTION TO BE LIBERALLY CONSTRUED. This resolution shall be liberally construed in order to effectively carry out the purposes hereof.

SECTION 8 – EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.
DULY ADOPTED THIS 13th DAY OF JULY, 2020.

CITY COUNCIL OF THE CITY OF CRESTVIEW, FLORIDA

By: J.B. Whitten
Mayor

ATTEST:

ELIZABETH M. ROY
City Clerk



Staff Report

CITY COUNCIL MEETING DATE: July 13, 2020

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM:
DATE: 7/6/2020
SUBJECT: Tentative Millage Rate

BACKGROUND:

On July 1st each year, the Property Appraiser certifies the total assessed value of nonexempt property for the current year. The City has 35 days from the certified date to decide a tentative millage rate, date and meeting time for the first tentative budget hearing during the month of September.

DISCUSSION:

The City Council sets the tentative millage rate along with the date, time and location for the budget public hearings.

This process is on a timeline as set by Florida Statutes and may not be delayed to a future meeting. This must be completed to allow the property appraiser to place the Millage and Hearing notices on the taxpayer's yearly TRIM notice and allow interested parties to participate at the meetings. The dates and times for the 1st and 2nd hearings have been planned based on the necessity of placing the ad and timing of the ad.

Staff is requesting that City Council set the tentative millage rate for 2020 at the current rate of 6.9466. By maintaining this rate, this will allow staff to continue to prepare a sustainable budget moving forward.

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 will be no effect on current budget. Our current millage rate is 6.9466. Increase in revenues will be determined by the property values.

RECOMMENDED ACTION

Staff respectfully requests that council approve the millage rate at 6.9466 for the fiscal year 2021 and set the tentative public hearing for millage and budget for Tuesday, September 8th at 5:15 p.m. and the final hearing on Monday, September 28th at 5:30 p.m.

Attachments

None



Staff Report

CITY COUNCIL MEETING DATE: July 13, 2020

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM:
DATE: 7/9/2020
SUBJECT: Charter Changes

BACKGROUND:

Proposed changes to the City Charter were discussed at the July 9th Workshop

DISCUSSION:

Those changes are as shown in the Attached Proposed Charter.

Changes to the duties of the City Manager and City Clerk as well as general language changes regarding Ordinances/resolutions Consensus of the Council was to move forward. (items are highlighted in Yellow)

Changing the election for the City Officials to same time as the General Election in November Consensus of the Council was to move forward.

2021 Election will move to November 2022

2023 Election will move to November 2024

(These changes and related language are highlighted in Green)

Changing the voting districts for a more equal distribution of the population.

Consensus of the council was to move forward with Voting District Proposal 2 A copy of these changes are attached.

(These changes and related language are highlighted in Blue)

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.

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

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

The cost of the referendum will depend upon the size of the ballot and whether this item will cause the ballot to

have a second card. The cost averages around \$11,000. However, if the question to move the election to November passes, then there will be no local election in March of 2021, of which the cost is the same as the above mentioned average cost

RECOMMENDED ACTION

Staff respectfully requests that council approve the language as presented and direct staff to bring an ordinance for referendum back at the next meeting for first reading.

Attachments

1. Proposed Charter 7.9
2. Voting Districts
3. Voting Districts 1st Proposal (1)

CHARTER FOR THE CITY OF CRESTVIEW

ARTICLE I. GENERAL POWERS OF THE CITY

Section 1.01. General Powers and Corporate Existence.

The municipal corporation now existing and known as the City of Crestview ("City"), located in Okaloosa County, Florida, within the boundaries hereinafter described, shall continue to be a body politic and corporate, and shall have all governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes except when expressly prohibited by law.

Section 1.02. Construction.

The powers of the City under this Charter shall be construed liberally in favor of the City, and the specific mention of particular powers in the Charter shall not be construed as limiting in any way the general power granted in this Article.

ARTICLE II. CORPORATE BOUNDARIES

Section 2.01. Corporate Boundaries.

The corporate boundaries of the City of Crestview shall remain fixed and established as they exist on the date this Charter takes effect, provided that the City shall have the power to change its boundaries in the manner prescribed by law.

ARTICLE III. ELECTED CITY POSITIONS

Section 3.01. Form of Government.

