



CITY OF CRESTVIEW

Community Development Services

P.O. DRAWER 1209, CRESTVIEW, FLORIDA 32536

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

PLANNING AND DEVELOPMENT BOARD

September 8, 2020

6:00 PM

Council Chambers

PLANNING AND DEVELOPMENT BOARD

The Public is invited to view our meetings on the City of Crestview Live stream a at <https://www.cityofcrestview.org> 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 Pledge of Allegiance

3 Approve Agenda

4 Public Opportunity to speak on Agenda items

5 Consent Agenda

6 Ordinances

- 6. Ordinance 1784 - Bressler St. Comp Plan Amendment
- 6. Ordinance 1785 - Bressler St. Rezoning
- 6. Ordinance 1786 - Old Bethel Rd. Annexation
- 6. Ordinance 1787 - Old Bethel Rd. Comp Plan Amendment
- 6. Ordinance 1788 - Old Bethel Rd. Rezoning

7 Final Plats and PUDS

8 Special Exceptions, Variances, Vacations and Appeals

9 Action Items

9. Florida Competitive Community - Economic Development Plan
9. Discussion and Review for New Land Development Code Chapter 4 - Zoning Districts and Overlays
9. Discussion and Review for New Land Development Code Chapter 6 - Design and Development Standards
9. Discussion and Review for New Land Development Code Chapter 7 - Accessory, Temporary, and Special Use Situations
9. Discussion and Review for New Land Development Code Chapter 9 - Variations from Standards in the LDC
9. Preliminary New Zoning Map

10 Comments from the Audience

11 Adjournment

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.



Staff Report

PLANNING AND DEVELOPMENT BOARD

MEETING DATE: September 8, 2020

TYPE OF AGENDA ITEM: Ordinance

TO: Planning and Development Board
CC: City Manager and City Attorney
FROM: Community Development Services
DATE: 8/31/2020
SUBJECT: Ordinance 1784 - Bressler St. Comp Plan Amendment

BACKGROUND:

On August 11, 2020 staff received an application to amend the comprehensive plan and zoning designations for property located at 397 Bressler Street.

The application requests the Mixed-Use Residential Commercial future land use designation for the property.

The subject property currently has a future land use and zoning designation of Low Density Residential and Single-Family Dwelling District, respectively.

The request for a comprehensive plan amendment will be presented to City Council via Ordinance 1784 on September 28, 2020 for the first reading.

DISCUSSION:

The property description is as follows:

Property Owner: Ricant Enterprises LLC
Parcel ID: 17-3N-23-2490-0128-0090
Site Size: 0.25 acres
Current FLU: Low Density Residential
Current Zoning: Single-Family Dwelling District
Current Land Use: Church

The following table provides the surrounding land use designations, zoning districts, and existing uses.

Direction	FLU	Zoning	Existing Use
North	Low Density Residential	Single-Family Dwelling District	Residential
East	Low Density Residential	Single-Family Dwelling District	Residential
South	Low Density Residential	Single-Family Dwelling District	Vacant
West	Low Density Residential	Single-Family Dwelling District	Vacant

The subject property is currently developed as a church and a development application has not been submitted.

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.

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

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.

Community Culture – Develop a specific identity for Crestview.

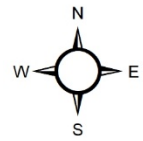
FINANCIAL IMPACT

The fees for the comprehensive plan amendment totaled \$1,220.00. The cost of advertising was \$159.39.

RECOMMENDED ACTION

Staff respectfully requests a recommendation to the City Council to adopt Ordinance 1784 on first and second reading.

Subject Parcel Current FLU



0 25 50
Feet

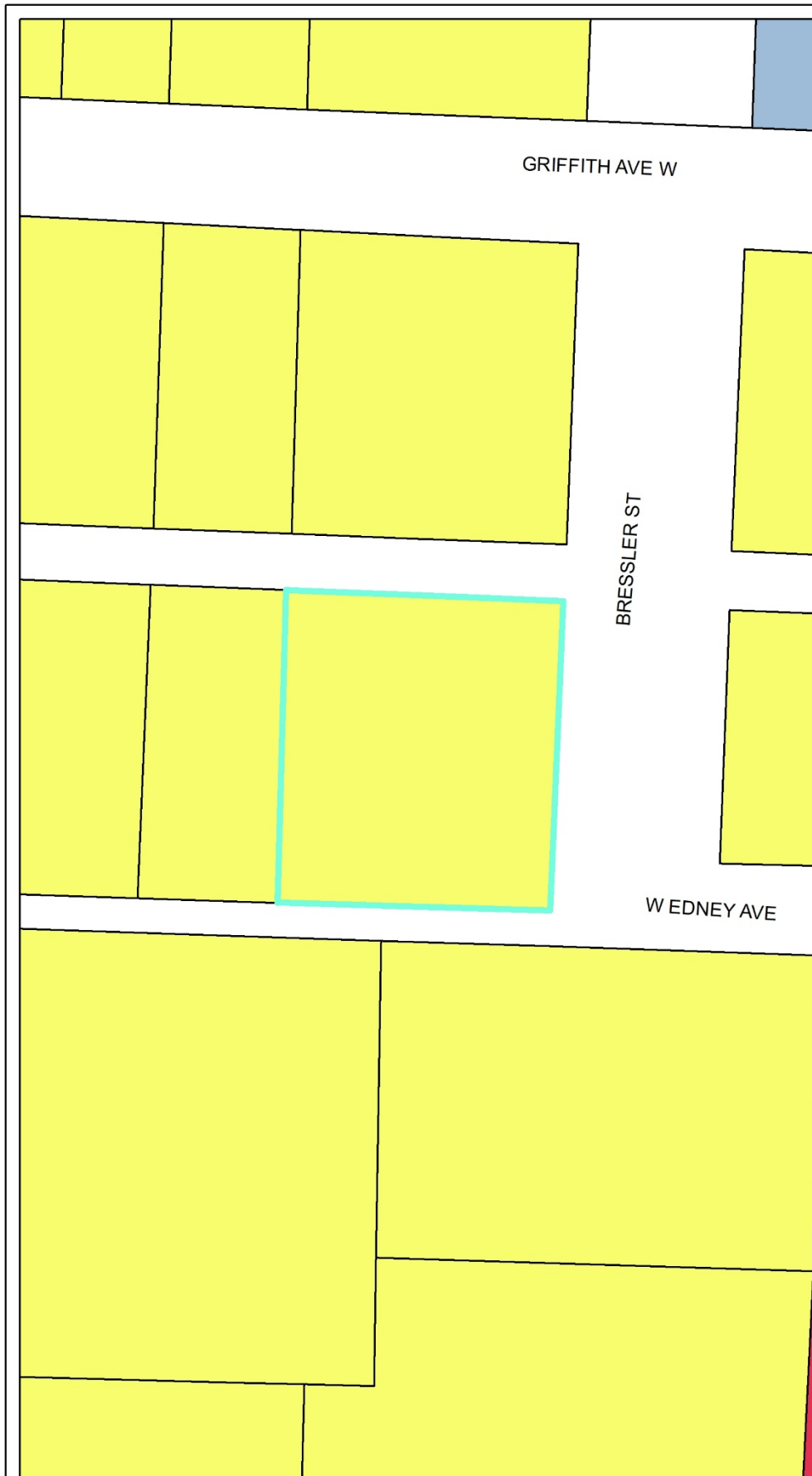
Legend

17-3N-23-2490-0128-0090

City Limits

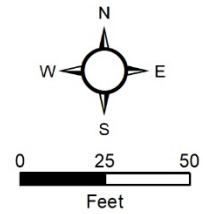
City Future Land Use

- 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



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

Proposed Future Land Use



Legend

17-3N-23-2490-0128-0090

City Limits

City Future Land Use

Commercial (C)

Mixed Use Residential
Commercial (MX-RC)

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

0.25+/- acres of land

Ex FLU = Low Density Residential (LDR)

Prop 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: 1784

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 LOW DENSITY RESIDENTIAL TO MIXED-USE RESIDENTIAL COMMERCIAL ON APPROXIMATELY 0.25 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 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 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 development and discourage urban sprawl; and
- B. 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
- C. A public hearing has been conducted by the City Council after "due public notice"; and
- D. This amendment involves changing the future land use designation from Low Density Residential to Mixed-Use Residential Commercial on a parcel of land containing 0.25 acres, more or less, lying within the corporate limits of the City; and
- E. 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 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 a parcel containing approximately 0.25 acres of land, more or less, from Low Density Residential to Mixed-Use Residential Commercial. For the purposes of this Ordinance and Comprehensive Plan Amendment, the 0.25 acres, more or less, is known as Parcel 17-3N-23-2490-0128-0090 and commonly described as:

A PARCEL OF LAND ("the LAND") LOCATED IN SECTION 17, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 9 AND 10, BLOCK 128, TOWN OF CRESTVIEW, ACCORDING TO THE PLAT THEREOF ON FILE IN PLAT BOOK 1, PAGE 72 IN THE OFFICE OF THE CLERK OF CIRCUIT COURT, OKALOOSA COUNTY, FLORIDA.

The Mixed-Use Residential Commercial Future Land Use Category is hereby imposed on Parcel 17-3N-23-2490-0128-0090. Exhibit A, which is attached hereto and made a part hereof by reference, graphically depicts the revisions to the Future Land Use Map and shows Parcel 17-3N-23-2490-0128-0090 thereon.

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

SECTION 6 – 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 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 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.

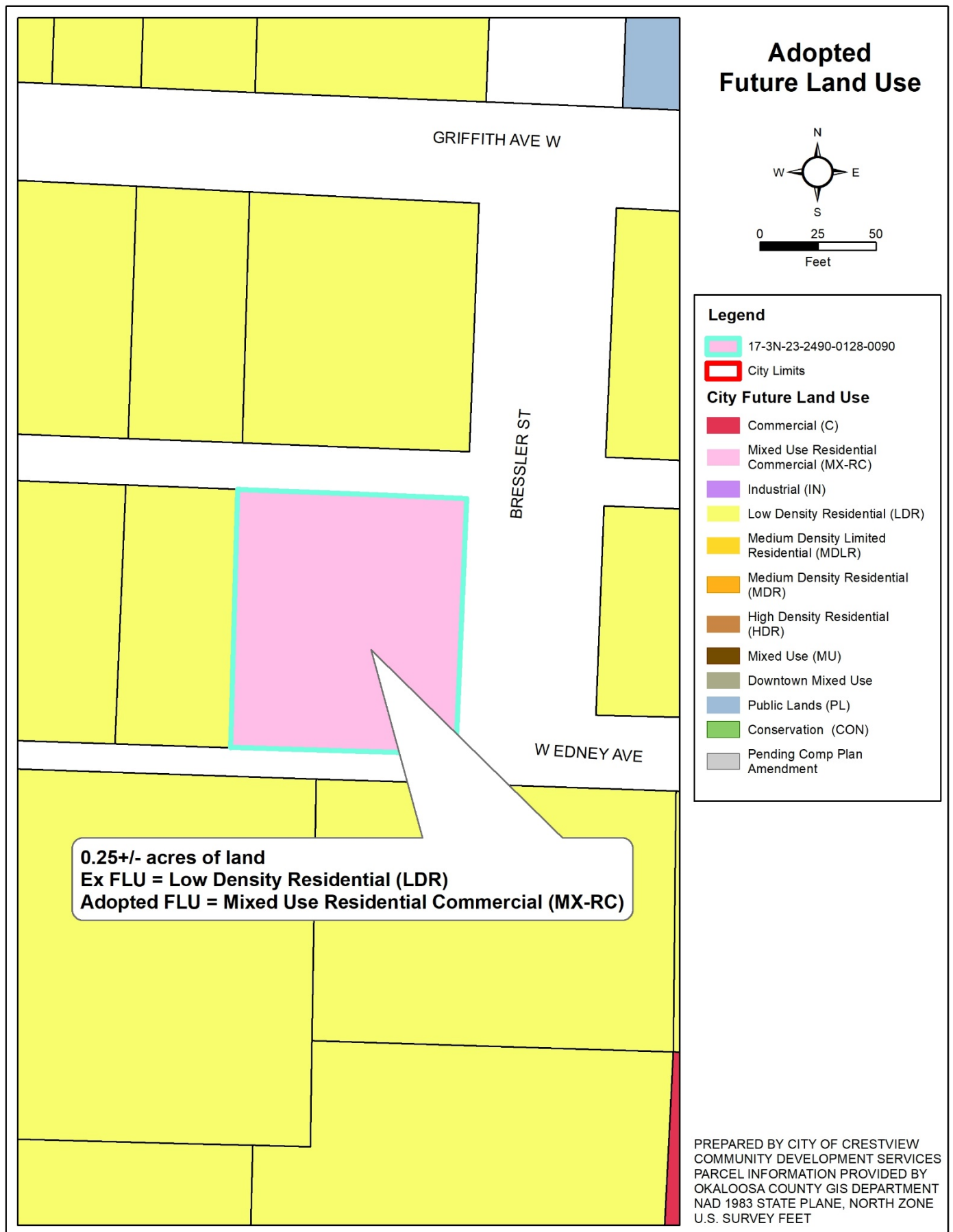
PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA ON THE _____ DAY OF _____, 2020.

ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN





Staff Report

PLANNING AND DEVELOPMENT BOARD

MEETING DATE: September 8, 2020

TYPE OF AGENDA ITEM: Ordinance

TO: Planning and Development Board
CC: City Manager and City Attorney
FROM: Community Development Services
DATE: 8/31/2020
SUBJECT: Ordinance 1785 - Bressler St. Rezoning

BACKGROUND:

On August 11, 2020 staff received an application to amend the comprehensive plan and zoning designations for property located at 397 Bressler Street.

The application requests the Mixed-Use Neighborhood Commercial zoning designation for the property.

The subject property currently has a future land use and zoning designation of Low Density Residential and Single-Family Dwelling District, respectively.

The request for a comprehensive plan amendment will be presented to City Council via Ordinance 1785 on September 28, 2020 for the first reading.

DISCUSSION:

The property description is as follows:

Property Owner: Ricant Enterprises LLC
Parcel ID: 17-3N-23-2490-0128-0090
Site Size: 0.25 acres
Current FLU: Low Density Residential
Current Zoning: Single-Family Dwelling District
Current Land Use: Church

The following table provides the surrounding land use designations, zoning districts, and existing uses.

Direction	FLU	Zoning	Existing Use
North	Low Density Residential	Single-Family Dwelling District	Residential
East	Low Density Residential	Single-Family Dwelling District	Residential
South	Low Density Residential	Single-Family Dwelling District	Vacant
West	Low Density Residential	Single-Family Dwelling District	Vacant

The subject property is currently developed as a church and a development application has not been submitted.

Staff reviewed the request for rezoning and finds the following:

- The proposed zoning is consistent with the proposed future land use designation.

- The uses within the requested zoning district are compatible with uses in the adjacent zoning districts.
- The requested use is not substantially more or less intense than allowable development on adjacent parcels.

Courtesy notices were mailed to property owners within 300 feet of the subject property on August 18, 2020. The property was posted on August 25, 2020. An advertisement ran in the Crestview News Bulletin on August 26, 2020.

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.

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

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.

Community Culture – Develop a specific identity for Crestview.

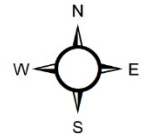
FINANCIAL IMPACT

The fees for the rezoning request totaled \$600.00. There is no additional cost of advertising as the request was included in the advertisement for the comprehensive plan amendment.

RECOMMENDED ACTION

Staff respectfully requests a recommendation to the City Council to adopt Ordinance 1784 on first and second reading.

Subject Parcel Current Zoning



0 25 50
Feet

Legend

 17-3N-23-2490-0128-0090

 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)

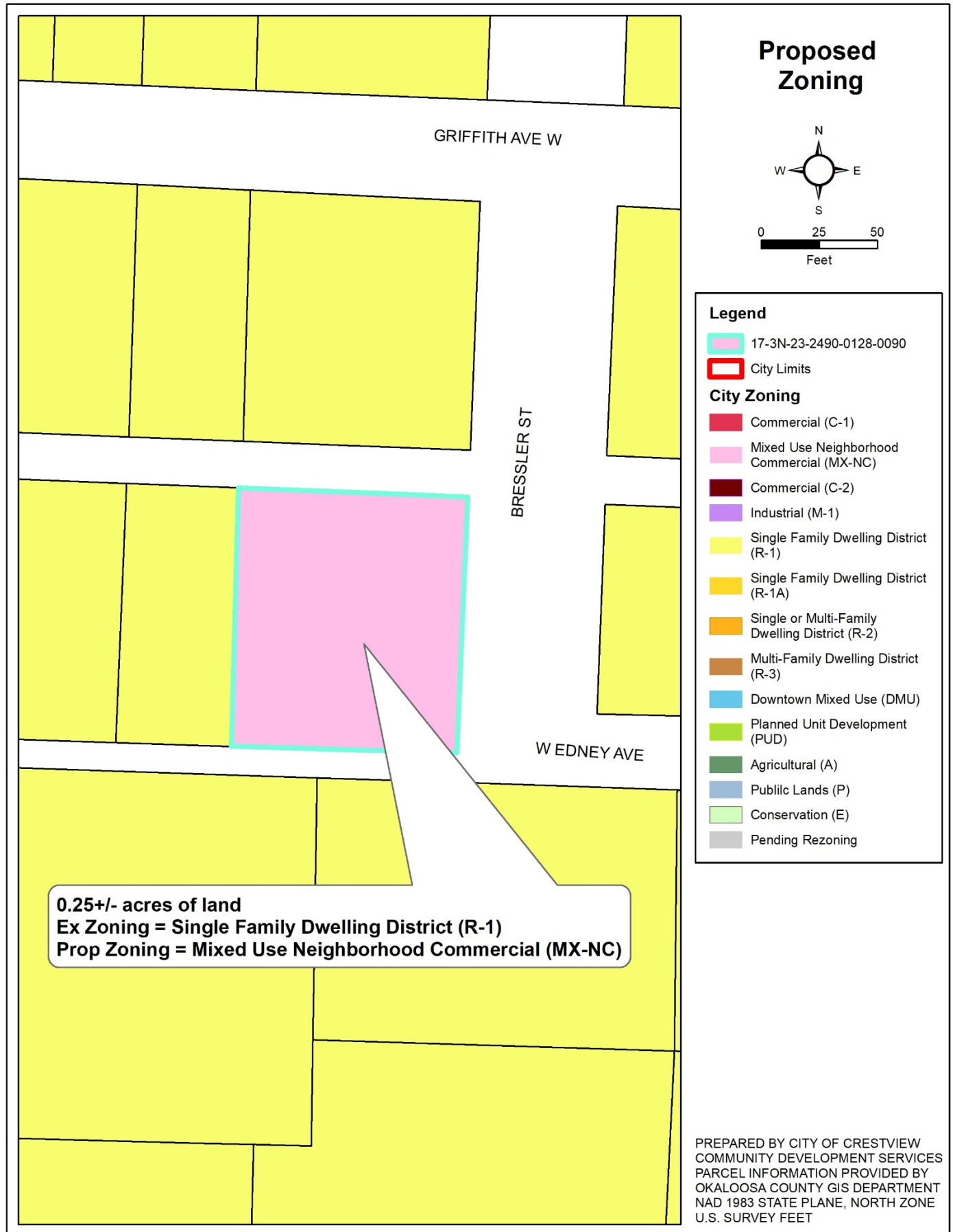
Agricultural (A)

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: 1785

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE REZONING OF 0.25 ACRES, MORE OR LESS, OF REAL PROPERTY, LOCATED IN SECTION 17, TOWNSHIP 3 NORTH, RANGE 23 WEST, FROM THE SINGLE FAMILY DWELLING ZONING DISTRICT TO THE MIXED-USE NEIGHBORHOOD COMMERCIAL ZONING DISTRICT; 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 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 Section 166.041, Florida Statutes and Chapter 102, City Code.

SECTION 2 – PROPERTY REZONED. The following described 0.25 acres, more or less, of real property lying within the corporate limits of Crestview, Florida, with 0.25 acres, more or less, being formerly zoned Single Family Dwelling District with the Mixed-Use Residential Commercial Future Land Use Map designation recently ratified by the City Council through adoption of Ordinance 1784, is hereby rezoned to Mixed-Use Neighborhood Commercial to wit:

PIN # 17-3N-23-2490-0128-0090

A PARCEL OF LAND ("the LAND") LOCATED IN SECTION 17, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 9 AND 10, BLOCK 128, TOWN OF CRESTVIEW, ACCORDING TO THE PLAT THEREOF ON FILE IN PLAT BOOK 1, PAGE 72 IN THE OFFICE OF THE CLERK OF CIRCUIT COURT, OKALOOSA COUNTY, FLORIDA.

SECTION 3 – MAP UPDATE. The Crestview Zoning Map, current edition, is hereby amended to reflect the above changes concurrent with passage of this ordinance, which is attached hereto.

SECTION 4 – 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 5 – 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 6 – 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 7 – 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 8 – EFFECTIVE DATE. The effective date of this Ordinance shall be the date Comprehensive Plan Amendment is adopted by Ordinance # 1784 and becomes legally effective.