The City shall have a Council-City Manager form of government. There shall be a City Council, which shall be the governing body of the City with all legislative powers of the City vested therein, consisting of five (5) Council Members. All Council Members shall be elected by votes cast by City electors (Article VI, Section 6.02). The Council Member from Precinct 1 shall reside in Precinct 1, the Council Member from Precinct 2 shall reside in Precinct 2, and the Council Member from Precinct 3 shall reside in Precinct 3. If at any time a Council Member elected from a precinct moves his or her official residency from said precinct, a vacancy shall

automatically occur in said office. The two Council Members at large may be elected without regard to the territorial limits of precincts. In such elections candidates running in any group receiving the highest vote shall be deemed elected.

There shall also be a Mayor who is elected At-Large and who shall not be a member of the City Council.

Section 3.02. Election and Terms.

The nonpartisan primary and general election of the Council Members and the Mayor shall be held in the manner provided in Article VI of this Charter and the terms of office for Mayor and Council Members shall be four (4) years and will commence on the first (1st) Monday in April immediately following his or her election.

The base year for elections for Council Members for Group 1 At-Large and Group 2 At-Large, and the Mayor shall be 2019, and shall be for a four-year term. The base year for elections for Council Members for Precincts 1, 2, and 3 shall be 2021 and shall be for a four-year term. These base year dates are established only for the purpose of scheduling elections and staggering terms.

All elected officials who are in office at the time of adoption of this Charter shall continue in office until their respective terms expire or are otherwise limited or terminated; and, as to elected or appointed officials, for such additional consecutive terms for which they seek and win election. Nothing in this Charter except as specifically provided herein, shall affect the rights, privileges or immunities of elected or appointed officials, existing at the time of adoption of this Charter.

ARTICLE IV. MAYOR AND CITY COUNCIL

Section 4.01. Mayor.

(a) ***Powers and Duties.*** The Mayor shall exemplify good citizenship and exhibit a cooperative spirit. The Mayor shall have the following powers and duties:

- (1) To be recognized as the official head of the City for all ceremonial purposes, and by the courts for the purpose of accepting and receiving civil process for the City, and by the governor for purpose of military law. To sign all contracts the City enters into on behalf on the City.
- (2) In time of public danger or officially declared state of emergency, the Mayor shall assume the role of Emergency Management Director, take command of the police and fire departments, maintain order, and enforce the law.
- (3) To preside over all meetings of the City Council with authority to participate in discussions, but without power to vote.

- (4) To present recommendations to the City Council on the requirements of its municipal government.
- (5) To exercise a veto power over ordinances adopted by the City Council within five (5) days of adoption by the City Council, except the Mayor may not exercise veto power over:
 - (i) an emergency ordinance as defined in Florida Statutes;
 - (ii) those ordinances adopted as a result of quasi-judicial proceedings, when such proceedings are mandated by law; and
 - (iii) ordinances proposing Charter amendments, which the Council is required by law or by this Charter to place on the ballot.
- (6) The Mayor shall see that the provisions of this Charter, ordinances, laws, and rules of the City are complied with, and enforced. The Mayor shall have the power to make general investigations into the official conduct and affairs of all City officers or employees of the City, and may examine the conditions of all City books, papers, records, property, and equipment. It shall be his/her duty to make a report to the Council of all violations or neglect of duty or any misfeasance, malfeasance or nonfeasance in office, neglect of duty or improper conduct on the part of any City officer or employee that may come to his knowledge. The Mayor shall put down riots and unlawful assemblies, and may use the police and common power of the City for such purposes, and shall see that peace, good order, safety, and good morals are preserved within the City; the Mayor may veto any official ordinance of the City Council, subject to the limitations hereinafter prescribed; may call the Council together in special session; and shall recommend to the Council such measures from time to time, as to him/her shall seem wholesome and proper.
- (7) The Mayor is to hold no other elected public office while holding said office.
- (8) The Mayor may be removed from office as set forth in Sec. 100.361, Florida Statutes.
- (9) The Mayor Pro Tem shall be chosen to serve in event of the Mayor's absence, as set forth in Section 4.03(b).

(b) ***Vacancy.***

- (1) Vacancy caused by death, resignation, refusal of the Mayor to serve, removal, or for any other reason, shall be filled by the Mayor Pro Tem as Acting Mayor, who shall serve until a successor is appointed and sworn in. The City Council shall fill the vacancy by a majority vote, and such vacancy shall be filled within thirty (30) days after the vacancy occurs. The appointed Mayor shall serve the unexpired term of the previous Mayor.
- (2) The Mayor appointed by the Council must meet the qualifications for office as set forth in this Charter at the time of appointment.