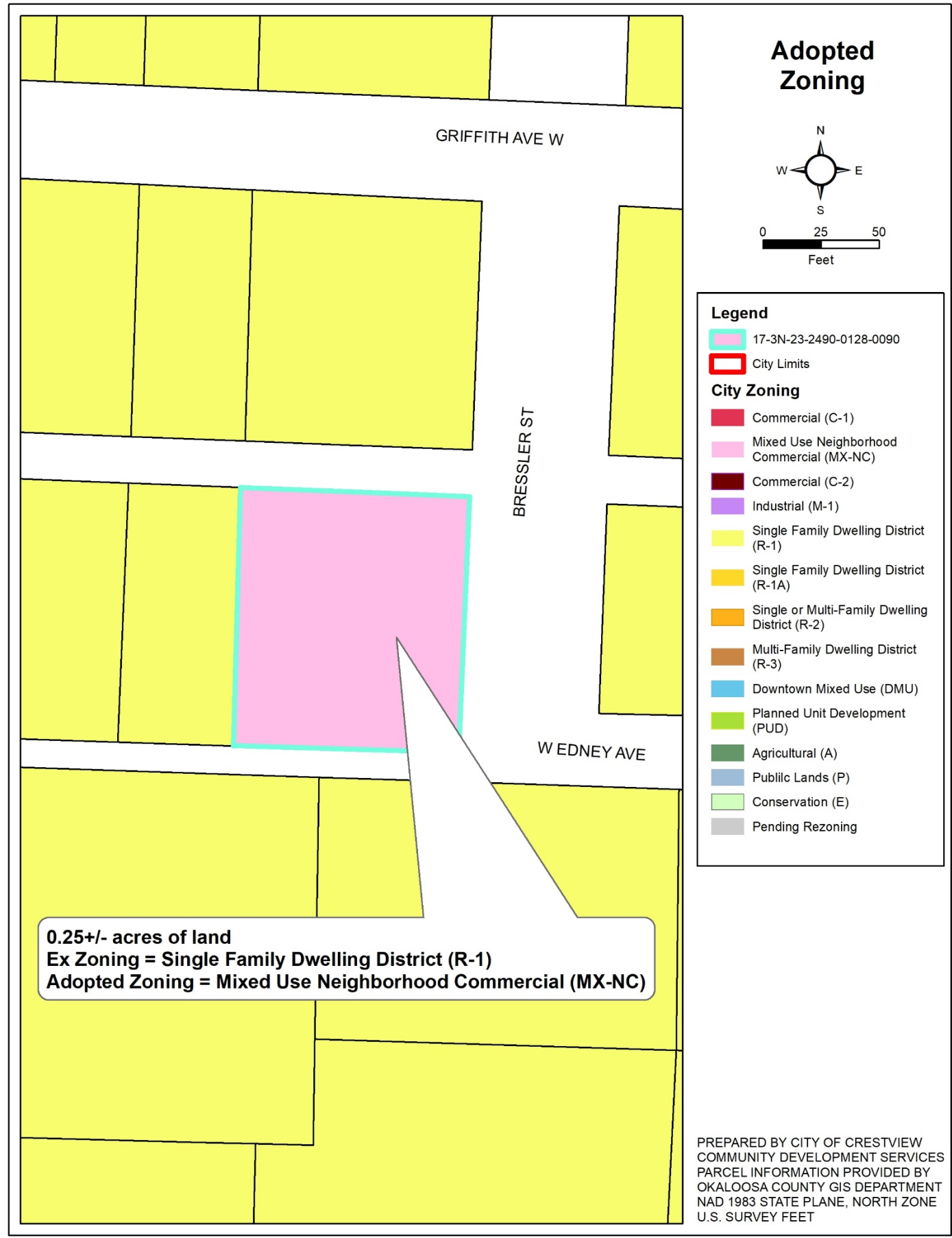
**PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW,
FLORIDA ON THE _____ DAY OF _____, 2020.**

ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN
Mayor





Staff Report

PLANNING AND DEVELOPMENT BOARD

MEETING DATE: September 8, 2020

TYPE OF AGENDA ITEM: Ordinance

TO: Planning and Development Board
CC: City Manager and City Attorney
FROM: Community Development Services
DATE: 8/31/2020
SUBJECT: Ordinance 1786 - Old Bethel Rd. Annexation

BACKGROUND:

On August 13, 2020 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at 6276 Old Bethel Road.

The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Mixed-Use and Mixed-Use, respectively.

The request for voluntary annexation will be presented to City Council via Ordinance 1786 on September 28, 2020 for the first reading.

DISCUSSION:

The property description is as follows:

Property Owner: Kakela H P LLC
Parcel ID: 32-4N-23-0000-0020-0010
Site Size: 3.00 acres
Current FLU: Okaloosa County Mixed-Use
Current Zoning: Okaloosa County Mixed-Use
Current Land Use: Vacant

The following table provides the surrounding land use designations, zoning districts, and existing uses.

Direction	FLU	Zoning	Existing Use
North	Public Lands	Public Lands	Church
East	County LDR	County R-1	Residential
South	Commercial	Commercial (C-1)	Commercial
West	Public Lands	Public Lands	Church

The subject property is currently vacant, and a development application has not been submitted. Based on the requested land-use and zoning designations, the property will be developed as a commercial business.

Staff has reviewed the application based on the criteria detailed in Florida statute 171.043 for annexations and

finds the following:

- The property is contiguous to the city limits;
- The property is comprised of one (1) lot in unincorporated Okaloosa County, and is therefore considered compact;
- The annexation of the property would not create an enclave
- The subject property is not included in the boundary of another municipality; and,
- The subject property meets the definition of urban purposes.

Courtesy notices were mailed to property owners within 300 feet of the subject property on August 18, 2020. A letter was sent via certified mail to the Okaloosa Board of County Commissioners on August 18, 2020. The property was posted on August 25, 2020. An advertisement ran in the Crestview News Bulletin on August 26, 2020.

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.

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.

Community Culture – Develop a specific identity for Crestview.

FINANCIAL IMPACT

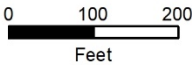
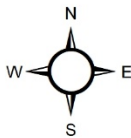
The fees for annexation have been waived for this application as it was received during the moratorium on annexation fees. The cost of advertising was \$202.86.

The successful annexation of this property will have positive future impacts, including ad valorem revenue based on future taxable assessed value, development and building permit fees, and utility usage fees.

RECOMMENDED ACTION

Staff respectfully requests a recommendation to the City Council to adopt Ordinance 1786 on first and second reading.

Subject Parcel
Aerial Exhibit



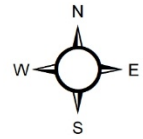
Legend

- 32-4N-23-0000-0020-0010
- City Limits



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

Subject Parcel Existing Use



0 100 200
Feet

Legend

- Subject Parcel
- City Limits
- CHURCHES
- COMMUNITY
- MUNICIPAL
- PUBLIC SCH
- SINGLE FAM
- SUPERMARKE
- VACANT
- VACANT COM

3 Acres

FRIENDSHIP LN

OLD BETHEL RD

N FERDON BLVD

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: 1786

AN ORDINANCE ANNEXING TO THE CITY OF CRESTVIEW, FLORIDA, ± 3.00 ACRES OF CONTIGUOUS LANDS LOCATED IN SECTION 32, TOWNSHIP 4 NORTH, RANGE 23 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:

PIN # 32-4N-23-0000-0020-0010 (Deed recorded in Book 3471, page 2253, dated June 22, 2020)

THE EASTERLY 3.3 ACRES OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 32, RUN NORTH 00 DEGREES 32 MINUTES 05 SECONDS EAST ALONG THE EASTERLY SECTION LINE, 641.88 FEET; THENCE NORTH 89 DEGREES 20 MINUTES 47 SECONDS WEST ALONG THE NORTHERLY LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, 220.00 FEET; THENCE SOUTH 00 DEGREES 32 MINUTES 05 SECONDS WEST, 642.35 FEET TO THE SOUTHERLY LINE OF SAID SECTION 32; THENCE SOUTH 89 DEGREES 28 MINUTES 08 SECONDS EAST ALONG SAID SOUTH SECTION LINE, 220.00 FEET TO THE POINT OF BEGINNING. THE SOUTHERLY 50 FEET BEING SUBJECT TO ROAD RIGHT OF WAY.

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 Commercial with Commercial (C-1) 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 immediately upon its adoption.

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

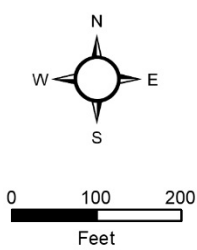
ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN
Mayor

Subject Parcel
Aerial Exhibit



Legend

- City Limits
- Subject Parcel



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



Staff Report

PLANNING AND DEVELOPMENT BOARD

MEETING DATE: September 8, 2020

TYPE OF AGENDA ITEM: Ordinance

TO: Planning and Development Board
CC: City Manager and City Attorney
FROM: Community Development Services
DATE: 8/31/2020
SUBJECT: Ordinance 1787 - Old Bethel Rd. Comp Plan Amendment

BACKGROUND:

On August 13, 2020 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at 6276 Old Bethel Road.

The application requests the Commercial future land use designation for the property.

The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Mixed-Use and Mixed-Use, respectively.

The request for a comprehensive plan amendment will be presented to City Council via Ordinance 1787 on September 28, 2020 for the first reading.

DISCUSSION:

The property description is as follows:

Property Owner: Kakela H P LLC
Parcel ID: 32-4N-23-0000-0020-0010
Site Size: 3.00 acres
Current FLU: Okaloosa County Mixed-Use
Current Zoning: Okaloosa County Mixed-Use
Current Land Use: Vacant

The following table provides the surrounding land use designations, zoning districts, and existing uses.

Direction	FLU	Zoning	Existing Use
North	Public Lands	Public Lands	Church
East	County LDR	County R-1	Residential
South	Commercial	Commercial (C-1)	Commercial
West	Public Lands	Public Lands	Church

The subject property is currently vacant, and a development application has not been submitted. Based on the requested land-use and zoning designations, the property will be developed as a commercial business.

Staff reviewed the request for a comprehensive plan amendment and finds the following:

- The proposed future land use map designation of Commercial is compatible with the surrounding area.
- The proposed future land use map designation of Commercial is consistent with the city's comprehensive plan and land development code.
- The process for adoption of the future land use map amendment follows all requirements of Florida statute sections 163.3184 (3) and (5).
- The proposed amendment involves less than 10 acres.
- The proposed amendment does not involve a text change to goals, policies, and objectives of the comprehensive plan. It only proposes a land use change to the future land use map for a site-specific small-scale development.
- The subject property is not located within an area of critical state concern.

Courtesy notices were mailed to property owners within 300 feet of the subject property on August 18, 2020. The property was posted on August 25, 2020. An advertisement ran in the Crestview News Bulletin on August 26, 2020.

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.

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.

Community Culture – Develop a specific identity for Crestview.

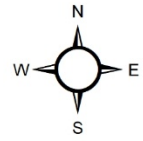
FINANCIAL IMPACT

The fees for the comprehensive plan amendment have been waived for this application as it was received during the moratorium on annexation fees. There is no additional cost of advertising as the comprehensive plan amendment request was included in the advertisement for annexation.

RECOMMENDED ACTION

Staff respectfully requests a recommendation to the City Council to adopt Ordinance 1787 on first and second reading.

Subject Parcel Current FLU



0 100 200
Feet

Legend

32-4N-23-0000-0020-0010

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

County
Mixed Use

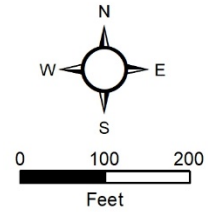
FRIENDSHIP LN

OLD BETHEL RD

N FERDON BLVD

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

Proposed Future Land Use



Legend

32-4N-23-0000-0020-0010

Proposed City Limits

City Future Land Use

Commercial (C)

Mixed Use Residential
Commercial (MX-RC)

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

3+/- acres of land
Ex FLU = County Mixed Use
Prop FLU = Commercial (C-1)

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: 1787

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 OKALOOSA COUNTY MIXED-USE TO COMMERCIAL ON APPROXIMATELY 3.00 ACRES, MORE OR LESS, IN SECTION 32, TOWNSHIP 4 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 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 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 development and discourage urban sprawl; and
- B. 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
- C. A public hearing has been conducted by the City Council after "due public notice"; and
- D. This amendment involves changing the future land use designation from Okaloosa County Mixed-Use to Commercial on a parcel of land containing 3.00 acres, more or less, lying within the corporate limits of the City; and
- E. 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 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 a parcel containing approximately 3.00 acres of land, more or less, from Okaloosa County Mixed-Use to Commercial. For the purposes of this Ordinance and Comprehensive Plan Amendment, the 3.00 acres, more or less, is known as Parcel 32-4N-23-0000-0020-0010 and commonly described as:

A PARCEL OF LAND ("the LAND") LOCATED IN SECTION 32, TOWNSHIP 4 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EASTERLY 3.3 ACRES OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 32, RUN NORTH 00 DEGREES 32 MINUTES 05 SECONDS EAST ALONG THE EASTERLY SECTION LINE, 641.88 FEET; THENCE NORTH 89 DEGREES 20 MINUTES 47 SECONDS WEST ALONG THE NORTHERLY LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, 220.00 FEET; THENCE SOUTH 00 DEGREES 32 MINUTES 05 SECONDS WEST, 642.35 FEET TO THE SOUTHERLY LINE OF SAID SECTION 32; THENCE SOUTH 89 DEGREES 28 MINUTES 08 SECONDS EAST ALONG SAID SOUTH SECTION LINE, 220.00 FEET TO THE POINT OF BEGINNING. THE SOUTHERLY 50 FEET BEING SUBJECT TO ROAD RIGHT OF WAY.

The Commercial Future Land Use Category is hereby imposed on Parcel 32-4N-23-0000-0020-0010. Exhibit A, which is attached hereto and made a part hereof by reference, graphically depicts the revisions to the Future Land Use Map and shows Parcel 32-4N-23-0000-0020-0010 thereon.

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

SECTION 6 – 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 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 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

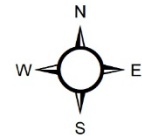
City Clerk

APPROVED BY ME THIS _____ **DAY OF** _____, 2020.

J. B. WHITTEN

Mayor

Adopted Future Land Use



0 100 200
Feet

Legend

32-4N-23-0000-0020-0010

City Limits

City Future Land Use

- Commercial (C)
- Mixed Use Residential Commercial (MX-RC)
- 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

3+/- acres of land
Ex FLU = County Mixed Use
Adopted FLU = Commercial (C)

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



Staff Report

PLANNING AND DEVELOPMENT BOARD

MEETING DATE: September 8, 2020

TYPE OF AGENDA ITEM: Ordinance

TO: Planning and Development Board
CC: City Manager and City Attorney
FROM: Community Development Services
DATE: 8/31/2020
SUBJECT: Ordinance 1788 - Old Bethel Rd. Rezoning

BACKGROUND:

On August 13, 2020 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at 6276 Old Bethel Road.

The application requests the Commercial (C-1) zoning designation for the property.

The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Mixed-Use and Mixed-Use, respectively.

The request for rezoning will be presented to City Council via Ordinance 1788 on September 28, 2020 for the first reading.

DISCUSSION:

The property description is as follows:

Property Owner: Kakela H P LLC
Parcel ID: 32-4N-23-0000-0020-0010
Site Size: 3.00 acres
Current FLU: Okaloosa County Mixed-Use
Current Zoning: Okaloosa County Mixed-Use
Current Land Use: Vacant

The following table provides the surrounding land use designations, zoning districts, and existing uses.

Direction	FLU	Zoning	Existing Use
North	Public Lands	Public Lands	Church
East	County LDR	County R-1	Residential
South	Commercial	Commercial (C-1)	Commercial
West	Public Lands	Public Lands	Church

The subject property is currently vacant, and a development application has not been submitted. Based on the requested land-use and zoning designations, the property will be developed as a commercial business.

Staff reviewed the request for rezoning and finds the following:

- The proposed zoning is consistent with the proposed future land use designation.
- The uses within the requested zoning district are compatible with uses in the adjacent zoning districts.
- The requested use is not substantially more or less intense than allowable development on adjacent parcels.

Courtesy notices were mailed to property owners within 300 feet of the subject property on August 18, 2020. The property was posted on August 25, 2020. An advertisement ran in the Crestview News Bulletin on August 26, 2020.

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.

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.

Community Culture – Develop a specific identity for Crestview.

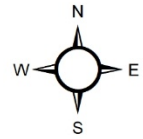
FINANCIAL IMPACT

The fees for the rezoning request have been waived for this application as it was received during the moratorium on annexation fees. There is no additional cost of advertising as the rezoning request was included in the advertisement for annexation.

RECOMMENDED ACTION

Staff respectfully requests a recommendation to the City Council to adopt Ordinance 1788 on first and second reading.

Subject Parcel Current Zoning



0 100 200
Feet

Legend

 32-4N-23-0000-0020-0010

 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

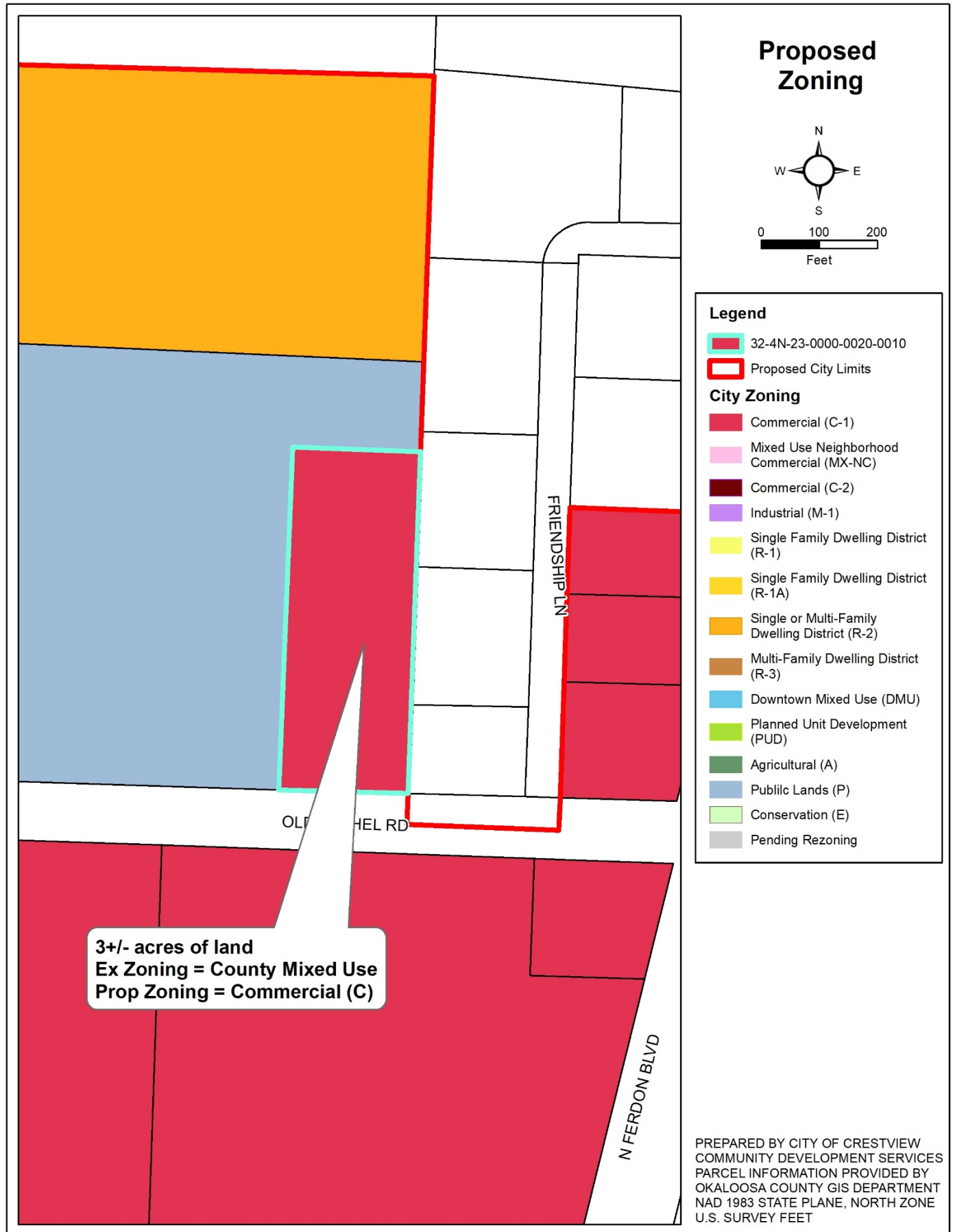
County
Mixed Use

FRIENDSHIP LN

OLD BETHEL RD

N FERDON BLVD

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: 1788

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE REZONING OF 3.00 ACRES, MORE OR LESS, OF REAL PROPERTY, LOCATED IN SECTION 32, TOWNSHIP 4 NORTH, RANGE 23 WEST, FROM THE OKALOOSA COUNTY MIXED-USE ZONING DISTRICT TO THE COMMERCIAL (C-1) ZONING DISTRICT; 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 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 Section 166.041, Florida Statutes and Chapter 102, City Code.