- (c) **Compensation.** The salary of the Mayor shall be set by ordinance, **resolution** which shall take effect upon the Mayor assuming office following the next Mayoral election.
- (d) **Signature of the Mayor.** Every ordinance passed by the City Council, before becoming law, shall be presented to the Mayor for his signature and approval within five (5) business days after it has passed. Unless exercising veto power, the Mayor shall sign it and return it to the City Clerk with the date of his/her signature. If the Mayor fails to return any ordinance to the City Clerk before the next regular City Council meeting following the date of passage of the ordinance, unless the ordinance has been vetoed the Mayor shall be deemed to have approved the ordinance and it shall become law without his signature or further action.

Section 4.02. City Council.

The City Council shall consist of five (5) electors who shall be designated as follows:

Councilmember at large Group 1.
Councilmember at large Group 2.
Councilmember — Precinct 1
Councilmember — Precinct 2
Councilmember — Precinct 3

- (a) **Powers and Duties.** City Council Members shall exemplify good citizenship and exhibit a cooperative spirit. The City Council shall have the following powers and duties:
 - (1) To legislate for the City by adopting ordinances and resolutions in the best interest of all citizens of the City.
 - (2) To adopt the annual budget and all other appropriations necessary for efficient City government.
 - (3) To override the Mayor's veto of an ordinance by an affirmative vote of two thirds of the entire Council.
 - (4) To devote such time as is necessary to the performance of City Council duties, and hold no other elected public office or be an employee of the City while a City Council Member.
 - (5) The City Council shall appoint the City Manager, City Attorney, City Clerk and Department Heads by a majority vote of the entire Council.
 - (6) The Council may, in the investigation of charges against municipal officers, assistants, employees, and members of the Council, or of any other matters coming before them, issue subpoenas and compulsory process under the hands of the Mayor, the Clerk, and the seal, for the attendance of any person, firm or corporation, and for the production of books, papers, and records; and Mayor and

Clerk shall each have authority to administer oaths and affirmations; and take depositions.

- (7) The City Council, by majority vote, may remove any member of the Council with four (4) consecutive unexcused absences.

(b) ***Vacancies.***

- (1) If a vacancy on the Council is caused by death, resignation, refusal of any Council Member to serve, removal of any Council Member, the residency relocation of a Council Member from the precinct from which the Council Member is elected, or for any other reason, the vacancy shall be filled for the unexpired term of the vacated seat by a majority vote of the remaining Council Members, and such vacancies must be filled within thirty (30) days after the vacancy occurs. The appointed Council Member may serve the unexpired term of the previous Council Member unless the unexpired term of the previous Council Member, is twenty-eight (28) months or longer. If the unexpired term is twenty-eight (28) months or longer, a person shall be elected at the next general election to fill the unexpired portion of such term.
- (2) In the event of a military leave of absence for any elected municipal officer, such leave of absence shall be in accordance with current Florida Statutes.
- (3) The Council Member appointed by the Council must meet the qualifications for office as set forth in this Charter at the time of appointment.

- (c) ***Compensation.*** The salary of Council Members shall be set by ~~ordinance~~ **resolution**; said compensation shall take effect upon the Council Member assuming office following the next Council election.

Section 4.03. City Council Procedures.

- (a) ***Meeting Rules and Procedures.*** The City Council shall determine its own rules of procedure and order of business. The City Council shall meet regularly at least once every month at such times and places as the City Council may prescribe. Policies and Procedures for the City Council shall be set forth by ~~ordinance~~ **resolution**.
- (b) ***Mayor Pro Tem.*** The City Council, at its first regular meeting in April, shall select from among its members a Mayor Pro Tem. The Mayor Pro Tem so chosen shall, in the absence or disability of the Mayor, preside over the meetings of the City Council and perform all the duties and exercise all the authorities of the Mayor. The Mayor Pro Tem's term of service shall be for one year. The Mayor Pro Tem shall retain all voting privileges of an elected member of the City Council.

Section 4.04. Prohibitions.

- (a) ***Appointment and Removal.*** No individual City Council Member shall in any manner

dictate the appointment or removal of any administrative officer or employee whom the City Manager or

Department Heads are empowered to appoint. The City Council may, however, express its views and fully and freely discuss any and all matters with the City Manager or Department Heads pertaining to the appointment and removal of City officers and employees.

- (b) ***Interference with Administration.*** The City Council or Council Members shall deal with the City officers and employees, who are subject to the direction and supervision of the City Manager, solely through the City Manager. Neither the City Council nor Council Members shall give orders to any such officer or employee, either publicly or privately. It is the express intent of this Charter that recommendations for improvement of municipal governmental operations by individual Council Members be made solely to and through the City Manager.
- (c) ***Holding other Office.*** No elected City official shall hold any appointive City office, City board membership, or City employment while in office, except as may be provided by State law. No former elected City official shall hold any compensated appointive City office until one year after having last served as an elected official.

ARTICLE V. APPOINTED CITY OFFICIALS

The City Council shall appoint the City Manager, the City Attorney, and the City Clerk.

Section 5.01. City Manager.

There shall be a City Manager who shall be appointed or dismissed by the City Council, by a majority vote of the entire Council, and who shall serve at the pleasure of the City Council. The City Manager shall direct all Department Heads and oversee the daily operations of the City. The compensation to be paid the City Manager for services rendered by said manager, shall be set by the City Council in the contract between the City Manager and the City.

Additionally, the City Manager shall:

- (a) Attend the meetings of the City Council.
- (b) Draw and sign vouchers upon the depositories, which vouchers shall be countersigned by the ~~City Clerk~~ Finance Director and keep a true and accurate account of the same.
- (c) Shall prepare and submit to the Council once each month a statement of all finances, receipts, and disbursements.
- (d) ~~Provide administrative services as required by the City Council.~~
- (e) See that all laws, provisions of this Charter, and acts of the Council, subject to his/her direction and supervision, are faithfully executed.
- (f) Coordinate with the City Clerk and Department Heads and submit the annual budget, budget message, and capital programs to the Council in the form prescribed by general law.

- (g) Submit to the Council and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year.
- (h) Keep the Council fully advised as to the financial condition and future needs of the City and make recommendations to the Council concerning the affairs of the City.
- (i) Perform such other duties as are specified in this charter, or adopted by ordinance, Resolution, or which may be required by the Council.

(j) City Manager Authority over City Personnel.

In addition to the authority, duties and obligations specified in this Charter, and except as may be inconsistent with this Charter and/or adopted ordinances, resolutions, and policies of the City, the City Manager shall:

1. Determine the employment qualifications of the Department Heads and otherwise handle all aspects of the filling of vacancies in the positions of the Department Heads.

2. Have complete and full authority acting on behalf of the City Council over each and every Department, Department Head and employee of the City, and full authority over all operations of the City. However, when any action is required by the Charter or ordinances on the part of the City Council, such action may be taken by the City Manager subject to the confirmation by the City Council in accordance with the Charter or Ordinance.

3. Have the authority to discipline, demote, suspend and/or remove any Department Head or employee in a manner consistent with the adopted ordinances and personnel policies of the City. The City Manager may authorize any Director or other administrative officer who is subject to the City Manager's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency.

Section 5.02. City Attorney.

The City Attorney shall serve as the chief legal adviser to the City Council, and shall represent elected or appointed officials, boards and commissions, and employees in the course and scope of their official duties or employment, respectively. The City Attorney shall represent the City in legal proceedings and shall perform any other duties prescribed by State law, by this Charter, or by ordinance or resolution. The City Council shall appoint or remove the City Attorney by an affirmative vote of a majority of its members. The compensation to be paid the City Attorney for the services rendered by said Attorney, shall be set by the City Council in the Contract between the City Attorney and the City.

Section 5.03. City Clerk.

There shall be a City Clerk who shall be appointed or dismissed by the City Council, by a majority vote of the entire Council, and who shall serve at the pleasure of the City Council and whose duties and responsibilities are as provided by this Charter. The compensation to be paid the City Clerk for the services rendered, shall be set by the City Council.

The City Clerk shall:

- (a) Attend all meetings of the City Council.
- (b) Maintain minutes and records of the same.
- (c) *Review/countersign/approve all checks and electronic financial transfers with the City Manager. Provided administrative services as required by the Council.*
- (d) *Review contracts for compliance with policy and Council direction and Attest to same that all contracts which shall then be signed by the Mayor.*
- (f) Sign all licenses issued by the City.
- (g) *Issue receipts for all money received and shall deposit said money in the proper depositories on the first regular banking day after receipt. Shall maintain and address contract management and records of same.*
- (h) Keep and have the care and custody of the books, records, papers, legal documents and journals of proceedings of the City Council
- (i) Perform such additional duties as may be required by the Council. All other powers and duties of the City Clerk shall be as provided by ordinance Resolution.