SECTION 2 – PROPERTY REZONED. The following described 3.00 acres, more or less, of real property lying within the corporate limits of Crestview, Florida, with 3.00 acres, more or less, being formerly zoned Okaloosa County Mixed Use with the Commercial Future Land Use Map designation recently ratified by the City Council through adoption of Ordinance 1787, is hereby rezoned to Commercial (C-1) to wit:

PIN # 32-4N-23-0000-0020-0010

A PARCEL OF LAND ("the LAND") LOCATED IN SECTION 32, TOWNSHIP 4 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EASTERLY 3.3 ACRES OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 32, RUN NORTH 00 DEGREES 32 MINUTES 05 SECONDS EAST ALONG THE EASTERLY SECTION LINE, 641.88 FEET; THENCE NORTH 89 DEGREES 20 MINUTES 47 SECONDS WEST ALONG THE NORTHERLY LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, 220.00 FEET; THENCE SOUTH 00 DEGREES 32 MINUTES 05 SECONDS WEST, 642.35 FEET TO THE SOUTHERLY LINE OF SAID SECTION 32; THENCE SOUTH 89 DEGREES 28 MINUTES 08 SECONDS EAST ALONG SAID SOUTH SECTION LINE, 220.00 FEET TO THE POINT OF BEGINNING. THE SOUTHERLY 50 FEET BEING SUBJECT TO ROAD RIGHT OF WAY.

SECTION 3 – MAP UPDATE. The Crestview Zoning Map, current edition, is hereby amended to reflect the above changes concurrent with passage of this ordinance, which is attached hereto.

SECTION 4 – 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 5 – 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 6 – 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 7 – 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 8 – EFFECTIVE DATE. The effective date of this Ordinance shall be the date Comprehensive Plan Amendment is adopted by Ordinance # 1787 and becomes legally effective.

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

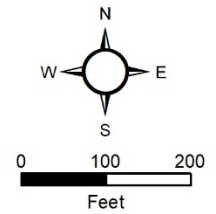
ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN
Mayor

Adopted Zoning



Legend

- 32-4N-23-0000-0020-0010
- City Limits

City Zoning

- Commercial (C-1)
- Mixed Use Neighborhood Commercial (MX-NC)
- 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

3+/- acres of land
Ex Zoning = County Mixed Use
Adopted Zoning = Commercial (C-1)

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



Staff Report

CITY COUNCIL MEETING DATE: September 8, 2020

TYPE OF AGENDA ITEM: Presentation

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Trae Duley, Planning Administrator
DATE: 8/31/2020
SUBJECT: Florida Competitive Community - Economic Development Plan

BACKGROUND:

Staff recognized the need for a definitive economic development goal and that approaching economic development proactively rather than reactionary has shown to produce greater results in the long term.

In July of 2019, the City of Crestview was awarded a Competitive Florida Partnership grant through the Office of Community Partnerships at the Florida Department of Economic Opportunity. The grant program was developed by the Florida Department of Economic Opportunity to guide municipalities in creating an Economic Development Plan.

DISCUSSION:

As staff proceeded with the instructions and guidance provided by the Florida Department of Economic Opportunity to produce the plan, it became clear that this was less about the final document and more about the tremendous amount of work and effort that was identified by this plan.

Attached is the Economic Development and Disaster Resiliency plan.

The plan walks through a short discussion on how Crestview came to be. It then looks at how the city has grown over the years and continues to grow.

A quick snapshot of where the City is at the moment is also provided. The plan further includes a review of the strengths, weaknesses, opportunities and threats (S.W.O.T.) analysis.

With all of that information compiled a set of goals was then developed. The goals are specifically geared towards a concerted and direct effort to both acknowledge the economic state of the City and begin to set the foundation for a solid sustainable economic future.

The goals listed below will need support throughout the City, from leadership and staff, and from the Community.

It is only by working towards these goals as a team that anything will be accomplished.

ECONOMIC DEVELOPMENT GOALS

<i>Short term</i>	<i>Long term</i>
• Timelines and Targets ○ Set a reasonable timeline and achievable targets for all goals • Economic Development Focus Groups ○ Develop focus groups for specific tasks: ○ Branding ○ Marketing ○ Economic Targets • Communication ○ between staff ○ from staff to businesses ○ businesses to opportunities ○ from the City to the Public • Data ○ Gathering ○ Presentation ○ Assessments • Review Processes ○ Such as BTRs ○ Project approval process ○ Code Compliance • Review regulations ○ Land Development Code ○ Comprehensive Plan • Review interactions in each department • Support sustainability? • Does this action support businesses? • Improve the business? • Encourage growth? • Consider long term effects of decisions made and interactions	• Partnerships ○ Chamber of Commerce ○ Economic Development Council • Community Involvement ○ Use of Focus groups to identify best solutions for Community Involvement ○ Local Associations ▪ CRA ▪ Main Street Crestview ▪ Citizens Advisory Council ▪ Transportation Task Force ▪ Professional associations • Education ○ Staff perspective change to include economic impact of decisions made ○ Public perspective on what to expect from the City ○ Learn new ways to encourage economic growth • Retention • Retain businesses that are beneficial • Retain talent

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

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

This action item will have no direct impact on the current budget.

RECOMMENDED ACTION

This is not an action item for this board.

Attachments

1. Economic Development and Disaster Resiliency Plan

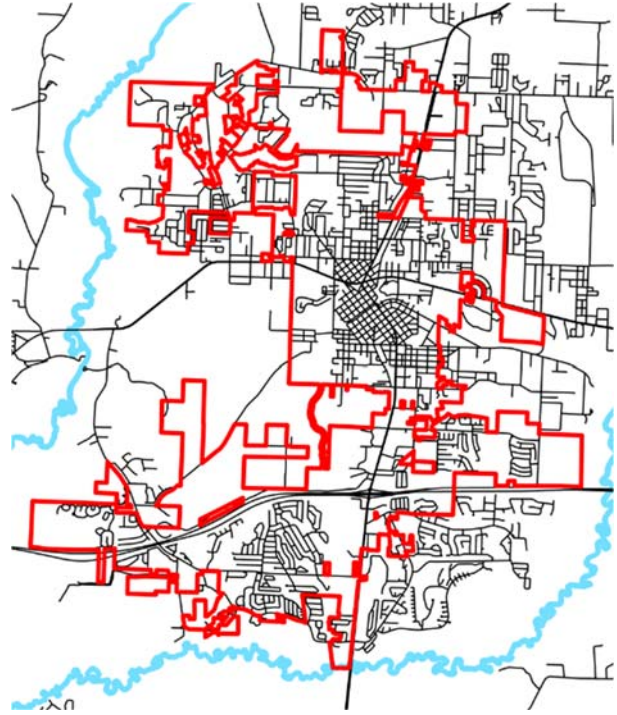
Economic Development & Disaster Resiliency

Planning for the future



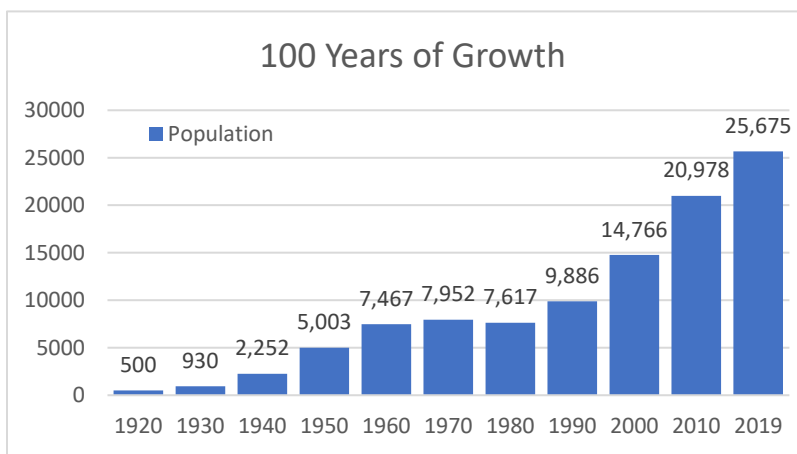
Introduction

In 1916 a small town was founded in Okaloosa County, Florida. The 1920 census counted 500 people in Crestview. Since then there has been an almost consistent growth in population due in large part to the proximity to the fledgling Eglin Air Force Base. As the base grew over the years, so did Crestview. Continued and increasing growth has been the norm for the City of Crestview for the past several years. With growth, comes change. Being prepared for change is not always simple, nor easy. In 2018, the citizens of the City of Crestview voted to transition the form of government from the antiquated method of only a council and mayor, to create the position of a City Manager. An entire new realm of possibilities opened with this single but immensely momentous change.



Under the leadership of the new City Manager, the City of Crestview entered into a partnership with the State of Florida Department of Economic Opportunity to create an Economic Development and Disaster Resiliency Plan under the Competitive Florida Partnership Grant Program.

As a part of this report, we will begin to analyze what defines and characterizes our City, who we are, what are our strengths and weaknesses, examine some of our assets, look towards our goals, and examine where we want to go and how do we get there. While there will be no definitive grand answer, utilizing a holistic approach, we can determine some best practices and set goals moving



forward to achieve the sustainable economic development that will ensure a stable future for the citizens of Crestview, making Crestview a more competitive city. The DEO supplied a very comprehensive list of 15 points that we will use to work towards developing the plan to enable Crestview to become a more competitive city and in

15 ways to make Crestview a more Competitive City:

- A. *Take a Whole Community Approach to Planning and Implementation.*
- B. *Work to Retain Current Businesses and Support their Expansion.*
- C. *Attract New Businesses and Industries.*
- D. *Build Human Capacity and Develop the Workforce.*
- E. *Encourage Innovation and Entrepreneurship.*
- F. *Create and Preserve Sense of Place and Important Resources.*
- G. *Build Community Leadership.*
- H. *Improve Resiliency to Disasters.*
- I. *Provide Quality Education.*
- J. *Support Neighborhood District Revitalization.*
- K. *Encourage Commercial District Revitalization.*
- L. *Increase the Availability of Affordable Housing for the Workforce.*
- M. *Provide and Promote Recreational Opportunities.*
- N. *Ensure the Availability of Quality Healthcare Facilities.*
- O. *Promote Sustainable Building and Economic Development Practices.*

developing a vision and strategy for economic development. This report will analyze those points. Together these points take a comprehensive approach, looking at as many aspects of what makes the economy in a city function.

Who are we?

By the numbers, our city according to the Economic Development Council of Okaloosa County, had a population of 24,467 at the time of their report. The University of Florida's most recent estimate has our population at 25,675 as of April 2019. When considering the surrounding areas, the numbers jump considerably. When you add the population within one mile of the City limits the number rises to 39,244. When you reach the 5-mile

range, that number explodes to 54,144. We are an even split between males and females (49.55% vs 50.45%). The largest distribution of age is between 30 and 39 at 4180 people. Almost 37% have an associate degree or higher. This shows a large, and well educated, work force is available. (Economic Development Council of Okaloosa County, n.d.) (Richard L. Doty, 2019)

Something interesting is shown when you take a moment and look at the average age in Crestview. The average age in the state of Florida is 46. The average age in Okaloosa County is lower at 36. Crestview is younger with an average age of 32. This when taken in context with the education of the population translates into a great workforce that will be around for many years to come. The potential to businesses for a young, well educated, workforce is significant in our area.

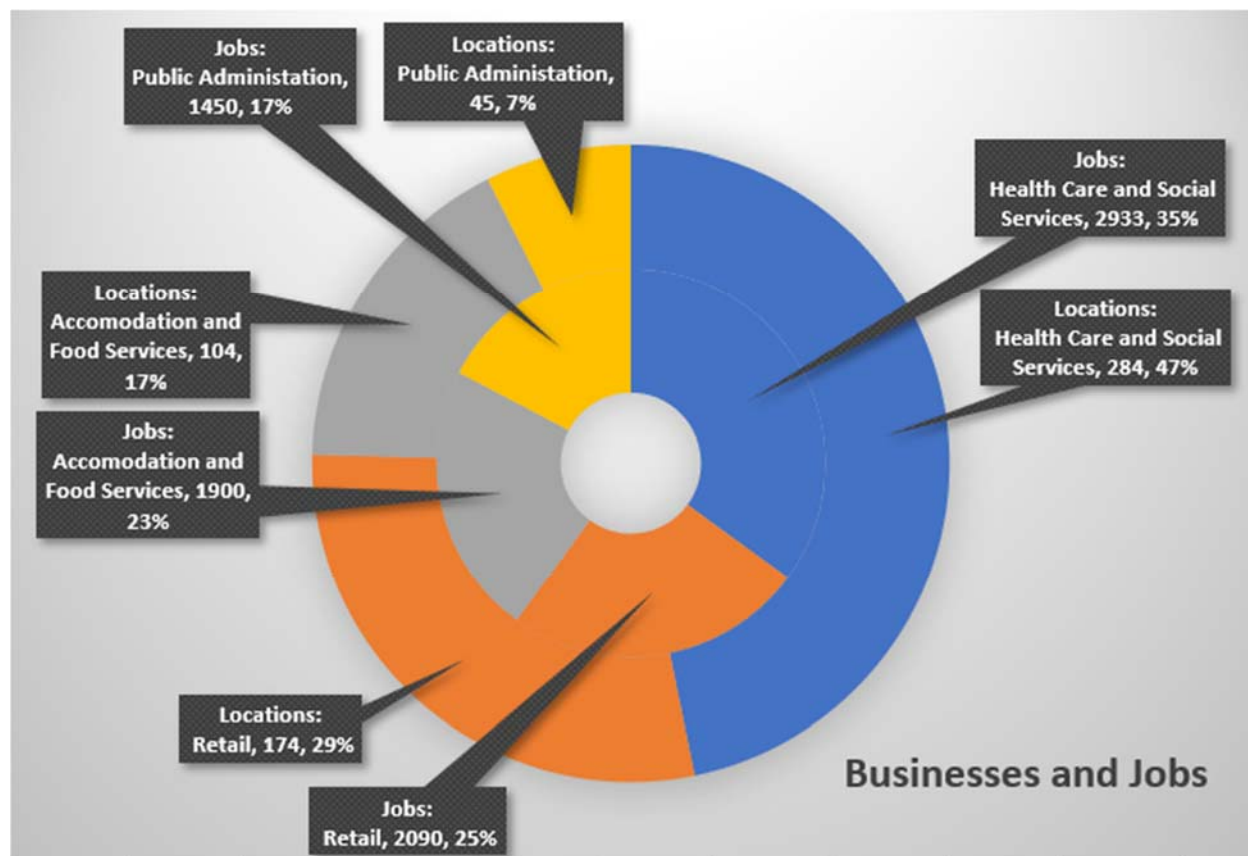
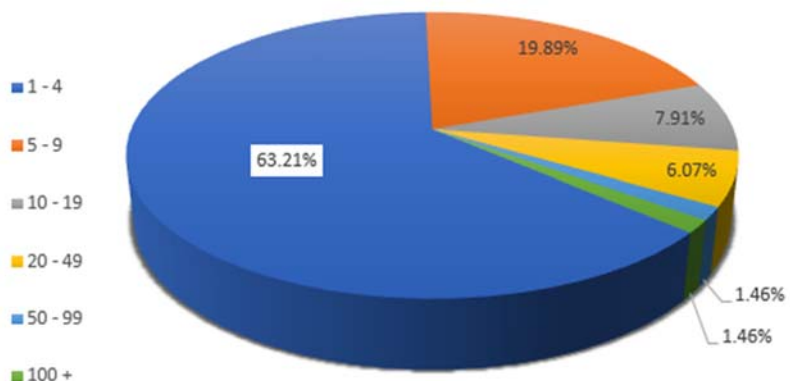
Our current number of businesses is over 1300. The health care and retail industries are the largest employers, accounting for almost 5000 jobs. What is interesting in the statistics is we find that over 63% of businesses employ 1 to 4 employees. Crestview is home to a considerable number of small businesses.

However, the largest employer in the area is Eglin Air Force Base. This is the world's largest Air Force base at 724 square miles of land range. The economic impact of this base and Hulburt Field are tremendous for Okaloosa County. Together, these two bases account for 72.2% of the local economy. The military presence is tied directly to

78,757 jobs and \$9.4 billion in economic impact. (Florida, January 2020) The effect is twofold: this supplies high paying and stable jobs, and it brings highly educated workers.

As a result, Crestview is best described as a melting pot of diverse backgrounds. We have those that love the country setting with woods and animals, a slower pace of life. We also have those that enjoy the faster pace with technology and travel and seeking unique experiences and activities. Our range of employment shows this. This diversity of backgrounds, personalities, and desires can be at times hard to support. However, properly tied together with a holistic approach this broad spectrum can be an asset in creating a robust and comprehensive economy. The wide range of

How many employees do businesses have?



businesses and opportunities for employment is conducive to a longer lasting and more stable economy.

Special consideration is noted here to the Okaloosa County Economic Development Council for the numerous statistics listed above found on their website www.okaloosasites.com. A wealth of information is available through this valuable community resource.

What do we aspire to be?

One of the first efforts the new City Manager guided was to complete a Strategic Plan for the city. This broad plan thoroughly examined many aspects of the city and its citizens. This involved staff, elected officials, and the public in progressing through a S.W.O.T. analysis. The S.W.O.T. analysis is a common effort towards foundational improvement that businesses will work through, the acronym being Strengths and Weaknesses, Opportunities and Threats. This effort paid off with a strategy and vision for the city. Coincidentally, it also had the effect of drawing everyone together as a team. It was determined that the city wants “to be known as a forward thinking, hospitable, and growing community that embraces diversity with a family-centric culture.” The report generated from the analysis went on to identify goals essential for Crestview to meet that standard. A strategic plan was also formulated with a view towards the stated vision for the city. A part of the report also spent some time examining the character of the city, both from a perspective of what needed to be removed or changed and what was already in place and needed nurturing. Ultimately, a hometown atmosphere is what is desired most. A place that is safe for the citizens to enjoy themselves as they engage in various entertainment activities and a place that encourages economic and educational opportunities.

Defining our economy

Anyone in business is familiar with the term P&L. Traditionally the metric for determining the success of a business has always been the Profit and Loss statement. Interestingly, there are now more ideas being considered that change that traditional viewpoint. Sustainability is the buzzword in environmental circles, and it is reaching the economics world as well. Some economists are researching ways to encompass *sustainability* into economic development plans. Given that Crestview is experiencing significant growth, this sustainable economy could be invaluable to the longevity of any plan developed.

Definitions of our economy:

- *Sustainable*
- *Broad*
- *Resilient*
- *Locally based*
- *Cultivate small businesses*
- *Reach out*
- *Competitive*

As we have seen, our current county wide economy is heavily supported by Eglin Air Force Base. This supplies a great support for a *broad* economy as those jobs will range widely in scope and skill level. Conversely, a substantial number of businesses within the city are currently *local* small businesses. Some research postulates that *small businesses* are often the most important part of a

healthy economy for a variety of reasons. (Vasquez, 2017) While an economy does and should *reach out* to gain capital support from sources outside the community, supporting locally based businesses provides several aspects that contribute to the overall health of the local economy. Reaching out to investors and developers from outside the local community provides additional resources, ideas, and capabilities that may not yet be available. It also provides a way to increase the visibility of the local economy to a regional audience.

What about being competitive and resilient? That is where work is needed. As recent events have shown, external issues can and do have a significant impact on our local economy. Identifying those issues is necessary prior to determining potential solutions.

What do we do?

We have discussed several aspects of our local area. We have reviewed the demographics, looked at statistics for employment and businesses. We have briefly touched on our assets that provide the economic drive. We have also examined what kind of community we have and who we want to be. In addition, we looked at what defines our economy and what factors are missing. We need a complete ‘big picture’ of the status of our economy. This is the beginning of a ‘whole community approach’. Cultivating an economic development plan will require both long-term and short-term goals.

Short Term Goals

The folks that are closest to the issues encountered in business development and growth are obviously the business owners in the community. Therefore, reaching out to the businesses and obtaining their input is critical. Utilizing technology in the form of websites, social media, and other methods could prove efficient in gathering pertinent demographic and empirical data. Focus groups can be created to allow for discussions of specific issues, identifying short term goals from their perspective. City staff involvement could range in scope from simply facilitating the focus groups, to working with them and other agencies with the goal of collecting resources necessary for improvement efforts. Short term goals provide a basis for initial efforts.

Planning and Zoning staff is currently working on making tremendous strides at a short-term goal of modernizing and updating the regulations and procedures that govern the review processes for a wide variety of common business activities. This effort includes small efforts like updating review forms. It also encompasses the significant undertakings of rewriting the Land Development Code and the Comprehensive Plan. These two documents are well known to developers and often create numerous unnecessary burdens to development. These efforts are currently well under way.

It is true that perspective and training have a profound impact on decisions made. As a result, it would be beneficial to review with staff how entrepreneurial efforts in the business community affect the city as a whole. Staff should take a moment and review how their day to day activities relate to businesses and determine if those activities are conducive to business growth and expansion or if some adjustments could be made. As noted above, the Planning and Zoning staff has been diligently reviewing the permit review processes. In some cases, permit applications have

been reduced in page count by over 50%, drastically changing the time it would take for the business to complete the application and staff review time. The time it takes to move a project through the review process has gone from a count measured in months, sometimes over 6 months, down to, at times, a period measured in weeks. Imagine the significance of this to a developer with interest payments and market timing considerations! A recent example centers around the viewpoint of small food trucks. Some cities do not allow them for a variety of reasons. One such small food truck was allowed to be placed on a parcel within the city a few years ago. That business soon outgrew their small food truck and moved into a commercial retail space for several years. They are now at a point where they are working towards building a standalone restaurant due to their continued success. This is a success story the city needs more of. Staff should consider the long term affects of the decisions made.