Section 5.04. Departments.

Department Heads shall be appointed by the City Council with the recommendation of the City Manager. *City Manager.* The City Manager shall make recommendations to the City Council regarding the organization of the City government and prescribe the duties and responsibilities assigned to the various departments. The City Manager shall direct the Department Heads of the City in a manner consistent with this Charter and the City's Code of Ordinances. The compensation to be paid the various Department Heads for the services rendered, shall be set by the City Council.

Section 5.05. City Boards, Commissions and Authorities.

- (a) ***Establishment.*** Unless otherwise provided by law, the City Council shall establish or terminate by ordinance, Resolution, such boards, commissions and authorities as it may deem advisable from time to time.
- (b) ***Membership and Removal.*** Unless otherwise provided by law, the City Council shall determine procedures, membership and removal from City boards, commissions and authorities.

ARTICLE VI. ELECTIONS

Section 6.01. Nonpartisan Elections.

All nominations and elections for the offices of Mayor and City Council Members shall be conducted on a nonpartisan basis.

Section 6.02. Electors.

Any person, who is a resident of the City, is a qualified Florida elector, and who has been assigned a voter registration number by the County Supervisor of Elections to vote shall be an elector of the City.

Section 6.03. Qualifications, Eligibility, and Filing Fee.

- (a) ***Qualifications and Eligibility.*** Any person who is a resident of the City, has qualified as a Florida elector, and has been assigned a voter registration number by the County Supervisor of Elections to vote not less than one (1) year prior to the end of the qualification period, shall be an eligible candidate for the office of Mayor or City Council member. Candidates for Council Member from a Precinct must have been a resident of the declared precinct for at least one (1) year prior to the end of the qualification period.
- (b) ***Qualifying Fee.*** Each candidate shall pay to the qualifying officer a qualifying fee in the amount as set forth by City ordinance, **resolution** as well as an election assessment as provided by Florida State Law.
- (c) ***Determination of Qualifications and Eligibility.*** The Supervisor of Elections shall be the judge of qualifications for candidates for the positions of Mayor and City Council.
- (d) ***Determination of person elected*** In the case of two or more persons receive an equal and highest number of votes for the same office, the election shall be determined as per Florida Statutes, Title IX, Chapter 100, Section 100.181.

Section 6.04. Elections. Procedures.

- (a) ***General Elections.*** The Supervisor of Elections shall be the Filing Officer for the City of Crestview and shall conduct all elections in accordance with Florida Statutes. **The general election shall be held on the second Tuesday in March. Elections shall be held every two (2) years. The election shall be held in conjunction with the November General election commencing in November 2022.**
- (b) ***Canvassing Board*** Elections shall be conducted and results shall be tabulated, returned and canvassed by a board in accordance with general law. The canvassing board shall submit certified election results to the City Clerk. In a City election, where a County canvassing board would not be impaneled, the canvassing board shall include the Supervisor of Elections, a sitting County Judge, and the City Clerk.

Section 6.05. Candidate Qualifying Oath.

- (a) ***Qualifying Oath or Affirmation.*** Any person who is qualified under the laws of the State and this Charter may become a candidate for the office of Mayor or City Council by taking and subscribing to an oath or affirmation, and filing the same with the Supervisor of Elections during business hours during the period prescribed by general law for qualification of candidates for election to City offices.
- (b) ***Form.*** The form of the oath or affirmation shall be as provided by Florida law.

Section 6.06. Commencement of Term of Office.

The term of office of any elected official (Mayor or City Council Member) will commence on the first (1st) Monday in April, after his or her election, at which time the newly elected official shall take an oath of office and be installed in office *regular meeting of the City council after his or her election, at which time the newly elected official shall take an oath of office and be installed in office.*

In the event of a special election or other election other than the primary or general election, the term of office of any elected official will commence on the third day after his or her election has been certified, at which time the newly elected official shall be given an oath of office and installed in office, or as provided by State law, unless the commencement date falls on a legal or City holiday, in which case the term of office will commence on the next day that is not a legal or City holiday.

Section 6.07. Council Precincts

- (a) ***Number of Precincts.*** There shall be three (3) City Council precincts. The boundaries of the three (3) precincts ~~shall remain the same as they existed prior to the~~ *which shall change to the following upon* approval of this charter by the electorate of the City, being described more particularly as:

City Council Precincts: The City of Crestview shall be divided into three precincts, numbered as follows: ~~Number One, East Crestview, comprising all that territory within the corporate limits east of Main Street and South of U.S. Highway No. 90; Number Two, West Crestview, comprising that territory within the corporate limits west of Main Street and south and west of U.S. Highway No. 90; Number Three, North Crestview, comprising all that territory within the corporate limits north of U.S. Highway No. 90.~~ *Number One: Central Crestview as bordered by U S Highway 90 on the north and Interstate 10 on the South, Number Two: South Crestview as bordered by Interstate 10 on the North. Number Three: North Crestview as bordered by U.S. Highway 90 on the south.*

CHARTER AMENDMENTS

Section 7.01. Charter Amendments.

- (a) ***Initiation by City Council.*** The City Council may propose amendments by ordinance to this Charter. Upon adoption of the initiating ordinance, the City Council shall submit the proposed amendment to a vote of the electors at the next general election held within the City or at a special election called for such purpose.
- (b) ***Initiation by Petition.*** The electors of the City may propose amendments to this Charter in accordance with the provisions of Sec. 166.031, Florida Statutes.
- (c) ***Consistency.*** The method for Charter amendments shall be consistent with State law.

ARTICLE VIII MISCELLANEOUS

Section 8.01. Code of Ethics.

The City of Crestview shall subscribe to and abide by the *Code of Ethics for Public Officers and Employees* as provided in the Florida Statutes.

ARTICLE IX. SCHEDULE

Section 9.01. Effective Date.

Upon approval of a majority of the electorate voting at a referendum on this Charter, this Charter will become effective on ~~October 1, 2018~~ on November 15, 2020

Section 9.02. Ordinances Preserved.

All ordinances in effect upon the adoption of this Charter, to the extent not inconsistent herewith, shall remain in full force and effect until amended or repealed.

Section 9.03. Repeal of Former Charter Provisions.

All Charter provisions in effect prior to the effective date of this Charter are repealed, provided that all extra territorial powers of the City conferred by special act or otherwise are preserved and can be repealed or modified only by referendum or as otherwise provided by law.

All affected Charter provisions in effect prior to the effective date of this Charter revision are repealed, provided that all extra territorial powers of the City conferred by special act or otherwise are preserved and can be repealed or modified only by referendum or as otherwise provided by law.

Section 9.04. Precedence over Code Provisions.

If a conflict exists between the provisions of this Charter and the Code of Ordinances, the Charter provisions shall prevail.

Section 9.05. Officers and Employees.

The adoption of this Charter shall not affect or impair the rights, privileges or immunities of City officers or employees at the time of the effective date of this Charter, including rights provided for pursuant to Chapter 447, Florida Statutes, and collective bargaining agreements. Elected officers shall continue to hold their offices for the terms prescribed by the Charter in effect on the date of their election, and they shall discharge their duties until their successors are elected.

Section 9.06. Existing Rights, Obligations, Duties and Relationships.

- (a) ***Continuity.*** All rights, claims, actions, orders, contracts and legal or administrative proceedings involving the City shall continue except as modified pursuant to the provisions of this Charter.
- (b) ***Obligations.*** No debt, contract obligation, or assessment by the City shall be impaired by adoption of this Charter. All existing debts, obligations and assessments shall remain valid and enforceable, according to their terms, under the Charter provisions applicable at the time the debt was incurred, contract signed, or assessment imposed. All obligations and rights arising in connection with projects financed under former Charter provisions shall be unaffected and remain in full force and effect as if the borrowing, taxing, bonding or other financing provisions had survived the adoption of this Charter.
- (c) ***Other Government Units.*** All existing rights, obligations, duties and relationships by law or agreement between the City and other governmental units shall be unaffected by the adoption of this Charter and remain in full force and effect.
- (d) ***Commencement of Terms for Year 2019 Elections.*** The terms for the Council Members and Mayor elected in the 2019 general election shall commence on the first (1st) Monday of April 2019 as provided for in the former City Charter. This provision shall be effective solely for the purposes of transition from the former City Charter to Section 3.02 of this Charter.

Terms for the officers elected in 2017 and 2019. The terms of the elected officials elected in 2017 shall be extended until after the election of November 2022. The terms of the elected officials elected in 2019, shall be extended until November of 2024. As determined by the Charter revisions of 2018, should the City Clerk resign their position prior to November 2022, the City Clerk position shall become appointed as allowed in section 5.03 of this Charter.