The Code Compliance division is not often considered when it comes to economic development until someone has a complaint. However, this division has begun the task of making modifications to their processes and regulations. Staff in that division is working to adopt a new Property Maintenance and Housing Standards ordinance that is intended to foster the community's vision of quality of life and a sustainable community and promote social equity in the interest of the health, safety and welfare of the public. The proposed amendment eliminates outdated procedures, provides transparency, and provides requirements not currently being addressed in an enforceable ordinance.

The Big Apple. The Mile-High City. Music City. For most folks, those simple statements automatically evoke thoughts of New York, Denver, and Nashville. Branding is absolutely a critical element in putting a city on a bigger platform. Recall that an element to a resilient and robust economy is reaching out. Nothing accomplishes that better than branding. Crestview has long been known as the Hub City. Yet there have been various logos and statements with that brand. A more concerted effort should be placed on developing that Hub City brand much further in a way that will be more effective at making Crestview, the Hub City, much more memorable and well known.

Together with the branding is marketing. Putting together an online presence either through social media or websites is a common way of getting information to the public that need it. However, there are also opportunities for taking the brand and logo of the city outside the region to other places. Professional development organizations and trade shows are one place where the networking with other businesses and marketing all that our area has to offer could start. Partnerships with specialized agencies like the Chamber of Commerce and the Economic Development Council would be invaluable at relaying the message of our vision to potential outside interests. More efforts at reaching out and raising our hand in invitation to the industries and businesses our citizens need and want is an integral part to developing a robust economy.

One short term goal that is more of an activity than a goal is taking a look at what we have. What businesses do we currently have, what restaurants are here? As a part of this report, we spent some time and created two small maps that are attached to this report. One of the maps is a list and location of everywhere in the city that serves food. One of the most common complaints we here is that there is nowhere to eat in town. It surprised even us to realize there are 91 different places

to eat in this small town. Staff put together another map to show other major points of interest throughout the city. More effort needs to be spent on preparing this data in a format and platform to provide this information to the public. This would also be beneficial to other businesses interesting in expanding and see that our area does have a lot to offer.

Long Term Goals

Now that we have in hand what we should immediately address to reach the economic goals we have set, what can we look to accomplish in the long term? Long terms goals are meant to be accomplished over time. The result of these goals should be to continue to encourage economic growth and entrepreneurial opportunities. One of the first and foremost long-term goals is consistent with some of the short-term goals of obtaining community involvement and input. Whether by social media platforms, websites, or some manner of focus group, a concerted effort should be made to provide a long-term foundation for communication with the business community and citizens in general. It is important to ensure the partnerships with such outside organizations as the Chamber of Commerce and Economic Development Council.

A part of that communication should involve education. Education both for staff and for the public. There are data points and issues that staff could gather to facilitate the proper response from the city to the businesses. Conversely, educating the business owners as to what opportunities are available to them and what resources are provided to them can make a difference in the success of their business. Again, this is something that can be accomplished with the platforms used for marketing and communication.

Looking back at our demographics, we see that our population is young; much younger than the average age at the state level. A potential detrimental aspect that should be addressed is known as ‘brain drain’. This is the term given to the scenario where the younger work force leaves an area, taking their talents and skills with them, to another market. We have many industries and businesses in the area that center around technology. This younger workforce is critical for the success of those businesses. Efforts should be made to reach out to this demographic and identify ways to encourage them to remain in the area, giving local businesses the necessary talent to be productive and grow.

Becoming resilient is always of benefit in business. From the perspective of a city government, it takes on a different meaning and tremendously different efforts. The city has an Emergency Operations Plan that is being written and put in place to cover such emergency events as natural disasters (including epidemics), and manmade disasters such as train derailments or significant aircraft accidents. A copy of that plan is attached. However, to provide resiliency for the economy we must reach further and identify prudent policies and programs that could be put into place in the event of significant loss of business. Recent events have proven that an epidemic does have a detrimental effect on business. During this epidemic, our city took steps under the leadership of the City Manager and created a grant program to assist affected businesses with needed funds to allow them to remain open. Creating a revolving loan fund, for example, that would be in place and available quickly for future events would be invaluable to the local businesses. Staff should

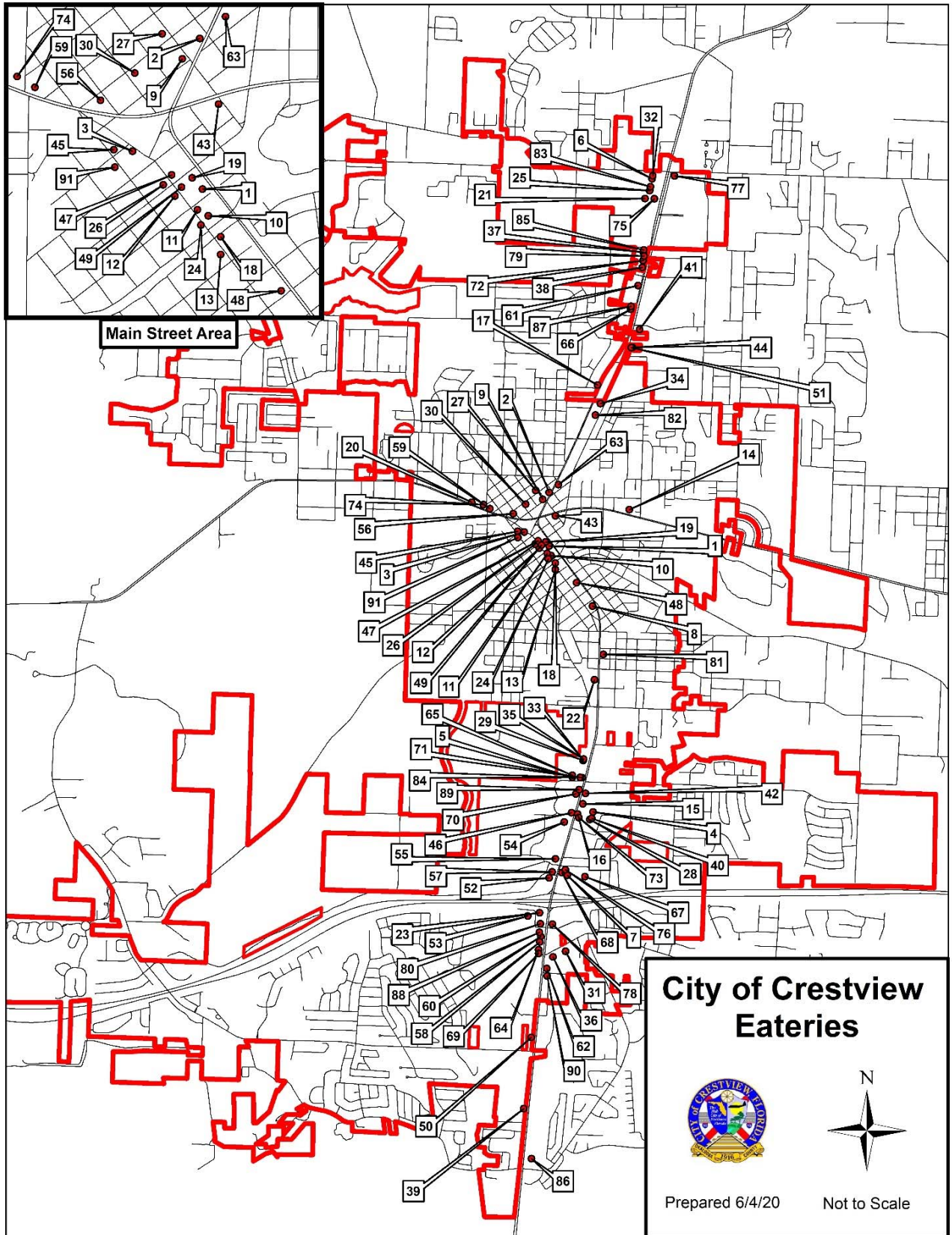
work with businesses and other agencies to determine what programs would be beneficial and how to best put them in place before any need for them arises.

Let's Begin.

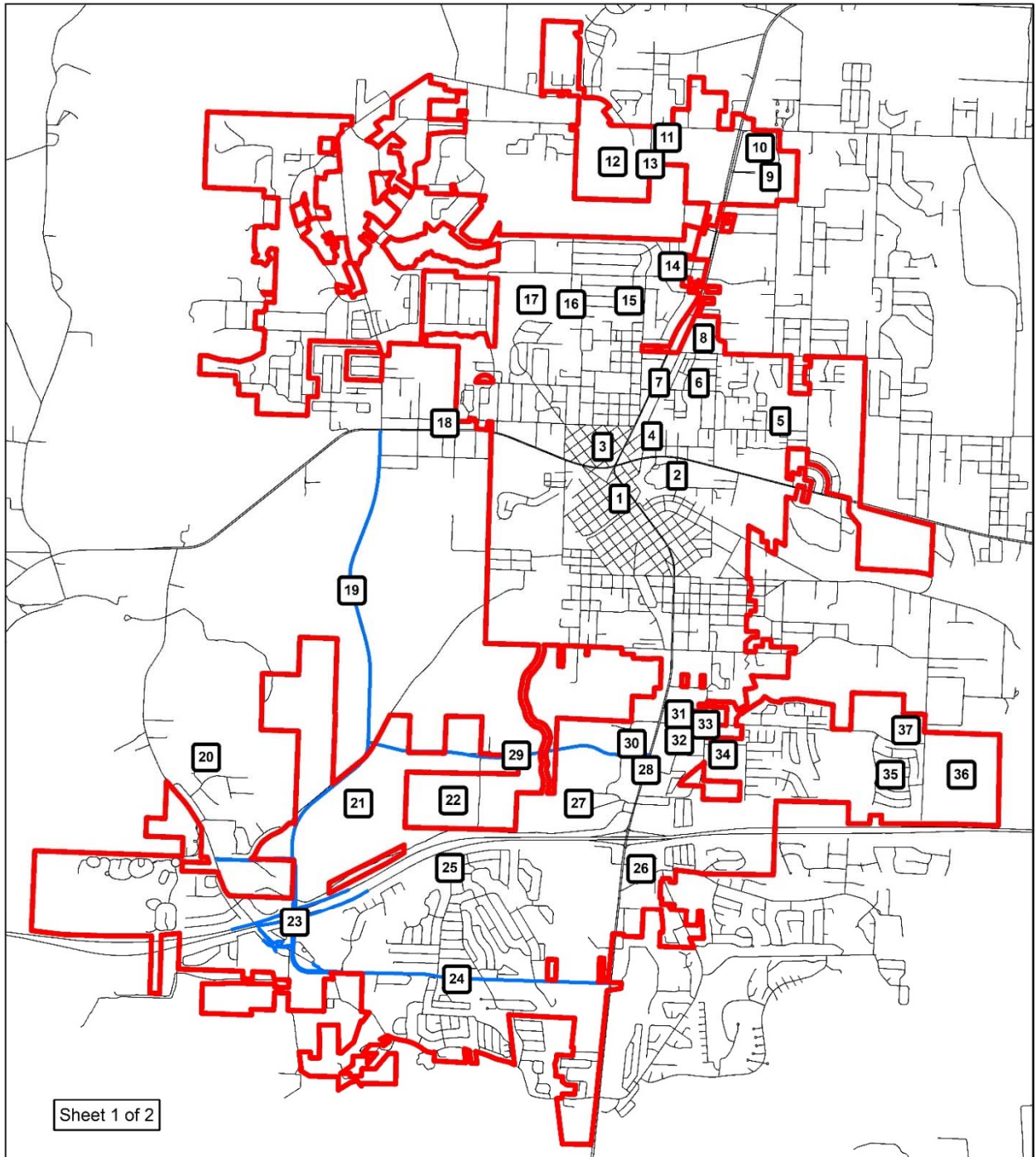
Now is the time for these efforts at developing a resilient and strong economy to begin. Staff should begin working on the short-term goals identified and set the foundation for long term efforts. Communication is key. This is between staff and leadership in the community and in partnerships with other agencies as the Chamber of Commerce and the Economic Development Council. A timeline should be prepared to challenge all partners to keep moving forward and keep working on the economy consistently. All of these parts to this puzzle together will make this a better city than it already is and lay a foundation for a tremendous future for everyone. So, let's begin.



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



1. Arirang Restaurant
2. Hot Kim Chi
3. You Sushi & Hibachi
4. Bamboo Sushi & Hibachi
5. China One
6. China Star
7. Hunan Chinese Restaurant
8. Jin Jin Chinese Restaurant
9. Lao-Thai Xpress, LLC
10. Thai Siam Cuisine
11. Desi's Downtown Restaurant
12. Tropical Palm Restaurant
13. Hub City Smokehouse & Grill
14. Pigstickers
15. VooDoo BBQ & Grill
16. Gyro Zone
17. Matthew's Real BBQ
18. Kay's Kurbside Café
19. Uncle Bill's Family Restaurant
20. Wayne's Catfish House
21. David's Catfish House
22. Emerald Isle Seafood
23. Juicy Crab House
24. Coney Island
25. Hot Dog Shoppe
26. Hideaway Pizza
27. Vitaliano's Pizza, Pasta & More
28. New York's Famous Pizza & Pasta
29. Marco's Pizza
30. Wild Olive
31. Samuel's Roadhouse
32. Pounder's Hawaiian Grill
33. McAlister's Deli
34. Azteca Mexican Restaurant
35. Pepper's Mexican Grill & Cantina
36. La Rumba Restaurant
37. Taco Town in Crestview
38. El Nopal
39. Crooked Tail Gastropub
40. Beef O'Brady's
41. Johnny O'Quigley's Ale House
42. Yardbirds
43. Wings of Fire
44. Wings on Wheels
45. Casbah Coffee Company
46. Starbucks
47. Back Home Bakery
48. Good Things Donuts
49. Tom's Main Street Ice Cream
50. Rainbow Snow Cone
51. Retro Sno
52. Applebee's Bar & Grill
53. Cracker Barrel Old Country Store
54. Panera Bread
55. Chick-fil-A
56. Burger King
57. Burger King
58. Whataburger
59. Waffle House
60. Waffle House
61. Waffle House
62. Zaxby's Chicken
63. KFC
64. Popeye's Louisiana Kitchen
65. Firehouse Subs
66. Subway
67. Subway
68. Jimmy John's
69. Arby's
70. Captain D's
71. Hot Head Burritos
72. Taco Bell
73. Taco Bell
74. McDonalds
75. McDonalds
76. McDonalds
77. Wendy's
78. Wendy's
79. Sonic Drive-In
80. Hardee's
81. Domino's Pizza
82. Pizza Hut
83. Papa John's
84. Hungry Howie's Pizza
85. Hungry Howie's Pizza
86. Little Caesar's Pizza
87. Little Caesar's Pizza
88. Tropical Smoothie Café
89. Dunkin Donuts
90. Panda Express
91. The Heights: Classic Chicago Cuisine



Not to Scale

City of Crestview Areas of Interest



Prepared 6/4/20

1. Main Street Historic Area
2. Twin Hills Park & Recreation Area
3. Additional Historic Area
4. Potential Industrial Development Site
5. Durrell Lee Park
6. City of Crestview Proposed Public Works Complex Site
7. Future Developable Commercial Area (Post Public Works Migration)
8. Old Spanish Trail Park
9. Library and Community Center
10. Publix, Surrounding Developable Commercial Area
11. Location of Proposed Ridgeway Landing Subdivision
12. Potential Residential Development Area
13. Potential Jones Road Extension Project
14. Shady Lane Retention Area
15. Gil Ava Stormwater Area
16. Potential Lloyd Street Extension Project
17. Potential Residential Development Area
18. Proposed Truck Stop Rest Area Site
19. Location of Proposed North-South Corridor
20. Foxwood Country Club, Future City owned Recreation Sports Complex
21. City Owned Sewer Treatment and Spray Fields
22. Future Developable Commercial Area
23. Location of Proposed I10 Interchange
24. Location of PJ Adams Widening Project
25. Northview Park and Disc Golf Course
26. Southcrest Site – Potential Commercial Development Area
27. Benchmark Group Site – Future Commercial Development Area
28. Location of Proposed New Traffic Signal
29. Location of Proposed East-West Connector
30. West Redstone Medical Offices
31. North Okaloosa Medical Center
32. Location of Proposed Roundabout
33. Proposed Skate Park Site
34. Redstone Commons Subdivision
35. Shoal River Landing Subdivision
36. Shoal River Middle School & Riverside Elementary

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City of Crestview



Emergency Operations Plan

2020

Promulgation Statement

JB Whitten
Mayor
City of Crestview

CITY OF CRESTVIEW EMERGENCY OPERATIONS PLAN PROMULGATION

The primary role of government is to provide for the welfare of its citizens. The welfare and safety of citizens is never more threatened than during disasters. The goal of emergency management is to ensure that mitigation, preparedness, response, and recovery actions exist so that public welfare and safety is preserved.

The City of Crestview Emergency Operations Plan provides a comprehensive framework for City of Crestview-wide emergency management. It addresses the roles and responsibilities of government organizations and provides a link to local, State, Federal, and private organizations and resources that may be activated to address disasters and emergencies within the City of Crestview, Florida.

The City of Crestview Emergency Operations Plan ensures consistency with current policy guidance and describes the interrelationship with other levels of government. The plan will continue to evolve, responding to lessons learned from actual disaster and emergency experiences, ongoing planning efforts, training and exercise activities, and Federal guidance.

Therefore, in recognition of the emergency management responsibilities of City of Crestview government and with the authority vested in me as the Chief Executive Officer of Crestview, Florida. I hereby promulgate the City of Crestview Emergency Operations Plan.

JB Whitten
Mayor, City of Crestview

Approval and Implementation

This plan supersedes any previous Emergency Operation Plans.

The transfer of management authority for actions during an incident should be done through the execution of a written delegation of authority from an agency to the incident commander. The delegation of authority is a part of the briefing package provided to an incoming incident management team. It should contain both the delegation of authority and specific limitations to that authority.

The City of Crestview Emergency Operations Plan delegates the Mayor's authority to specific individuals in the event that he or she is unavailable. The chain of succession in a major emergency or disaster is as follows:

1. City Manager
2. Fire Chief
3. Police Chief
4. Public Works Director

Date

JB Whitten
Mayor, City of Crestview

Signature Page

Tim Buldoc, City Manager
City of Crestview

JB Whitten, Mayor
City of Crestview

Anthony Holland, Fire Chief
City of Crestview

Stephen McCosker, Police Chief
City of Crestview

Brona D. Steel, Public Services Director
City of Crestview

Gina Toussaint, Finance Director
City of Crestview

Brian Hughes, Public Information Officer
City of Crestview

Cesar Damiani, Information Technology
City of Crestview

Barry Henderson, Development Services
City of Crestview

Betsy Roy, City Clerk
City of Crestview

Record of Changes

Change #	Date	Part Affected	Date Posted	Who Posted

Record of Distribution

Plan #	Office/Department	Representative	Signature
1			
2			
3			
4			
5			
6			
7			
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Plan

5

I. Purpose, Scope, Situation, and Assumptions

A. Purpose

It is the purpose of this Plan to define the actions and roles necessary to provide a coordinated response within City of Crestview, FL. This plan provides guidance to agencies within the City of Crestview with a general concept of potential emergency assignments before, during, and following emergency situations. It also provides for the systematic integration of emergency resources when activated and does not replace county or local emergency operations plans or procedures.

B. Scope

This plan applies to all participating departments and agencies of the jurisdictions contained within the geographical boundary of City of Crestview.

C. Situation Overview

1. Characteristics

a. Location and Geography

- The City of Crestview consists of an area of an area that encompasses 16.31 square miles and is 235 feet above sea level. Crestview is located in Okaloosa County, Florida. It is situated 20 miles North of Fort Walton Beach, FL and 20 miles South of the Alabama/Florida state line. The Shoal River borders the city to the South and East with the Yellow River bordering the West.

b. Climate

- Crestview's climate is humid subtropical. Average summer highs are 92°F with peaks in the low 100's. Average winter lows are in the 30's with the capability to occasionally reach in to the single digit range.

c. Education

- Crestview is home to seven (7) elementary schools, two (2) middle schools one (1) high school and two (2) college campuses.

d. Demographics

- The City of Crestview has a population of 23856 as of 2019. The average growth rate ranges from 1%-2% over the last five (5) years. Crestview is the 1,897th largest city in the United States. The population density is 1,463 per sq. mi which is 387% higher than the Florida average and 1479% higher than the national average.

e. Economic Base

- The City of Crestview is largely a bedroom community that supports two (2) major military installations. The community is predominantly comprised of residential homes, retail shopping and schools. Ad valorem taxes are the largest revenue producer, accounting for 39% of the operating budget. The remainder of the cities revenues are made up from the local option gas tax, utility service tax, communication service tax, half cent sales tax and other finds/fees for services.

f. Transportation Infrastructure

- Two major highways travel through the City of Crestview. U.S Route 90 heads East-West through the city. State Road 85 heads North-South, intersecting both U.S Route 90 and Interstate 10, which also runs East-West through Crestview.
- Bob Sikes Airport is located 3 miles North East of the city center.
- CSX railroad runs East-West through the center of Crestview.