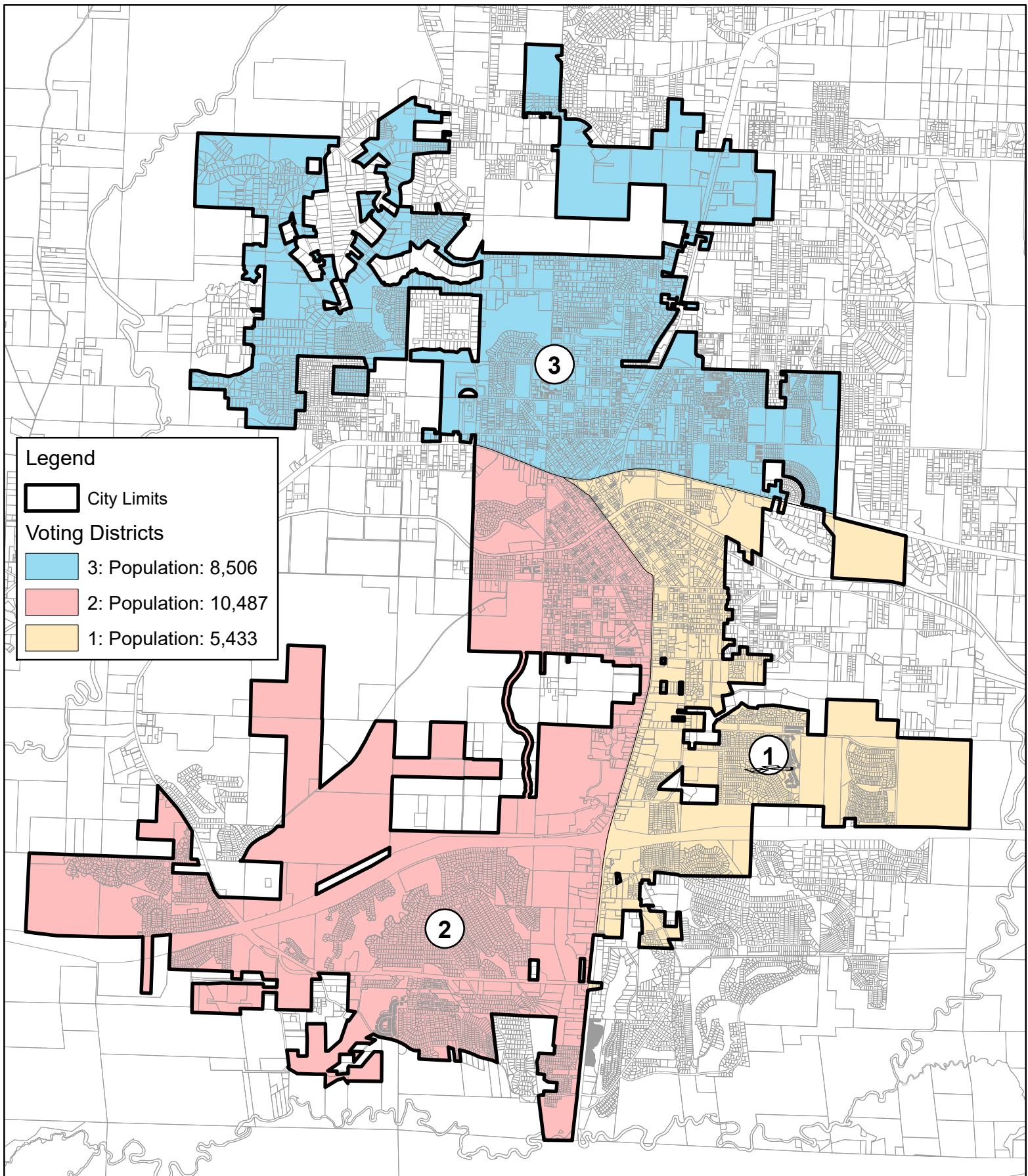
Section 9.07. Transition.

The City Council shall adopt such ordinances and resolutions as are required to affect the transition. Ordinances adopted within sixty (60) days of the first Council meeting under this Charter for facilitating the transition may be passed as emergency ordinances following the procedures prescribed by law.

Section 9.08. Severability.