2. Hazard Profile

a. Potential Hazards

The City of Crestview is subjected to the effects of many disasters, varying widely in type and magnitude from local communities to statewide in scope.

- Natural Disasters could be a result of a number of phenomena such as, hurricanes, tropical storms, floods, severe thunderstorms, high water, drought, severe winter weather, fires (including urban, grass, and forest fires), epidemics, severe heat, high winds or earthquakes.
- Manmade Disasters could be the result of a myriad of other disaster contingencies, such as train

derailments, aircraft accidents, transportation accidents involving chemicals and other hazardous materials, chemical, oil and other hazardous material spills, leaks or pollution problems, dumping of hazardous wastes, building or bridge collapses, utility service interruptions, energy shortages, civil disturbances or riots, terrorism, warfare, applicable criminal acts, or a combination of any of these.

D. Planning Assumptions

1. Effective prediction and warning systems have been established that make it possible to anticipate certain disaster situations, such severe weather events, that may occur throughout the jurisdiction or the general area beyond the jurisdiction's boundaries. Man made events and some natural events may not be predicted but sufficient pre-planning is in place to effectively react to and recover from such events.
2. It is assumed that any of the disaster contingencies could individually, or in combination, cause a grave emergency situation within the City of Crestview. It is also assumed that these contingencies will vary in scope and intensity, from an area in which the devastation is isolated and limited to one that is wide-ranging and extremely devastated. For this reason, planning efforts are made as general as possible so that great latitude is available in their application, considering they could occur in several locations simultaneously.
3. Initial actions to mitigate the effects of emergency situations or potential disaster conditions will be conducted as soon as possible by the local government.
4. Assistance to the affected jurisdictions(s) by response organizations from another jurisdiction(s) is expected to supplement the efforts of the affected jurisdiction(s) in an efficient, effective, and coordinated response when jurisdiction officials determine their own resources to be insufficient.
5. Federal and State disaster assistance, when provided, will supplement, not substitute for, relief provided by local jurisdictions.
6. It is the responsibility of officials under this plan to save lives, protect property, relieve human suffering, sustain survivors, repair essential facilities, restore services, and protect the environment.

7. When a jurisdiction receives a request to assist another jurisdiction, reasonable actions will be taken to provide the assistance as requested.

Concept of Operations

A. General

1. Communication is maintained between affected jurisdictions and area emergency management branch offices. Where the Okaloosa County EOC is activated, two (2) Fire Department, (2) Police Department (1) Public Services representative are placed within the Okaloosa County EOC to facilitate ongoing information exchange between the Okaloosa County EOC and City of Crestview EOC.
2. Where states of emergency are declared, the City of Crestview may request state assistance. All requests for State assistance should go through the local emergency management area coordinator within the Okaloosa County EOC and the appropriate emergency management branch manager to the State Emergency Operations Center (EOC).
3. When the State EOC is activated, Florida's State Emergency Operations Center (SEOC) becomes the office of primary responsibility for the State Emergency Response Team (SERT). The director of emergency management will normally serve as SERT leader.
4. The Okaloosa County EOC will serve as the clearinghouse for response and recovery operations and for deployment of resources within the counties, including cities within the counties.
5. Planning for recovery will be implemented at the same time local governments are taking the emergency response actions necessary to protect the public. Preparations will be made for rapid deployment of resources necessary to facilitate recovery.

B. Hazard Control and Assessment

1. Perceive the threat
2. Assess the hazard
3. Select control strategy
4. Control hazard
5. Monitor hazard

- C. Protective Action Selection
 - 1. Analyze the hazard
 - 2. Determine protective action
 - 3. Determine public warning
 - 4. Determine protective action implementation plan
- D. Public Warning
 - 1. Determine message content
 - 2. Select appropriate public warning system(s)
 - 3. Disseminate public warning
- E. Protective Action Implementation
 - 1. Monitor progress of protective action implementation
 - 2. Control access and isolate danger area
 - 3. Evacuation support
 - 4. Decontamination support
 - 5. Medical treatment
 - 6. Special population support
 - 7. Search and rescue
- F. Short-term Needs
 - 1. Shelter operations
 - 2. Unite families
 - 3. Continued medical treatment
 - 4. Increase security
 - 5. Stabilize the affected area

G. Long-term Needs

1. Re-entry
2. Recovery

II. Organization and Assignment of Responsibilities

A. General

Most departments/agencies of government have emergency functions in addition to their normal, day-to-day duties. These emergency functions usually parallel or complements normal functions. Each city department is responsible for **developing and maintaining its own emergency management procedures** that are maintained in their respective department emergency operations plan. (DEOP). Each DEOP is maintained as an appendix to the master City EOP and is inclusive to this overall EOP.

B. Organization & Assignment

1. Chief elected officials

a. Mayor

- a. Responsible for enacting the City EOP to ensure preparedness, response, mitigation and recovery actions exist so that public welfare and safety is preserved.
- b. Facilitates disaster declarations
- c. Facilitates evacuation orders
- d. Facilitates re-entry decisions

b. City Manager

- a. Reports to the City of Crestview EOC when activated.
- b. Assists with disaster declarations, evacuation orders and re-entry decisions.

c. Council Members

- a. Provide direction and support to the EOP.

2. Crestview Police Department

- a. Police Chief reports to the City of Crestview EOC when activated.
- b. Maintain law and order
- c. Control traffic

- d. Protect vital installations
 - e. Control and limit access to the scene of the disaster
 - f. Assist with all evacuation efforts
 - g. Assist with search and rescue
3. Crestview Fire Department
- a. Fire Chief reports to and chairs the City of Crestview EOC
 - b. Provides fire protection and the combating of fires
 - c. Search and rescue
 - d. Decontamination
 - e. Assist with damage assessment
4. City of Crestview Department of Public Services
- a. Public Services Director reports to the City of Crestview EOC
 - b. Maintaining streets, avenues, highways and other routes of travel.
 - c. Assisting with heavy rescue
 - d. Assist with decontamination
 - e. Engineering services as required
 - f. Transportation
 - g. Debris removal
 - h. Inspection of shelter sites for safe occupancy
 - i. Facility damage assessment, public and private, for safe occupancy
 - j. Enforcement of building codes
 - k. Maintenance of vehicles and other essential equipment of the various departments and agencies
 - l. Development of a plan of priorities to be used during the period of increased readiness that addresses the repair of vehicles and equipment
 - m. Maintenance of a reserve supply of fuel
 - o. Provisions for the immediate repair of emergency service vehicles and equipment, both in the field and in the shop, as the situation permits

5. City of Crestview Finance Department
 - a. Finance Director reports to the City of Crestview EOC
 - b. Maintaining economic stabilization efforts as required
 - c. Maintaining a list of suppliers, vendors, and items of critical emergency need.
 - d. Maintains accountability of all expenditures, debt and man hours dedicated to the declared event.
 - e. Provides proper FEMA documentation to Okaloosa County EOC for potential reimbursements.
6. Development Services
 - a. Reports to the City of Crestview EOC.
 - b. Assist with facility damage assessment, public and private, for safe occupancy.
7. Public Information Officer (PIO)
 - a. Reports to the City of Crestview EOC when activated.
 - b. Disseminates information to the public.
8. City Clerk
 - a. Reports to the City of Crestview EOC when activated.
 - b. Documents all activities within the EOC.
 - c. Provides for records management within the EOC.
9. Information Technology (IT)
 - a. Reports to the City of Crestview EOC when activated.
 - b. Maintains critical hardware such as telephones, computers, networks and internet capability during a declared event.
10. Okaloosa County Emergency Medical Services (EMS)
 - a. Responsible for emergency medical treatment and transport during a declared event
 - b. Provides staff for medical care in designated shelters.
 - c. Assists with special needs evacuation.
11. Okaloosa County Health Department
 - a. Conduct community needs assessments

- b. Ensures safety, disease prevention to include vector born disease prevention
 - c. Provides medical support to shelters
 - d. Emergency interment coordination
 - e. Insect and pest control as required
 - f. Inoculations for the prevention of disease
- 12. North Okaloosa Medical Center (NOMC)
 - a. Emergency medical care
 - b. Limited on-site decontamination
 - c. Hospital evacuation
 - d. Traditional hospital medical services
- 13. Okaloosa County School District
 - a. Provide the use of facilities for emergency public education.
 - b. Providing facilities for emergency housing of evacuees and relief forces
 - c. Providing facilities for emergency first aid stations, emergency hospitals, or emergency morgues
 - d. Providing personnel for shelter managers and staff
 - e. Providing recreation plans for shelter occupants' use during shelter-stay period

C. Support Functions

- 1. Support from the National Guard may be requested through the Okaloosa County EOC from the State office of emergency management. Military assistance will complement and not be a substitute for local participation in emergency operations. Military forces will remain at all times under military command but will support and assist response efforts.
- 2. Support from other State government departments and agencies may be made available in accordance with the State plan.
- 3. Private sector organizations within the jurisdiction may assist with a wide variety of tasks based on their capabilities.
- 4. Volunteer agencies, such as the American Red Cross, local church/synagogue congregations, and assistive organizations, such as the Salvation Army, are available to give assistance with sheltering, feeding, and other issues, as necessary.

5. Assistance from surrounding jurisdictions may be available through the execution of a memorandum of understanding (MOU) or MOA.

III. +

IV. *Direction, Control, and Coordination

A. Authority to Initiate Actions

1. The Mayor of the City of Crestview is responsible for activating the EOP. Where the city is already responding to an unannounced event, the decision to activate the EOP will be done with the coordination of the “on scene” commander of the event.
2. Where the Mayor is not available, the ability to activate the EOP shall fall within the designated chain of succession to the Mayor.
3. Once notified, the Fire Chief is responsible for implementing the EOP. Where the Fire Chief is not available, the Police Chief shall commence implementation.

B. Command Responsibility for Specific Actions

1. With the activation of the EOP, the Emergency Operations Center (EOC) shall be activated. All activities that support the resolution of, and recovery from the declared event shall be coordinated and directed from the EOC.
2. The City of Crestview EOC will be made up of eight (9) essential support function representatives (ESF’s) with the Fire Chief designated as the EOC Director of Emergency Management.
 - a. The eight (8) EOC, ESF’s are:
 - a. Fire Chief (Director)
 - b. Police Chief
 - c. Public Services Director
 - d. City Manager
 - e. Development Services Representative
 - f. Finance Director
 - g. IT representative
 - h. Public Information Officer (PIO)
 - i. City Clerk

3. Incident Command System

The incident command structures used within the City of Crestview's jurisdiction shall be compliant with the National Incident Management System (NIMS). Designated incident commanders are responsible for directing on-scene emergency operations and maintaining command and control of the scene. The EOC shall provide support to the designated incident commanders. If a disaster affects multiple widely separated facilities or jurisdictions, separate incident command operations and an area command may be set up.

4. Assistance

If the City of Crestview's own resources are insufficient or inappropriate to respond to the event, a request will be made for assistance from other jurisdictions, the State, or Federal government. Such requests shall only be made through the EOC.

V. Information Collection and Dissemination

- A. Disaster information managed by the City of Crestview EOC is coordinated through the ESF's located in the EOC. These representatives collect information from and disseminate information to counterparts in the field. These ESF's also disseminate information within the EOC that can be used to develop courses of action and manage emergency operations.
- B. The City of Crestview PIO shall coordinate and/or disseminate all information to the public.

VI. Communications

- A. Communication protocols and coordination procedures are described in detail in the City of Crestview Communications Plan (Needs to be developed). Please refer to this plan for additional information.

VII. Administration, Finance, and Logistics

A. General Policies

1. The authority to make purchases during an emergency event, where the EOP/EOC has been activated, shall rest with the members of the EOC. No purchases will be made without the EOC's approval.
2. Reference should be made to administrative requirements that are applicable to emergency operations (e.g., emergency purchasing procedures), which appear in other documents. (reference the city purchase plan)
3. Records and Reports for Resources and Expenditures.
 - a. Responsibility for submitting local government reports to the State office of homeland security and emergency preparedness rests with the City of Crestview Finance Director.
 - b. The Finance director shall maintain records of expenditures and obligations in emergency operations. They should also support the collection and maintenance of narrative and long-type records of response to all declared disasters.
4. Agreements and Understandings

This section references any mutual aid agreements or emergency response and recovery contracts that exist. It also indicates who is authorized to activate those agreements or contracts. Need to identify:

 - a. Existing mutual aid agreements
 - a. The city of Crestview has current mutual aid agreements with the surrounding fire departments to include North Okaloosa Fire District (NOFD), Almerante Fire District, Baker Fire District, Holt Fire District and Eglin AFB. These agreements would provide or receive specific aid as requested. Where the EOP is activated, all requests would be made through the Okaloosa County EOC.
 - b. The Crestview Police Department has mutual aid agreements with the Okaloosa County Sheriffs Office and other surrounding municipalities. These aid agreements are outlined in the Crestview Police Department EOP.
 - b. There are currently no existing contracts for services with the City of Crestview for any emergency response or recovery.

B. Additional Policies

1. When the resources of local government are exhausted or when a needed capability does not exist within a local government, the local units of government call for assistance from the State.
2. The incident commander will submit periodic situation reports to the appropriate authorities during a major disaster using standard ICS formats.

VIII. Plan Development and Maintenance

A. Requirements

- a. The Mayor of Crestview has the overall responsibility for ensuring that efficient emergency planning is being conducted.
 - b. The City Manager will ensure that an updated EOP is distributed appropriately.
 - c. Each department shall be responsible for updating their internal department plans, SOPs, and resource data to ensure prompt and effective response to and recovery from emergencies and disasters.
2. Review and Update
- a. The Basic Plan and its appendices should be reviewed and updated annually.
 - b. Updates should be made to the EOP when any documents are no longer current. Changes in planning documents may be needed:
 - 1) When hazard consequences or risk areas change.
 - 2) When the concept of operations for emergencies changes.
 - 3) When departments, agencies, or groups that perform emergency functions are reorganized and can no longer perform the emergency tasks laid out in planning documents.
 - 4) When warning and communications systems change.
 - 5) When additional emergency resources are obtained through acquisition or agreement, the disposition of existing resources changes,

or anticipated emergency resources are no longer available.

- 6) When a training exercise or an actual emergency reveals significant deficiencies in existing planning documents.
- 7) When State or Federal planning standards for the documents are revised.

IX. Authorities and References

A. Legal Authority

1. Federal

- a. The Robert T. Stafford Disaster Relief and Emergency Assistance, Public Law 93-288 as amended
- b. Public Employees Occupational Safety and Health Act (PEOSHA) regulations

B. References

1. Federal

- a. Comprehensive Preparedness Guide (CPG) 101: Developing and Maintaining State, Territorial, Tribal, and Local Government Emergency Plans, March 2009.
- b. Homeland Security Exercise and Evaluation Program (HSEEP), February 2007.
- c. National Incident Management System (NIMS), December 2008.
- d. National Response Framework, Federal Emergency Management Agency, January 2008.

2. State

- a. State EOP

3. Local

- a. Local EOPs
- b. Inter-local agreement(s)

CHAPTER 4 – ZONING DISTRICTS AND OVERLAYS

The purpose of this chapter is to describe the zoning districts and permissible uses of land within the City of Crestview, in accordance with the City Code and Comprehensive plan. Any violation of this Chapter shall be punished as provided for in section 1-11 of the City Code and Chapter 162, Florida Statutes.

Sec. 4-1. – Land use districts, density and intensity.

Land use categories and adopted densities and intensities are as described below:

Land Use Category	Use Description	Allowed Density/Intensity
R - Residential	Residential Development	Maximum of 10 units per acre
MU – Mixed Use	Mixed Use development with residential and non-residential uses	Maximum of 25 units per acre or FAR of XXX
C – Commercial	Commercial Development	Maximum FAR of XXX
IN – Industrial	Industrial Development	Maximum FAR of XXX
PL – Public Lands	Limited to development of recreation, schools, churches, institutional uses, utilities, and government facilities.	Maximum FAR of XXX
CON - Conservation	Educational or recreational uses coincidental to and compatible with the conservation purpose of the district	Maximum FAR of XXX

Sec. 4-2 – Official Zoning Map

Zoning districts and zoning district boundaries are hereby established and declared to be in effect upon all land and water areas included within the boundaries of each district as shown on the map designated the as "Official Zoning Map of the City of Crestview, Florida." The Official Zoning Map is on file in the City of Crestview City Hall. Such map and all notations, references and other information shown thereon are as much a part of this chapter as if the information set forth thereon was fully described and set out in this section.

Sec. 4-3 – Establishment and Purpose of Zoning Districts

The City is divided into zoning districts as described in this Sec. 4-3.

A. Residential Districts.

1. R-1 – Single Family Low Density District. The Single-Family Low-Density zoning district is established to provide for single-family dwellings, accessory dwelling units and allowed accessory structures customarily associated with residential development in legacy neighborhoods and un-platted residential areas. The maximum density is 6.0 dwelling units per acre.

2. R-2 – Single Family Medium-Density District – The Single-Family Medium Density zoning district is established to provide for single-family dwellings in traditional residential neighborhoods. The R-2 zoning district is limited to single-family homes and allowed accessory structures. The maximum density is 8.0 dwelling units per acre.
 3. R-3 – Multi-Family Dwelling District - The Multi-Family Dwelling Density zoning district is established to provide for single- and multi-family dwellings in higher-density residential neighborhoods. The R-3 zoning district is limited to single- and multi-family homes and accessory structures. The maximum density is 15.0 dwelling units per acre.
- B. Mixed Use Districts.
1. MX-NC – Mixed-Use Neighborhood Commercial District – The Mixed-Use Neighborhood Commercial district is established to provide for single- and multi-family dwellings coincident with, directly adjacent to small, low impact commercial developments including small-scale retail sales, small professional offices, service industries, bed-and-breakfasts, other similar uses and accompanying accessory uses. Uses may be limited by location due to impacts and compatibility issues. The maximum density for dwellings is 25.0 dwelling units per acre, and the maximum allowed floor area ratio (FAR) for commercial uses is XXX.
- C. Commercial and Industrial Districts.
1. C-1 – Commercial Low-Intensity District – The Commercial Low-Intensity District is established to provide for multi-family apartments and low-intensity commercial uses including restaurants, small-scale retail sales, service industries, entertainment, light manufacture and repair, small professional offices, hotels, gas stations, other similar uses and allowed accessory uses. Uses may be limited by location due to impacts and compatibility issues. The maximum allowed floor area ratio (FAR) is XXX.
 2. C-2 – Commercial High-Intensity District – The Commercial High-Intensity District is established to provide for high-intensity commercial developments including restaurants, large-scale retail sales and service industries, entertainment, light manufacture and repair, professional offices, hotels, gas stations, other similar uses and allowed accessory uses. Uses may be limited by location due to impacts and compatibility issues. The maximum allowed floor area ratio (FAR) is XXX.
 3. IN – Industrial District – The Industrial District is established to provide for all types of manufacture and repair as well as gas stations, other similar uses and accompanying accessory uses. Uses may be limited by location due to impacts and compatibility issues. The maximum allowed floor area ratio (FAR) is XXX.
- D. Public Land and Conservation Districts.
1. P – Public Lands District – The Public Lands district is established to provide for municipal, governmental or otherwise institutional uses such as City, County, State or Federal buildings, parks, schools, other similar uses and allowed accessory uses. Uses may be limited by location due to impacts and compatibility issues. The maximum allowed floor area ratio (FAR) is XXX.
 2. CON – Conservation District – The Conservation District is established to provide for passive recreation or educational uses that are compatible with the conservation purpose of the district. The maximum allowed floor area ratio (FAR) is XXX.

Sec. 4-4 – Zoning District Comparison to Future Land Use Categories

- A. The Future Land Use Map of the Comprehensive Plan establishes allowable land uses within the City. The zoning districts set forth within this LDC must be consistent with the Future Land Use Map. Any rezoning of land must maintain this consistency. Table 4-4.1 sets forth the allowable zoning districts which are consistent with each land use category from the Future Land Use Map.
- B. When a parcel of land is annexed or rezoned, it is necessary to assign a new zoning district to a piece of land. The following criteria shall be applied to the determination of the appropriate zoning district:
 1. Whether the requested zoning district is consistent with the future land use category according to Table 4-4.1.
 2. Whether the uses within the requested zoning district are compatible with the uses in adjacent zoning districts. Compatibility is determined by considering scale of use; intensity of use as determined by floor area ratio and impervious surface coverage; hours of operation; impacts from noise in parking lots or structures; noise from outdoor gathering places; noise from outdoor speakers; noise from processes such as from body shops, equipment shops, and industrial activities; lighting from parking lots or structures and vehicles; and security lighting. Compatibility shall consider the range of allowable uses on parcels adjacent to the proposed rezoning parcel and the typical impacts for those uses.
 3. Whether the requested use is substantially more intense or less intense than allowable development on adjacent parcels. The range of uses permissible according to the land use category and zoning district on the adjacent parcels is the basis for determination. The existence of a nonconforming use on adjacent parcels which is substantially more or less intense than the requested zoning shall not establish the sole reason for denial of the requested zoning.
 4. Whether the requested use is based on soil types, topography, protection of natural resources, and protection of designated historic areas.

Table 4-4.1

Future Land Use:	Zoning Districts:								
	R-1	R-2	R-3	MX-NC	C-1	C-2	IN	PL	CON
Residential (R)	x	x	x						
Mixed Use (MU)			x	x	x				
Commercial (C)					x	x			
Industrial (I)							x		
Public Lands (P)								x	
Conservation (CON)									x

Sec. 4-5 – Establishment and Purpose of Overlay Districts

- A. Purpose. The purpose of overlay districts is to provide a means of modifying the site design and development requirements applicable to the underlying zoning district(s).
- B. Downtown Design Overlay District (DDOD). The Downtown Design Overlay District (DDOD) is established to preserve and promote the downtown area of Crestview. The intent of the DDOD is to provide flexibility in location and design requirements to support and encourage economic development in the downtown area.

1. The DDOD is intended as a location where specific site design features will be provided to ensure flexibility in the location of activities, accessory structures, and other site design requirements, consistent with a downtown location.
2. The DDOD is intended to encourage the provision of design features necessary to support economic development and to maintain appropriate the development characteristics within the DDOD.

Sec. 4-6 – Land Uses Permissible in each Zoning District

A. How to read the Table of Permissible Uses (Table 4-6.1)

1. Within the Table 4-6.1, the letter “P” indicates that the land use is permissible, subject to compliance with the standards of the zoning district.
2. The letter “S” indicates that the use is permissible, subject to compliance with the standards of the zoning district, and the supplemental standards specified for the use. Supplemental standards are contained in Chapter 7, Section 7-6 – Special Exception Uses.
3. An empty cell indicates the use is prohibited.
4. Any use that is not identified in Table 4-6.1 is prohibited unless it is found to be substantially similar by the Planning Administrator.
 - a. A requested use shall be considered substantially similar when the characteristics of the requested use are equivalent in type, intensity, degree, or impact when compared to a use named in Table 4-6.1. Examples of characteristics to be considered include the following:
 - (1) Typical hours of operation;
 - (2) Use of outdoor storage;
 - (3) Trip generation rates;
 - (4) Generation of noise, light pollution, odor, smoke, electromagnetic interference, or vibration; and
 - (5) Customary activities associated with the use.
 - b. A requested use shall be consistent with the Comprehensive Plan.
 - c. A requested use shall be consistent with the purposes of the zoning district applicable to the parcel.
 - d. The administrative interpretation of uses shall be subject to appeal, as set forth in Chapter 9.

Table 4-6.1 – Permissible Uses in Each Zoning District

Principal Land Uses:	Zoning Districts								
	R-1	R-2	R-3	MX-NC	C-1	C-2	IN	P	CON
Residential Uses									
Single-family dwelling	p	p	p	p					
Duplex or Triplex			p	p					
Multifamily Structure			p	p	p				
Townhouse			p	p	p				
Manufactured homes	p	p	p	p					
Manufactured homes in parks			p	p					

Nonresidential Uses									
Alcohol package store (no consumption on premises)									
Animal hospital or veterinary clinic									
Arenas, band shell, amphitheater, outdoor performance area									
Artisan studio									
Asphalt or concrete plant									
ATM kiosk									
Bait and tackle									
Barber, beauty salon, nail salons, aesthetician, and other similar uses									
Bed and breakfast lodging									
Building materials, building supply, enclosed lumber yard									
Business support services, such as copying, mailing, printing, private mail service									
Car wash or detailing facility									
Cemetery									
Community Center, club, or lodge									
Commercial recreation, including bowling, laser tag, video arcades, go karts, and other similar uses									
Residential subdivision public community/amenity center									
Cultural facility, such as library, museum, or gallery									
Day-care (child), nursery school, kindergarten, or pre-kindergarten									
Day-care (adult)									
Distribution centers, may include warehousing, dispatch offices, vehicle yards									
Drug stores and pharmacies									
Essential public services									
Farmer's market, outdoor sales, roadside vendors									
Financial institutions, banks, credit unions, brokerages, no drive-up window									
Financial institutions, banks, credit unions, brokerages, with drive-up window									
Food stores, specialty, such as bakeries, candy, ethnic groceries, catering services									
Fortune tellers and psychics									
Freight and moving companies									
Fuel/gasoline station, may include									

convenience store, restaurant, automotive supplies, but not repair									
Funeral homes, mortuaries, crematoria									
Garden, community or neighborhood									
Golf course									
Grocery store, supermarket									
Group home, congregate living facility and similar uses									
Health clubs, exercise clubs, spas, gyms									
Hospital									
Hotels, motels, inns and similar lodging facilities									
Ice vending machine									
Industrial uses, heavy industry with nuisance factors, such as odor, noise, vibration, electronic interference									
Junk or salvage yards, recycling facilities									
Kennel with outdoor runs									
Kennel, no outdoor runs									
Laboratories, medical									
Laboratories, industrial									
Landscaping materials, plants, stone, mulch, gravel, supplies, greenhouse, nursery yards									
Laundry facility, self-service									
Lounge, bar or nightclub									
Light manufacturing, light assembly, fully enclosed building, no nuisance factors									
Heavy manufacturing and intense industrial activities including production, fabrication, assembly, outdoor storage, with nuisance factors									
Medical and dental clinics, outpatient facilities									
Medical facility for recovery or rehabilitation services, includes substance abuse center, physical or mental rehabilitation, overnight stays									
Medical marijuana dispensary									
Nursing home or convalescent facility, overnight stay									
Offices, general, includes offices for trades or construction businesses									
Parking lot or parking garage, commercial									
Pawnshops									
Personal services, such as jewelry repair, shoe repair, tailoring, dry									

cleaning pick-up center									
Professional offices, accounting, government operations, legal services, bookkeeping, realtors, brokers, insurance, etc.									
Public service facilities such as fire stations, emergency services, or public works, includes vehicle storage and maintenance									
Public or Municipal Recreation									
Religious facility									
Repair shops, small equipment, small appliances									
Restaurants, drive-up and fast food									
Retail shops, freestanding or within centers, includes department stores or specialty shops such as art, antiques, furniture, florist, appliances, jewelry, books, electronic media, office supplies, automotive supplies, etc.									
Retail, large-scale discount establishments, big-box stores									
RV, motor homes, travel trailers, or manufactured home sales lot									
Schools, academic, charter, public or private									
Schools, business, commercial, trade, vocational									
Self-storage, mini-storage facilities									
Stone, granite, monument sales									
Studios for personal instruction, such as music, dancing, art or photography									
Tattoo parlors and body-piercing studios									
Terminals, bus, transit, includes truck stop									
Theaters, movie or performing arts									
Towers, radio, TV, telecommunication									
Trades, maintenance services, and heavy repair services, including outdoor storage, equipment yards, machine shops, welding shops, towing services									
Uses that are adult-oriented, including bookstores, movie stores, theaters, entertainment, and retail stores									
Utility facilities, such as water towers, treatment plants, public wells									
Vehicle repair, body shop									
Vehicle sales and rentals, including automobiles, trucks and motorcycles									

Vehicles, construction, heavy equipment sales and rental									
Vehicles, storage yards									
Warehousing, not including self-services storage									
Wholesalers									

Sec. 4-7 – Change of Use Requirements

- A. A request to change the permissible use of a parcel of land or structure shall be considered according to the procedures established in Chapter 9 – Variations from Standards in the LDC.
- B. A change of the permissible use of a parcel of land or structure shall meet the following criteria:
 1. The requested use is permissible according to Table 4-6.1, Permissible Uses in Each Zoning District.
 2. When the requested use has greater impacts than the existing use it shall be established only in compliance with the following site design and development standards:
 - a. Parking, loading, handicapped access, stacking lanes, or driveway standards set forth in Chapter 8.
 - b. Landscaping and buffering requirements set forth in Chapter 6.
 - c. Level of service standards set forth in the City of Crestview Engineering Standards Manual.
 - d. Impervious surface coverage standards for the applicable zoning district, set forth in Chapter 6.
 3. The requested use does not require exterior building alterations, except that such alterations may be permissible in compliance with applicable building and safety codes.
 4. The requested use can be granted a new Certificate of Occupancy.

CHAPTER 6 - DEVELOPMENT STANDARDS

6.00.00 - GENERALLY

6.00.01 - Applicability.

- A. The purpose of this chapter is to provide development standards applicable to all development activity within the City. Subdivisions, new land uses and structures, and alterations to existing land uses and structures shall be designed, constructed, and established in compliance with the development standards for the applicable zoning district and the development standards for all zoning districts as set forth in this chapter.

6.00.02 - Measurements.

A. Lot Width and Lot Frontage.

1. Lot width is the horizontal distance between side lot lines measured at the intersection of the front setback and the side lot lines.

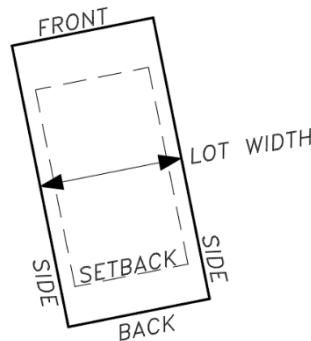


Figure 6.00.02 (A). Lot Width

2. Lot frontage is the property line affronting a roadway right-of-way which provides the principal access and is used by the U.S. Postal Service for the delivery of mail to the structure located on the property.
 - a. Minimum lot frontage for residential zoned property shall be twenty-five (25) feet.
- B. Setbacks.
1. Setbacks are measured as the shortest distance from the face of the exterior building wall to the property line.
 2. The rear yard setback for any waterfront lot is measured to the mean high-water line.
 3. Eave overhangs of the primary structure shall meet the specifications and requirements of the current Florida Building Code.
 - a. Eave overhangs of equal to or less than the limits of the Florida Building Code shall not be included as a main part of any building.
 - b. No eave overhang shall be closer than three (3) feet from any property line.
 - c. The City Building Official may provide additional requirements.

- C. Specific measurement requirements for flag lots.
 - 1. The design requirements for platting flag lots are set forth in Section 6.07.03.C.
 - 2. A flag lot is exempt from the frontage requirements set forth in this LDC, provided that the width of the pole or access portion of the lot is not less than twenty-five (25) feet.
 - 3. The maximum length of the pole portion of the lot, measured from the right-of-way to the end of the pole at the point of connection to the flag is 150 feet.
 - 4. The setbacks for a flag lot are measured for the flag portion of the lot, excluding the pole portion of the lot.
- D. The impervious surface ratio is calculated by dividing the total of all impervious surfaces on the lot by the total lot area. Water bodies are impervious surfaces.
- E. Building height.

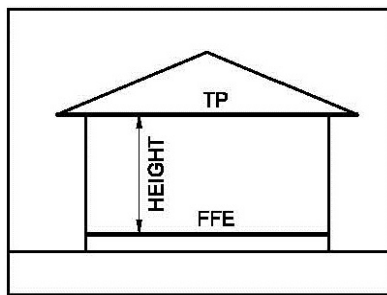


Figure 6.00.02 (E). Building Height.

- 1. Building height is measured from the top of the floor at the finished floor elevation to the top plate of the highest habitable floor.
- 2. Calculation of maximum building height shall not include the roof above the top plate of the highest habitable floor.
- 3. Calculation of maximum building heights shall not include water towers, utility facility, or appurtenances or attachments such as chimneys, elevator shafts, antennas, decorative architectural features, steeples, air conditioning equipment enclosures, cupolas, weather vanes, and other similar building features. All appurtenances or attachments which are exempt for purposes of calculating the maximum height shall not be habitable. In certain zoning districts, it may be necessary to calculate the height of a building from mean sea level in order to determine compatibility with the Eglin Air Force Base mission, in which case appurtenances shall also be considered.

6.00.03 - Compatibility Standards Pertaining to Building Height in All Zoning Districts.

- A. Applicability. The standards set forth in this section apply to buildings other than single-family dwellings when such buildings are located adjacent to parcels zoned to allow single-family residential use.
- B. Maximum height standards.

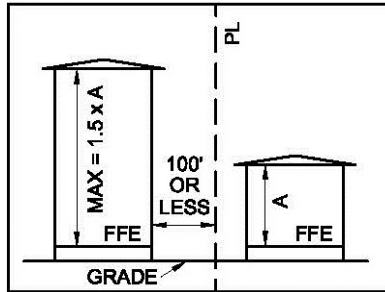


Figure 6.00.03 (B). Building Height & Distance from SFR

1. The maximum height for buildings located 100 feet or less from a parcel with a single-family residential use shall not exceed two (2) times the average height of single-family dwellings in the adjacent or surrounding block.

6.00.04 - Standards Pertaining to Metal Buildings in all Zoning Districts.

A. Applicability.

1. The standards set forth in this section apply to principal buildings and accessory buildings larger than 1,000 sq. Ft.
2. The requirement for a veneer applies to metal building facades that are visible from a public right-of-way.
3. Metal buildings within the IN zoning district are exempt from the requirements in this section.

B. Standards.

1. Facades subject to this section shall have a veneer added consisting of brick, stucco, stone, or a similar decorative material.
2. The decorative material shall be applied to 100 percent of the façade.

C. Waiver Entitlement. The requirements of this section may be waived by the Planning and Development Board, pursuant to certain review criteria as outlined in Chapter 3.

6.01.00 - DEVELOPMENT STANDARDS IN RESIDENTIAL DISTRICTS

6.01.01 - Site Development Standards.

- A. Lots existing before the effective date of this Chapter shall continue to be considered as compliant regardless of any requirements of this Chapter that are not met.
- B. The base standards for development in residential zoning districts are provided in Table 6.01.01.
- C. A lot of record is a lot established on or before December 31, 2020. A lot of record is exempt from the lot area requirements set forth in Table 6.01.01.

Table 6.01.01. Development Standards in Residential Zoning Districts.

Development Feature	R1	R2	R3
Maximum base density (dwelling units per acre) **Controlled by FLU	FLU	FLU	FLU
Minimum lot area (square feet)	8,000	6,000	5,000
Minimum lot width (feet)	75	70	50
Maximum impervious surface (%)	50	50	75
Minimum setbacks (feet)			
Front setback (along right of way)	30	25	25
Side setback (Lot line intersecting right of way)	10	7.5	5.0
Rear setback (intersecting side lot lines)	25	20	15
Maximum building height (feet)	35	35	70

6.01.02 - Residential Design Standards.

- A. All single-family dwellings, whether site-built or built off-site and moved onto the lot shall comply with the following design standards. In all cases below, the Florida Building Code shall be complied with.
1. The minimum width of the building shall be sixteen (16) feet.
 2. The minimum roof pitch shall be 3:12.
 3. The minimum roof overhang shall be twelve (12) inches, exclusive of porches and patios.
 4. All homes shall be situated on the lot so that the front door of the home faces the front yard.
 5. The building shall be constructed according to standards established by the Florida Building Code.
 6. The exterior siding material shall consist of wood, masonry, concrete, stucco, Masonite, or vinyl lap or other materials of like appearance. Where vinyl lap siding is used, the siding shall not have a shiny surface or be reflective.
 7. The dwelling shall be attached to a permanent foundation system, including supporting, blocking, leveling, securing, and anchoring the home and connecting multiple and expandable sections of the home. The foundation shall be designed and constructed according to the requirements of the current Florida Building Code.
 8. Roof materials shall be any material approved by the Florida Building Code.

9. For dwellings elevated forty-eight (48) inches or less, the area beneath the home shall be enclosed by brick, concrete, wood, rock, vinyl or other materials specifically manufactured for this purpose and shall enclose the space between the floor joists and the ground level, except for the required minimum ventilation and access. Such access shall remain closed when not being used for that purpose. Dwellings located within flood zones A or V are exempt from this requirement.
10. For manufactured homes, all tongues, wheels, axles, transporting lights and other towing apparatus shall be removed from the site prior to occupancy.
11. At each exterior door, there shall be a landing that is a minimum of thirty-six (36) inches by thirty-six (36) inches. Such landing shall be permanently affixed to the ground and shall be constructed of materials similar to other housing in the surrounding area, where porches, landings, or stoops are constructed.

6.02.00 - DEVELOPMENT STANDARDS IN MIXED-USE DISTRICTS

6.02.01 - Site Development Standards.

- A. The base standards for development in the mixed-use zoning districts are provided in Table 6.02.01, except as modified below.
- B. Specific site development standards are provided for townhouse development in Section XXX.
- C. Specific site development standards apply within the Downtown Design Overlay District, as set forth in Section 6.02.04. Standards in the DDOD supersede the standards in the underlying zoning district.

Table 6.02.01. Development Standards in Mixed-Use Zoning Districts.

Development Feature	MX-NC
Maximum base density (dwelling units per acre)	20.0
Maximum gross floor area ratio	2.0
Minimum lot area	None
Minimum lot width (feet)	50
Maximum impervious surface (%)	80
Minimum setbacks (feet)	
Front yard	20
Side yard	7.5
Rear yard	15

Maximum building height (feet)	70
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6.02.02 - Standards for Mixing Uses on One (1) Lot.

- A. Uses identified in Table XXX for the mixed-use zoning district may be combined on one (1) development lot or parcel.
- B. When combining uses, the development may include the maximum number of residential units based on the density calculation plus the maximum amount of floor area based on the floor area ratio. Residential dwelling units are not included in the calculation of floor area.
- C. Shared parking is required. A parking study shall be prepared according to the standards set forth in Section 6.06.06 to demonstrate the actual parking requirements for the project.
- D. Where multiple uses and multiple buildings are proposed on one (1) lot, there is no buffer requirement between buildings containing different uses.
- E. Multiple buildings proposed on one (1) lot shall have an integrated design. An integrated design shall not be construed to mean that buildings are identical.
- F. Access to residential units shall be separated from access to nonresidential development in order to provide privacy for residents. A shared entrance to a building may be established, provided that the interior entrances to the residential areas and nonresidential areas are separated.
- G. Balconies, courtyards, plazas, recreation areas, and outdoor gathering places shall be located and designed to ensure privacy for residents.
- H. Buildings may have a common wall. However, when separated, the separation shall be a minimum of five (5) feet to ensure space for maintenance of each building.

6.02.03 - Standards for Mixing Uses Within One (1) Building.

- A. Uses identified in Table 2.03.02 for the mixed-use zoning district may be combined within one (1) building. The building may stand alone on a development parcel or may be integrated into a mixed-use development consisting of multiple buildings.
- B. When combining uses, the development may include the maximum number of residential units based on the density calculation plus the maximum amount of floor area based on the floor area ratio. Residential dwelling units shall not be included in the calculation of floor area.
- C. Shared parking is required. A parking study shall be prepared according to the standards set forth in Section 6.06.06 to demonstrate the actual parking requirements for the project.
- D. Access to residential units shall be separated from access to nonresidential development in order to provide privacy for residents within the building. This requirement may be met when an elevator serves upper floor residential units through a secured access method, such as key-activated access to residential floors.
- E. Balconies, courtyards, plazas, recreation areas, and outdoor gathering places shall be located and designed to ensure privacy for residents.

6.02.04 - Site Development Standards for the Downtown Design Overlay District (DDOD).

- A. The DDOD is intended to provide development standards specific to the downtown area of Crestview. The boundary is shown on the Official Zoning Map.
- B. The development standards shown in Table 6.02.04 below supersede and replace the development standards otherwise required for the underlying zoning district. Where no standard is provided in Table 6.02.04, the standards of the underlying zoning district are required.
- C. Buildings within the DDOD are not subject to the standards set forth in Section 6.00.03.
- D. In addition to signs permissible subject to the standards set forth in Section 5.03.00, development within the DDOD may have one (1) sandwich sign in compliance with the following standards:
 - 1. The sign shall not exceed two (2) feet in width.
 - 2. The color and font shall be consistent with the color and font of other signs for the business displaying the sandwich sign.
 - 3. The sign shall include the business name or logo.
 - 4. The sign shall be located on private property. Where five (5) feet of width on the sidewalk can be maintained free of obstruction, the sign may be placed on the public sidewalk. When a sign is proposed to be located on the public sidewalk, the owner shall provide proof of insurance naming the City as an insured party.
 - 5. A sandwich sign shall only be displayed during the hours of operation of the business named on the sign.
 - 6. The sign shall have no lights of any kind.
- E. New development or redevelopment shall include sidewalks that are consistent with the requirements in the Engineering Standards Manual of Crestview.
- F. Development in the DDOD is exempt from providing additional off-street parking spaces as set forth in Section 6.06.02 provided that there is sufficient public parking capacity in the block in which the proposed business is located. Twenty-five (25) percent of the parking in adjacent blocks may be counted.

Figure 6.02.04 (F). Boundaries of DDOD

- A. The City shall evaluate the available capacity of public parking in the DDOD on a regular basis and make the information available to applicants upon request.
- B. If the City determines that available public parking capacity is insufficient for the proposed business, the applicant shall provide the required number of off-street parking spaces. The applicant may submit a parking study acceptable to the City that demonstrates the parking needs of the proposed business.

Table 6.02.04. Development Standards Within the Downtown Design Overlay District.

Development Feature	Standards
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Minimum lot width (feet)	None
Maximum impervious surface (%)	100
Minimum setbacks (feet)	
Front setback	0
Side setback	0
Rear setback	0
Setback abutting an alley	5
Maximum building height (feet)	120

6.03.00 - DEVELOPMENT STANDARDS FOR COMMERCIAL AND INDUSTRIAL DISTRICTS

6.03.01 - Site Development Standards.