If any section or part of a section of this Charter shall be held invalid by a court of competent jurisdiction, the court decision invalidating any section or part of said section shall not affect the remainder of this Charter or the context in which the invalidated section or part of section may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which the court decision may directly apply.

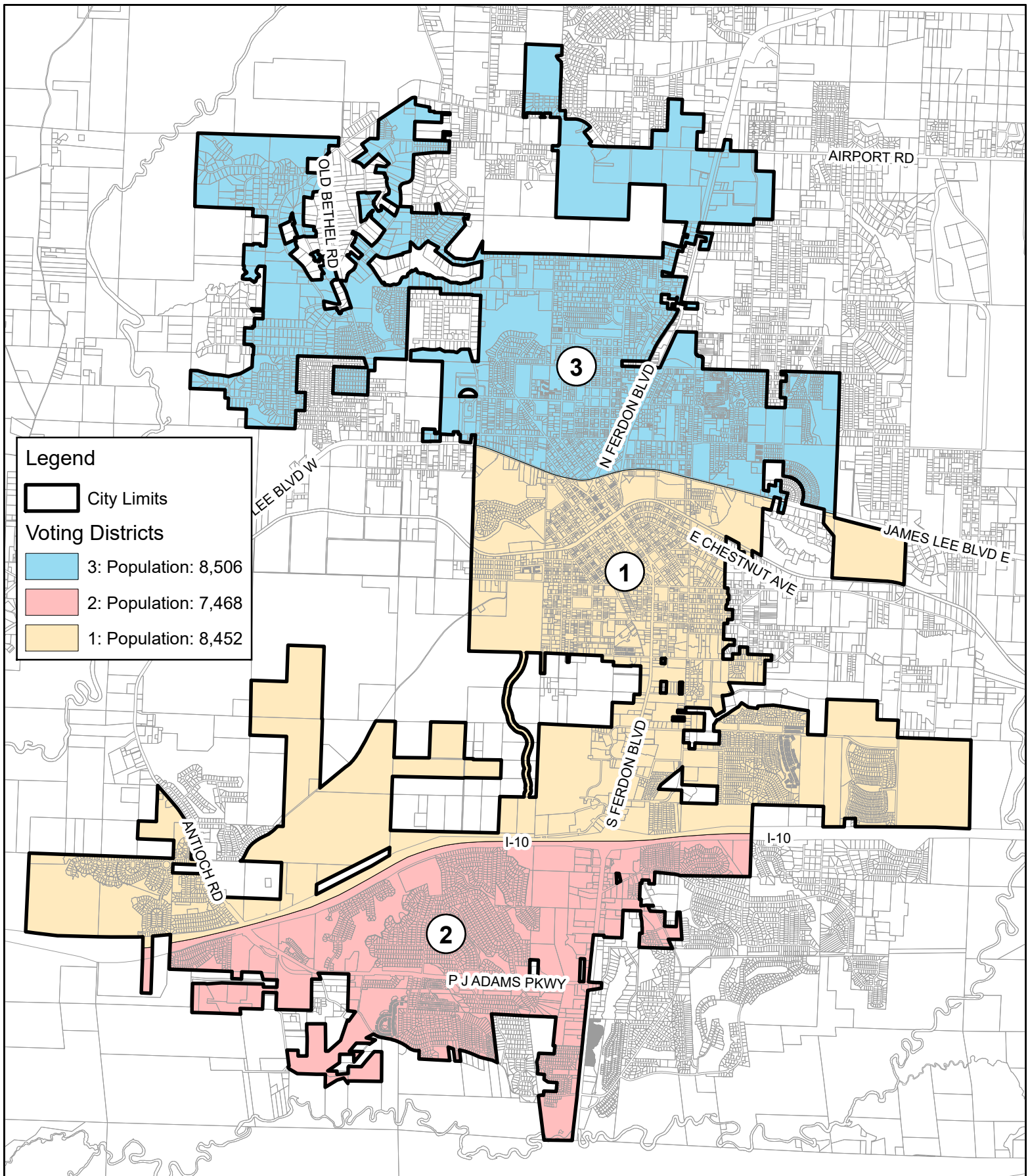
[End of Charter revisions]



City of Crestview Voting Districts

Parcel Information provided by Okaloosa County GIS Department
Population Estimates derived from Esri 2019 Total Population Dataset





City of Crestview Voting Districts 1st Change Proposal



Parcel Information provided by Okaloosa County GIS Department
Population Estimates derived from Esri 2019 Total Population Dataset