- A. The base standards for development in commercial and industrial zoning districts are provided in Table 6.03.01.
- B. Specific site development standards apply within the Downtown Design Overlay District, as set forth in Section 6.02.04.
- C. Proposed building height, including appurtenances and building attachments, in any district shall be analyzed to determine if it exceeds any limitations of the Eglin Air Force Base. In consultation with an Eglin AFB representative, the City may establish the maximum height at less than the heights in the table below, but no less than the maximum structure height (above mean sea level) causing no major negative mission impacts for Eglin AFB, as depicted in the Map.

Table 6.03.01. Development Standards in Institutional, Commercial, and Industrial Zoning Districts.

Development Feature	C1	C2	IN
Maximum gross floor area ratio	1.5	None	None
Minimum lot area	None	32,000 s.f.	65,000 s.f.
Minimum lot width (feet)	None	100	100
Maximum impervious surface (%)	80	80	95
Minimum setbacks (feet)			
Front yard	30	20	10
Side yard	20	10	0

Rear yard	10	20	20
Maximum building height (feet)	50	100	None

6.03.02 - Nuisance/Pollution Standards for Industrial Developments.

- A. All uses and activities conducted in the IN zoning district shall conform to the standards of performance described below. The failure to conform to any such standards is hereby declared to be a public nuisance.
1. Fire and explosion hazards: All activities and all storage of flammable and explosive materials or products at any place shall be provided with adequate safety devices against the hazards of fire and explosion, including adequate firefighting and fire suppression equipment, as prescribed by all applicable fire prevention laws, ordinances, and regulations.
 2. Radiation: Any operation involving radiation (e.g. the use of neutrons, protons and other atomic or nuclear particles) shall be conducted in accordance with the codes, rules, and regulations of State and Federal regulating agencies. Radiation limitations shall not exceed quantities established as safe by the United States Bureau of Standards.
 3. Electromagnetic radiation: For the purpose of these regulations, electromagnetic interference shall be defined as disturbances of an electromagnetic nature which are generated by the use of electrical equipment, other than planned and intentional sources of electromagnetic energy, which would interfere with the proper operation of electromagnetic radiation for such purposes as communication, experimentation, entertainment, broadcasting, heating, navigation, therapy, vehicle velocity measurement, weather survey, aircraft detection, topographical survey, personal pleasure or any other use directly or indirectly associated with these purposes which does not comply with the current regulations of the Federal Communications Commission (FCC) regarding such sources of electromagnetic radiation. Further, said operations, in compliance with the FCC regulations, shall be unlawful if such radiation causes an abnormal degradation of performance of other electromagnetic radiators or electromagnetic receptors of quality and proper design because of proximity, primary field, blanketing, spurious re-radiation, conducted energy in power or telephone systems or harmonic content. The determination of "abnormal degradation of performance" and of "quality and proper design" shall be made in accordance with good engineering practices as defined in the latest principles and standards of the American Institute of Electrical Engineers, the Institute of Radio Engineers and the Radio Manufacturers' Association.
 4. Toxic or hazardous matter: Any activity involving the use or storage of toxic or hazardous matter shall comply with all State, Federal and local laws and all regulations of any Federal, State, or local agency concerning pollution control or toxic substances.
 5. Waste disposal: No activity shall be conducted which results in the discharge of any liquid or solid waste, including industrial wastes, into any public or private sewage system, the ground, or any lake, stream, or other body of water, in violation of any provision of State, Federal or local law or any regulation of any State, Federal or local agency.

6. Vibration: No use of any property shall cause perceptible earth vibrations beyond any property line, except when pilings are driven for structure foundations. All stamping machines, punch presses, press brakes, hot forgings, steam board hammers, or similar devices shall be placed on shock absorption mountings and on suitable reinforced concrete footings. No machine shall be loaded beyond the capacity, as described by the manufacturers.
7. Heat, cold, dampness, or movement of air: Activities on any property which produce any adverse effect on the temperature, motion, or humidity of the atmosphere beyond the lot lines are not permitted.
8. Glare: There shall be no direct or sky-reflected glare, whether from floodlights, high temperature processing, combustion, welding, or otherwise so as to be visible at, or interfere with uses on, adjacent properties.
9. Smoke, dust, and particulate matter: There shall be no emission of visible smoke, dust, dirt, fly ash, or any particulate matter from any pipes, vents, or other openings or from any other source, into the air which can cause damage or irritation to health, animals, vegetation, or to any form of property or which results in the violation of any applicable Federal, State or local requirements.
10. Odor: There shall be no emission of odorous gases or other odorous matter in such quantities as to be offensive at the points of measurement. Any process which may involve the creation or emission of any such odors shall be provided with both a primary and a secondary safeguard system so that control may be maintained in the event of failure of the primary safeguard system.
11. Noise: Reserved.

6.04.00 – 6.06.00 – Reserved.

6.07.03 - Design Standards for Subdivisions.

A. Blocks.

1. The lengths, widths, and shapes of blocks shall be determined with due regard to:
 - a) The provision of adequate building sites suitable to the special needs of the type of use contemplated;
 - b) The need for convenient and safe access, circulation, and control of pedestrian and vehicular traffic;
 - c) Zoning requirements as to lot sizes and dimensions; and
 - d) Limitations and opportunities of topography.
2. Blocks shall be a minimum of five hundred (500) feet and a maximum of 1,320 feet in length.
3. Rights-of-way for pedestrian crosswalks may be required in order to provide direct pedestrian access to schools, shopping centers, and parks. Such crosswalks shall be a minimum of ten (10) feet in width.

B. Lots.

1. The lot size, width, depth, shape, orientation, and the minimum building setback lines shall comply with the requirements for the zoning district set forth in this LDC.
2. Corner lots for residential use shall have extra width to permit appropriate building setback from, and orientation to, adjacent streets on all sides.
3. Side lot lines shall be approximately at right angles to straight right-of-way lines or radial to curved right-of-way lines. Side lot lines are defined as any lot line that intersects a Right of Way line.
4. Double frontage and reverse frontage lots shall be avoided. Where such lots are necessary to provide separation of residential development from arterial streets or to meet specific orientation requirements, the access to such lots shall be from the street with the lower functional classification. A landscaped buffer strip with a fence, in addition to landscaping and buffering required by Section 6.08.05 shall be provided along the property line abutting the street with the higher functional classification.

C. Specific requirements for flag lots.

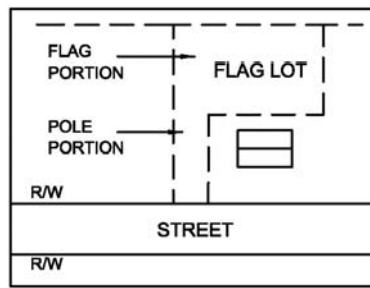


Figure 6.07.03 (C). Illustration of a flag lot

1. A flag lot is any lot that does not entirely front on a public street. Frontage is provided by a private driveway. See Figure 6.07.03.C for an illustration of a flag lot.
2. Flag lots are permissible in the R-1 zoning district and shall be measured and meet the dimensional requirements set forth in Sections 6.00.02.C and Table 6.01.01.
3. Each private driveway shall serve only up to two (2) flag lots.
4. There shall be no more than two (2) abutting private driveways.
5. The design, dimensions, and construction requirements for driveways shall comply with the *Crestview Engineering Standards Manual*.
6. Nothing in this section shall be construed to prohibit flag lots in a planned unit development.

D. Access requirements.

1. Each lot shall have frontage on and permanent access to an existing or proposed paved public street.
 - a. Private Streets are only allowed where an HOA is established in perpetuity.
 - b. Private streets will not be accepted by the City for ownership or maintenance until the streets meet the standards for all streets as identified in the current edition of the *Crestview Engineering Standards Manual*.

2. A subdivision plat shall include streets as established by transportation plans in the Comprehensive Plan, the Transportation Planning Organization, or other similar plan. The arrangement, character, extent, width, grade, and location of all streets shall conform to the plans of the State, Okaloosa County, and the City, respectively, and shall be considered in their relation to existing and planned streets, to topographical conditions, and to public convenience and safety.
 3. Alleys shall be provided to serve multifamily development, commercial development, and industrial development.
 5. All streets shall be designed and constructed in compliance with the standards of the City set forth in the *Crestview Engineering Standards Manual*. All costs shall be paid by the developer.
 6. Subdivisions shall include sidewalks and bicycle paths or lanes in compliance with the standards set forth in Chapter 8 of this Land Development Code and the *Crestview Engineering Standards Manual*.
- E. Easements. All lots within a subdivision shall provide easements for stormwater drainage, water systems, sanitary sewer systems, gas lines, electric lines, cables, telephone lines, and utility poles. Standards for such utility easements are set forth in the *Crestview Engineering Standards Manual*.
- F. Site improvements.
1. All subdivisions shall be required to have underground utility service (electrical, cable television and telephone) unless all lots within the subdivision front existing streets that currently are serviced above ground.
 2. If the subdivision plat proposes ten (10) lots or more then a recreation facilities assessment equal to 5% of the predevelopment land value according to the property appraiser shall be due prior to the issuance of a Preliminary Development Order. In some cases, land can be deeded to the City provided that land is deemed of sufficient size and quality to be utilized as a public City Park. This shall be at the sole discretion of the Director of Crestview Recreation Enrichment Services Department.
 3. Land which is determined to be unsuitable for subdivision due to flooding, bad drainage, or other features likely to be harmful to the health, safety, and general welfare of future residents, shall not be subdivided, unless adequate methods of correction and mitigation are formulated by the developer and approved by the City and any other agency having jurisdiction.
 4. All standards for site preparation and improvement set forth in Section 6.09.00 shall be met.
 5. All applicable standards set forth in Chapter 5, Environmental and Resource Protection, shall be met.
- G. The street and block layout.
- (1) *Streets*. The street layout of the subdivision shall be in general conformity with a plan for the most advantageous development of adjoining areas and the entire neighborhood. This shall apply to all streets, including private streets.
 - a. Where appropriate to the design, proposed streets shall be continuous and in alignment with existing, planned, or platted streets with which they are to connect.

- b. Proposed streets may be required to extend to the boundary lines of the tract to be subdivided where such an extension is required to connect with streets in an existing, platted, or planned subdivision. The extension or connection requirement by the city will be based upon traffic circulation or public safety issues and compatibility of adjacent land uses.
- c. In a proposed subdivision of 50 lots or more adjacent to an existing or platted subdivision where extension of proposed streets to the boundaries would dead end with no feasible street connections, there shall be at least two entrance streets into the subdivision where feasible. Interior streets shall be designed so as to provide more than one route to as many residences as feasible.
- d. If the proposed subdivision is adjacent to an undeveloped area, at least one proposed street shall terminate at a boundary line of the undeveloped area. A temporary turning circle shall be required at the end of that street or streets with an outside diameter of 60 feet. This requirement may be waived if the traffic pattern of the subdivision contains more than one exit to a city or county road or if traffic circulation or public safety requirements do not dictate a street terminus at a boundary line of the undeveloped area.
- e. If an existing half-width public or private street or other right-of-way easement is parallel and contiguous with the boundary of a proposed subdivision, the other half-width right-of-way will be dedicated in the proposed subdivision and shall be the width necessary to create a right-of-way along the entire boundary of the proposed subdivision which meets minimum width requirements as set forth in article VIII of this chapter. If the additional right-of-way required to continue the existing dedicated road or other easement in a continuous, orderly manner is not in the proposed subdivision, the developer will prepare the agreement or easement for dedicating the additional right-of-way required and will attempt to obtain such right-of-way. However, the city may assist in acquisition of such right-of-way when in the public interest, where governmental action is necessary to acquire the property and the developer advances all costs and expenses incurred by the city in taking such action.
- f. A cul-de-sac or local dead-end street shall not exceed 1,320 feet in length.

6.07.00 - STANDARDS FOR SITE PREPARATION AND IMPROVEMENTS

Site preparation and site improvements for all developments within the City of Crestview shall comply with the requirements set forth in the *Crestview Engineering Standards Manual*. Any deviations for any reason from that *Manual* shall be only at the sole discretion of the Director of Public Services.

6.07.01 - Site Lighting.

Site lighting is required for all new developments. A lighting plan shall be provided as part of the initial submittal to demonstrate compliance with the following standards:

- A. Lighting shall be designed to shine downward and not skyward.
- B. Lighting shall be shielded to avoid glare and direct illumination of adjacent properties.
- C. Only full-cut off lighting fixtures shall be permitted.
- D. Lighting within a subdivision may be placed at the time of the house construction. However, said lighting shall be required to be in place for the entire subdivision prior to the time of acceptance of the roadways by the City.
- E. Commercial development lighting shall not create glare or other hinderance to any roadways and drivers.

6.08.0 STANDARDS FOR LANDSCAPE DEVELOPMENT

6.08.01 Intent.

1. It is the intent of this Section to:
 - a. Establish minimum landscaping standards for all development within the City;
 - b. Protect the public's health, safety, and welfare;
 - c. Protect the natural environment, ecosystem, existing wetlands, and waterways;
 - d. Improve the quality of appearance of the built environment by preserving natural elements where possible and incorporating new landscaped areas;
 - e. Protect and improve property values;
 - f. Establish an integrated system of landscaping and beautification of the City's corridors;
 - g. Ensure visual accessibility to businesses.
 - h. The City of Crestview encourages innovative water conservation planning, design and techniques, including xeriscape landscaping methods as defined in the *Crestview Engineering Standards Manual*.

6.08.02 Definitions.

1. Definitions of terms used in this chapter can be found in Chapter 2 - Definitions.

6.08.03 Applicability.

1. This section applies to all new development.
 - a. New development within an existing multi-use structure, non-residential, or multi-family development shall be required to provide landscaping in conformance with this section only to the portions of the site containing the new development, unless Sub-Section 6.08.03 (3) applies.
2. This section shall apply to existing development and redevelopment when any of the following occurs:
 - a. When a Change in Use requires the construction of additional parking and/or vehicle use area(s).
 - b. When any principal nonresidential structure or complex of structures is enlarged by 50 percent or more in gross floor area, the entire site shall conform to the requirements of this Section.
 - c. When alterations to any principal nonresidential or multifamily structure or complex of structures exceed 30 percent of the assessed value over an 18-month period, the entire site shall be made to conform to the requirements of this Section.
 - d. When any vehicle use area is constructed or established, or when an existing vehicle use area is enlarged by 50 percent or greater, the entire vehicle use area shall conform to the requirements of this Section.

- i. When an existing vehicle use area is enlarged by less than 50 percent, that portion of the vehicle use area shall conform to the requirements of this Section.
3. The following development is exempted from the requirements of this section:
 - a. Single Family detached dwellings.
 - b. Duplex dwellings.
4. New subdivisions are subject to the requirements of Section 6.07.03.

6.08.04 Administrative Modifications.

- a. The Director of Community Development Services, or designee, shall have the authority to modify the requirements of this section when he or she determines that it is physically impossible or, for all intents and purposes, wholly impractical, for a development to meet the requirements of this Section.
- b. This determination shall be based upon the location, placement, or configuration of existing structures, site dimensions, site topography, underground and overhead utilities, and other physical characteristics of the development site itself.
- c. If it is determined that modifications are required, the Director, or designee, may allow for the following only:
 1. Placement of required trees elsewhere on site;
 2. Grouping(s) of required trees;
 3. Waiver of a portion of the requirements, provided that the requirements of this section are implemented to the fullest extent on those portions of the development site that can physically accommodate these requirements.

6.08.05 Landscape Plan Required.

- a. To ensure compliance with the standards of this section, a landscape plan demonstrating how landscaping will be planted on a development site shall be included as a part of any application for development approval for the following:
 1. Special Use Permit;
 2. Commercial Site Plan of any size;
 3. Any commercial Subdivision;
- b. No submittal for any development shall be deemed complete unless a landscape plan has been submitted.
- c. No development order or development permit shall be issued until a landscape plan has been submitted and approved as meeting the requirements of this section.
- d. Landscape plans shall be signed and sealed by a landscape architect who is licensed to practice in the State of Florida, and in good standing.
- e. Landscape plans shall be submitted to the Planning and Zoning Department, separately from or as a component part of required development plans. In either case, the application process will not proceed to review without the Landscape Plan.

- f. All landscape materials depicted on the approved landscape plan shall be installed prior to the issuance of a Certificate of Occupancy.
- g. Landscape plans shall include the following contents and information:
 - 1. Location of all existing trees that are on the protected trees list on a development site, with their species (common name), DBH, and crown or spread identified.
 - 2. Denote existing trees to be removed and those to be saved, together with a table of this information.
 - i. For all protected trees being removed, a certified arborist is required to determine if those trees can be safely moved to another location on the site, or state if they cannot.
 - 3. Locations of all landscaping improvements including species (common name), crown, and DBH of trees and species of shrubs, grasses and ground cover(s).
 - 4. Total landscaped area, total impervious surface areas, and total project limits.
 - 5. Location of all proposed driveways, parking areas, sidewalks, buildings, walls, fences, signs, and any other non-landscape components which will intersect and/or be constructed or installed within the required landscape areas.
 - 6. Any utilities, overhead or underground, in the vicinity of the landscape areas shall be shown. Any potential impacts with the utilities shall be noted. Acceptance of the landscape material by an effected utility company may be required, such as trees adjacent to an overhead power line.
 - 7. Location of any proposed irrigation system or other watering apparatus.
 - 8. Reference to the applicable sections identifying the minimum landscape and installation requirements of this code.
 - 9. A statement indicating that the balance of all areas within the required landscape, outside of the trees and shrubs shall be planted with turf grass and or groundcover plants.
 - 10. A statement indicating that all disturbed areas outside of the planned improvements shall be sodded or seeded.
 - 11. A statement(s) and/or graphic(s) providing for the protection of saved trees onsite.
 - 12. Any other required or pertinent design or detail information in written or graphic form.

6.08.06 Requirements – Perimeter Landscape.

- a. There are different types of perimeter landscape yards that developments may be required to install. Perimeter landscape requirements reflect the proposed property use and the adjacent property uses and/or zoning districts.
- b. The following perimeter landscape areas shall be required in accordance with the applicable portions of this Section:
 - 1. Right-of-Way (ROW) Landscape Buffer.
 - 2. Side Perimeter Landscape Buffer.
 - 3. Adjacent Use Buffer.

6.08.07 Requirements – Right-of-Way Landscape Buffer Yard.

4. There shall be a continuous landscaped area, a minimum of 10-foot wide, adjacent to all rights-of-way.
 - i. When parking areas abut ROW Landscape Buffer yards, wheel stops shall be provided to prevent any overhang into the landscape area.
 - ii. Sidewalks shall not be located within the right-of-way landscape buffer yard.
 - iii. A maximum of two vehicle accessways, meeting the width requirements of Section XXXX, through ROW Landscape Buffer yards, per right-of-way shall be allowed.
 - a) Developments with greater than 500 linear feet of right-of-way frontage shall be allowed one additional accessway through the ROW Adjacent Landscape Yard.
 - b) Accessways shall at no time be less than 50 feet apart, as measured from the centerline of driveway throats of each accessway.
5. When a development's disturbed area or project area, does not extend the full length of the right-of-way frontage of the property, the required perimeter landscape may be placed within the dedicated project area only, provided the following:
 - i. When the remainder of the frontage contains natural growth of native trees, shrubs and grasses to sufficiently create or maintain a visual barrier between the right-of-way and the proposed development.
 - ii. The remainder of the frontage is kept and maintained in its natural state.
 - iii. The landscape plan identifies that the area is to be maintained in a natural state and that when the area no longer provides an acceptable visual barrier, landscaping improvements in keeping with the provisions of this code shall be installed.
 - iv. If this area is developed in the future, then it will be required to meet the requirements of this code.
6. Right-of-way adjacent landscape areas shall utilize, to the greatest extent practical, existing trees, provided those trees are identified within the Approved Tree Species List. See Section XXXX for the approved species list and tree protection bonuses.
7. Right-of-way adjacent landscape areas shall provide vegetation in accordance with the following:
 - i. One tree per 25 linear feet, or fraction thereof, of total right-of-way frontage with 50 percent of the trees being a shade species.
 - a) Any required trees deemed to be within the visibility triangle will be required to be planted elsewhere. (Refer to the *Crestview Engineering Standards Manual*) for more information)
 - b) Any trees that would conflict with existing utilities, such as overhead power, shall be planted elsewhere.

- c) In no case will driveways, utilities, or other such conflicts result in a reduction of the required trees or landscape area. Such required landscape shall be moved elsewhere within the development.
 - ii. Two shrubs per five (5) linear feet of right-of-way frontage.
 - a) Shrubs shall be of a species that will reach a mature height of no less than 24".
 - iii. The balance of the landscaped area shall be planted with turf grass and other landscaping treatments.
- c. Side Perimeter Landscape Yards.
 - 1. There shall be a continuous side perimeter landscape yard, a minimum of five-foot-wide, adjacent to the property line, in accordance with the following:
 - i. When there is an existing use on the adjacent property and a buffer yard is not required.
 - ii. When there is a planned use on the adjacent property and a buffer yard is not required.
 - iii. Cross Vehicle Access-drives meeting the minimum width requirements as per Section XXXX, shall be allowed up to three per side.
 - a) When not connecting to an existing Cross Vehicle Access drive, landscaping shall be required to meet this Chapter.
 - 2. Side perimeter landscape yards shall provide vegetation in accordance with the following:
 - i. Two shrubs or one bush per five (5) linear feet of property line.
 - a) Shrubs shall be of a species that will reach a mature height of no less than 24".
 - b) Bushes shall be of a species that will reach a mature height of no less than 6'.
 - ii. The balance of the landscaped area shall be planted with turf grass and other landscaping treatments.
- d. Buffer Yards.
 - 1. Buffer yards shall generally be located along the outer perimeter of a parcel and shall extend from the property line inward the required width.
 - 2. Required buffer yards shall not be developed, except for required underground and overhead utility facilities and in accordance with the provisions of Section 102-84.
 - 3. Buffer yards shall be required between uses with different densities and/or intensities and between different zoning districts in accordance with the following:
 - i. A buffer yard meeting the requirements as identified in Sub-section xxxx shall be provided in the following situations and/or circumstances:
 - a) Buffer widths shall be determined based on Table A.

- 1) Where redevelopment of an existing single-family dwelling occurs adjacent to single family or duplex residential development, in conformance with this code and the character of the single-family dwelling is preserved and there are 10 or less required parking spaces, the buffer yard requirement may be satisfied by the placement of an eight-foot tall wood or vinyl/plastic privacy fence around the entire side and rear yards.

Table A

	R-1	R-2	R-3	C-1	C-2	M-1
R-1	N/A	A	B	C	D	D
R-2	A	N/A	A	C	D	D
R-3	B	A	N/A	C	C	C
C-1	C	C	C	N/A	A	A
C-2	D	D	C	A	N/A	A
M-1	D	D	C	A	A	N/A

- b) The buffer widths referenced above shall be as follows:

- 1) A = 5', B=10', C=15', D=30'.

4. Buffer Yard vegetation requirements:

- i. The expectation with this section is that a visual and audible barrier or screen is created between dissimilar uses through the use of aesthetically appealing landscaping, fencing, walls, or other methods.
- ii. All plants in the buffer shall be bushes and trees of an approved species that will reach a mature height of no less than 6'.
 - a) Small shrubs will not be allowed unless coupled with a 6' privacy fence.
- iii. Buffer Yard approved vegetation list. Vegetation not on this list must be approved by the Community Development Services Director, or designee:
 - a) Japanese privet (*Ligustrum japonicum*)
 - b) Azalea (*Rhododendron* spp.)
 - c) Japanese cleyera (*Cleyera japonica*)
 - d) Wax myrtle (*Myrica cerifera*)
 - e) Pampas grass (*Cortaderia selloana*)
 - f) Silverthorn (*Elaeagnus pungens*)
 - g) Cherry elaeagnus, Gumi (*Elaeagnus multiflora*)
 - h) English holly (*Ilex aquifolium*)
 - i) Chinese holly (*Ilex cornuta*)
 - j) Japanese holly (*Ilex crenata*)
 - k) Yaupon holly (*Ilex vomitoria*)

- l) Oleander (*Nerium oleander*)
 - m) Chinese juniper (*Juniperus chinensis*)
 - n) Savin juniper (*Juniperus sabina*)
 - o) Rocky mountain juniper (*Juniperus scopulorum*)
 - p) Bottlebrush buckeye (*Aesculus parviflora*)
 - iv. Bushes shall be planted sufficiently close so that at full maturity, there will be no visual space between the bushes.
 - v. Walls and fences may be allowed provided they are constructed in such a manner as to create the intended visual and audible barrier.
 - a) No wall or fence may be constructed less than 6' in height.
 - b) All fences and walls will require approval from the Building Department.
- e. Protected Trees.
1. No person shall cut, remove or damage any protected tree in a manner which causes the tree to die within a period of two years without first obtaining a Land Clearing and Protected Tree Removal permit, or without such removal being approved as part of a development order that provided a landscape plan as required by 6.08.05. A detached single-family dwelling or duplex dwelling is exempt from the requirements of this section as provided for in 6.08.03 except that they must replant a tree listed on the Protected Tree List or Tree Replant List, with such replacement tree measuring a minimum of 1.5 inches DBH.
 2. Protected Tree List. The following types of species comprise the protected tree list (* denotes shade trees):
 - i. Species type A: Small, four-inch to seven-inch DBH
 - a) Dogwood (*Cornus florida*)
 - b) Redbud (*Ceris Canadensis*)
 - c) Ashe's magnolia (*Magnolia ashei*)
 - ii. Species type B: Medium, eight-inch to 13-inch DBH.
 - a) American holly (*Ilex opaca*)
 - b) Southern magnolia (*Magnolia grandiflora*)*
 - c) Eastern (or Southern) red cedar (*Juniperus virginiana*)*
 - iii. Species type C: Large, 14-inch and larger DBH.
 - a) Live oak (*Quercus virginiana*)
 - b) Laurel oak (*Quercus laurifolia*)*
 - c) Sweet gum (*Liquidambar styraciflua*)*
 - d) Sycamore (*Platanus occidentalis*)*
 - e) Pecan (*Carta illinoensis*)*

- f) Water oak (*Quercus nigra*)*
 - g) Red maple (*Acer rubrum*)*
- 3. Trees identified by a certified arborist as diseased or dead shall not be required to be replaced.
- 4. Every effort shall be made to save the trees on this list during any site development or clearing for any reason.
- 5. Allowances to the site development may be provided to encourage retaining protected trees. The Director of Community Development Services, or designee, may review a plan submitted by the developer to determine the extent of such allowances. Those may include such allowances as reduced parking requirements, reduced landscape area requirements or other allowances.
- 6. Trees on this list must be preserved based at a ratio of one tree for each 3,600 square feet of impervious surface area proposed by any site development.
- 7. Where protected trees cannot be kept or relocated, they must be replaced by a species listed in the Tree Replant and Protected Trees list. Enough trees shall be planted to replace a minimum of fifty percent the diameter of the removed protected tree. Multiple trees shall be used to reach fifty percent, but in no case shall any of these replacement trees be less than 2" in diameter.
- 8. On sites proposed for development where no existing protected trees are identified, the developer shall be required to plant one new tree from either the Protected Tree List or Tree Replant List per 3,600 square feet of proposed impervious surface area. One third of trees planted, or fraction thereof shall be of Species type A, one third or fraction thereof shall be of Species type B, and one third or fraction thereof shall be of Species type C. The size of each new tree shall be no less than 2" in diameter.
- 9. Tree Replant List. In addition to the three categories of trees identified in subsection 1, the following trees may be planted to meet the minimum tree replanting requirements of subsection 5. Replanted tree must be of the same species type as the tree removed. Trees not on this list may be used only if approved by the Community Development Services director or designee. (* Denotes shade trees):
 - i. Species type A: Small.
 - a) Dahoon holly (*Ilex cassine*)*
 - b) Fringe tree (*Chionanthus virginicus*)
 - c) Red bay (*Persea borbonia*)*
 - d) Swamp bay (*Persea palustris*)*
 - e) Sassafras (*Sassafras albidum*)
 - f) Yaupon (*Ilex vomitoria*)
 - g) Wild olive (*Osmanthus americanus*)
 - h) Scrubby post oak (*Quercus margaretta*)
 - i) Southern crabapple (*Malus angustifolia*)

- j) Eastern Hophornbeam (*Ostrya virginiana*)
 - k) Red buckeye (*Aesculus pavia*)
 - l) Pindo palm (*Butia capitata*)
 - m) Sago palm (*Cycas revoluta*)
- ii. Species type B: Medium.
- a) Cherry laurel (*Prunus caroliniana*)*
 - b) Large-leafed magnolia (*Magnolia macrophylla*)*
 - c) American hornbeam (*Carpinus caroliniana*)
 - d) River birch (*Betula nigra*)*
 - e) Florida maple (*Acer barbatum*)*
 - f) Sweetbay (*Magnolia virginiana*)*
 - g) Ginko (*Ginko biloba*)*
 - h) Bradford pear (*Pyrus calleryana* "Bradford")
 - i) Ash (*Fraxinus* spp.)*
 - j) London planetree (*Plantanus x acerfolia*)*
 - k) Sabal (cabbage) palm (*Sabal palmetto*)
- iii. Species type C: Large.
- a) Tulip tree (*Liriodendron tulipifera*)
 - b) Willow oak (*Quercus phellos*)
 - c) Black gum (*Nyssa sylvatica*)
 - d) Southern red oak (*Quercus falcata*)*
 - e) Shumard's red oak (*Quercus shumardii*)*
 - f) Hackberry (*Celtis laevigata*)*
 - g) White oak (*Quercus alba*)*
 - h) Bald cypress (*Taxodium distichum*)
 - i) Walnut (*Juglans nigra*)*
 - j) Chinese elm (*Ulmus parvifolia*)*
 - k) Hickory (*Carya* spp.)*
 - l) Yellow buckeye (*Aesculus flava*)*
 - m) Canary island date palm (*Phoenix canariensis*)

10. Prohibited tree list.

- i. The following prohibited species may not be used to meet any landscape requirement:

- a) Paper mulberry (*Broussonetia papyrifera*)
- b) Australian pine (*Casuarina equisetifolia*)
- c) Ear tree (*Enterolobium cyclocarpum*)
- d) Punk tree (*Melaleuca* spp.)
- e) Chinaberry (*Melia azedarach*)
- f) Brazilian pepper (*Schinus terebinthifolius*)
- g) Downy rosemyrtle (*Rhodomyrtus tomentosa*)
- h) Bishopwood (*Bischofia javanica*)
- i) Chinese Tallow Tree or Popcorn Tree (*Triadica sebifera*)



Staff Report

PLANNING AND DEVELOPMENT BOARD

MEETING DATE: September 8, 2020

TYPE OF AGENDA ITEM: Presentation

TO: Planning and Development Board
CC: City Manager and City Attorney
FROM: Community Development Services
DATE: 8/31/2020
SUBJECT: Discussion and Review for New Land Development Code Chapter 7 - Accessory, Temporary, and Special Use Situations

BACKGROUND:

The current Land Development Code is based on code written mostly in 1996 and updated sporadically. State, federal statutes and regulations have changed as well as industry best practices. These changes created a multitude of updates, resulting in a code that is very difficult to regulate. On March 5th, the City Council and the Local Planning Agency met to discuss a plan to update the Land Development Code. During the meeting, city staff outlined a plan to systematically review and rewrite the LDC. The results from that effort created a new Administrative Procedures chapter, which created the Planning and Development Board. Changing the duties and procedures for the board. This is chapter 9 Variations for Standards in LDC of the plan.

DISCUSSION:

The purpose of this chapter is to provide standards for accessory, temporary, and special use situations within the City of Crestview, in accordance with the City Code and Comprehensive plan. Any violation of this Chapter, including a property owner's unpermitted accessory structure, or non-compliant property use shall be punished as provided for in section 1-11 of the City Code and Chapter 162, Florida Statutes.

Provide for regulations on accessory structures to include:

- Site Development standards for accessory buildings (storage buildings, utility buildings, sheds, greenhouses, etc.).
- Accessory buildings in the R-1, R-2, R-3 or MX-NC zoning districts shall abide by the following requirements and standards.
- Accessory buildings shall only be placed inside and rear yards, and shall be setback three (3) feet from side and rear property lines.

Provided for storage buildings, storage sheds and detached garages in the C-1, C-2 and C-3 zoning districts that exceed 600 square feet of floor area must provide brick veneer, stone, stucco, or other similar decorative materials to the façade on all sides of the building visible from the public right of way.

Establishes site Development Standards for Fences, Hedges and Walls to include:

- Fences, perimeter hedges and walls may be located on, at, or inside the property line. All fence material must be located on, at or inside the property line, and shall not be located outside of the property line.
- Setback requirements applicable to principle buildings shall not prohibit or restrict the installation of a retaining wall.
- Fences, perimeter hedges, and walls shall not be located within the required visibility triangle.
- Fences and walls must be constructed of wood, masonry, stone, wrought iron, chain link, vinyl, welded wire, or composite materials.
- Electrical fencing may be installed on top of a fence in C-2 or C-3 zoning districts, provided that the electrical fencing is a minimum of six (6) feet above the ground.
- Electrical fencing may be installed in residential areas provided that such fencing shall be limited to rear yards and shall be contained within a fence structure.
- Fence and wall height shall be measured from the natural grade at the base of the fence to the topmost part of the fence.
- A pool fence, at minimum four (4) feet in height shall be required around the perimeter of any outdoor swimming pool. Such fence shall be erected either around the immediate proximity of such pool or around or within the boundary of the real property where such pool is located. No swimming pool permit shall be issued unless there is an existing satisfactory safety barrier on or around such pool, or if a permit for such safety barrier was issued prior to or simultaneously with such pool permit.

Establishes location for Swimming Pools to include:

- There shall be at least six (6) feet between a building and the water's edge of an outdoor swimming pool. There will also be at least six (6) feet between any side or rear property line or building line and the water's edge of an outdoor swimming pool.
- All pool enclosures (enclosure constructed of metal, wood, or similar type material for framing and consisting of screen mesh or any similar material between framing members making up the roof and walls, and which specifically covers a swimming pool or spa), shall have the same front setback as the principal structure and shall be erected at least three (3) feet from the rear or side property line

Establishes sign regulations to include:

- A development permit is required for any sign that is not exempt from the standards and provisions of Sec. 7-2. Application and review procedures for obtaining sign permits are set forth in Chapter 3.
- The installation and maintenance of signs and sign structures shall comply with all applicable building, electrical, and other codes of the City.
- All signs shall be adequately maintained in a structurally sound and safe condition.
- Exempt Signs. The following signs are exempt from the requirement to obtain a development permit.
- Provisionally Exempt Signs. Signs identified in this section may be placed without a development permit, provided that such signs comply with the standards set forth in Table Sec. 7-2.1.
- Prohibited signs also know as Snipe signs, including temporary signs stuck in the ground (sometimes also called bandit signs), and signs attached to utility poles, trees, rocks, or other natural object.
- Any sign which constitutes a traffic hazard or a detriment to traffic safety by reason of its size, location, movement, content, coloring, or method of illumination.
- Signs that are of such intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist, or pedestrian using or entering a public way, or that are a hazard or a nuisance to occupants of

any property because of glare or other characteristics.

- Temporary signs are permissible subject to receipt of a temporary sign permit specifying type, size, location, and duration of placement. Temporary sign permits are limited to three (3) per business in any one (1) calendar year. Temporary signs may be displayed for a period not exceeding fifteen (15) days.
- Sign types allowed. A permanent accessory sign may be a ground sign to include a thirty-two (32) square foot reader board, or a building sign. Permanent accessory signs and reader board signs may be changeable copy or automatic changeable facing signs; however, facing or copy shall not rotate or change so rapidly as to cause distraction to a motorist.

Establishes Detached Accessory Dwellings in Residential Zoning Districts to include detached accessory dwellings, also called accessory apartments, guesthouses, helper quarters, mother-in-law suites, and granny flats.

Provided for Detached Caretaker/Security Dwellings (Accessory Dwellings) in Specified Nonresidential Zoning Districts.

Provided for a caretaker dwelling shall be provided by the manager, owner or caretaker of the principle use.

Establishes home occupations that may be permitted as an accessory use in a lawfully established dwelling unit located in the R-1, R-2, R-3, and MX-NC zoning districts. The standards for home occupations are intended to ensure compatibility with other permitted use and with the residential character of the neighborhood.

Establishes special Exception Uses to include Recreational Camps, Roadside, Mobile Vendors temporary Auto Sales

The above list is not a comprehensive list of items included within chapter 7 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.

This was presented at the last meeting and is still available for review and comment.

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

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

There will be no financial impact with this chapter.

RECOMMENDED ACTION

Staff respectfully requests the PDB review this chapter and provide comments at the next meeting.

Attachments

1. DRAFT Chapter 7 - Accessory, Temporary, and Special Use Situations

CHAPTER 7 – ACCESSORY, TEMPORARY, AND SPECIAL USE SITUATIONS

The purpose of this chapter is to provide standards for accessory, temporary, and special use situations within the City of Crestview, in accordance with the City Code and Comprehensive plan. Any violation of this Chapter, including a property owner's unpermitted accessory structure, or non-compliant property use shall be punished as provided for in section 1-11 of the City Code and Chapter 162, Florida Statutes.

Sec. 7-1. – Accessory Structures

- A. Any number of different accessory structures may be located on a parcel, provided that the following requirements are met:
 - 1. There shall be a permitted principal development on the parcel, located in full compliance with all standards and requirements of this chapter.
 - 2. All accessory structures shall comply with standards pertaining to the principal use, unless exempted or superseded elsewhere in this chapter.
 - 3. Accessory structures shall not be located in a required buffer, landscape area or minimum building setback area.
 - 4. Accessory structures shall be included in all calculations of impervious surface and storm water runoff.
 - 5. Accessory structures shall be shown on any concept development plan with full supporting documentation.
 - 6. No accessory structures used for industrial storage of hazardous, incendiary, noxious or pernicious materials shall be located nearer than 100 feet from any property line.
- B. Site Development standards for accessory buildings (storage buildings, utility buildings, sheds, greenhouses, etc.).
 - 1. Accessory buildings in the R-1, R-2, R-3 or MX-NC zoning districts shall abide by the following requirements and standards:
 - a. In lots within recorded subdivisions and non-platted lots with a depth less than 250 feet:
 - (1) Accessory buildings shall only be placed in side and rear yards, and shall be setback three (3) feet from side and rear property lines.
 - (2) Accessory buildings on a corner lot shall have a setback of fifteen (15) feet from the side or rear property line(s) abutting a street.
 - (3) If an accessory building is proposed to be built closer than ten (10) feet to the principle structure, it must meet the primary setbacks of said principle structure.
 - b. In lots not within recorded subdivisions and with a lot depth of 250 feet or greater:
 - (1) Accessory buildings may be placed in any side, rear or front yards, shall be setback three (3) feet from side and rear property lines and shall not be within any required front setback.
 - (2) Accessory buildings on a corner lot shall have a setback of fifteen (15) feet from any side or rear property line(s) abutting a street.
 - (3) If an accessory building is proposed to be built closer than ten (10) feet to the principle structure, it must meet the primary setbacks of said principle structure.
 - 2. Storage buildings, storage sheds and detached garages in the C-1, C-2 and C-3 zoning districts that exceed 600 square feet of floor area must provide brick veneer, stone, stucco, or other

similar decorative materials to the façade on all sides of the building visible from the public right of way.

3. Carports in any zoning district are allowed in front yards but shall not encroach into any front setback and must remain under twenty (20) feet in height. Otherwise they are held to the same requirements as other accessory buildings in Sec. 7-1(B)(1).

- a. Carports located in the front yards shall have no sides of any material.

C. Site Development Standards for Fences, Hedges and Walls.

1. Location of fences, perimeter hedges and walls.

- a. Fences, perimeter hedges and walls may be located on, at, or inside the property line. All fence material must be located on, at or inside the property line, and shall not be located outside of the property line.
 - b. A fence located on the property line may be shared by adjacent properties.
 - c. Owners of fences on adjacent properties that are not shared shall make provisions for maintenance.
 - d. Setback requirements applicable to principle buildings shall not prohibit or restrict the installation of a retaining wall.
 - e. Fences, perimeter hedges, and walls shall not be located within the required visibility triangle.

2. Materials and appearance requirements.

- a. Fences and walls must be constructed of wood, masonry, stone, wrought iron, chain link, vinyl, welded wire, or composite materials.
 - b. All fences shall be installed with the finished side facing outward, except for the following:
 - (1) Where a fence cannot be constructed on the property line due to an existing fence on the adjacent property line, the finished side may face inward.
 - (2) When an applicant is not granted permission to access the adjacent property to install the fence, the finished side may face inward.
 - c. A fence installed for security purposes in C-2 or C-3 zoning may include barbed wire, provided that the barbed wire is at least six (6) feet off the ground.

3. Electrical fencing may be installed for security purposes and shall meet the following standards:

- a. Electrical fencing may be installed on top of a fence in C-2 or C-3 zoning districts, provided that the electrical fencing is a minimum of six (6) feet above the ground.
 - b. Electrical fencing may be installed in residential areas provided that such fencing shall be limited to rear yards and shall be contained within a fence structure.
 - c. All electrical fencing shall be accompanied by signs to provide a warning of the type of fence and the voltage of the fence. Warning signs shall be placed at each corner of the enclosed area; additional signs shall be placed fifteen (15) feet apart along the entire fence. Warning signs shall not exceed four (4) square feet in area each.

4. Height standards.

- a. Fence and wall height shall be measured from the natural grade at the base of the fence to the topmost part of the fence, including any decorations, barbed wire, or other fixtures.
 - b. The maximum height for a fence on a lot line on a property zoned R-1, R-2, R-3 or MX-NC and adjacent to a property zoned C-1, C-2 or C-3 shall be eight (8) feet.

Comment [DB1]: There is an 8-foot height restriction on fences, but barbed wire has to be at least 8 feet off the ground. This would create a fence that is taller than 8 feet.

Comment [NS2]: Changed. Also changed Height Standards, subsection a. to include provisions for total height calculation.

Comment [NS3]: Modified height standards to account for things affixed to the top of fences.

- c. Fence may contain decorative columns spaced no less than six (6) feet apart that shall not exceed eight (8) feet in height.
- d. Approval to exceed minimum height standards may be given by the Community Development Services Director, or their designee, upon receipt of satisfactory evidence of the need to exceed height standards.
- e. Height standards provided in Table 7-1.1:

Table 7-1.1 Standards for Fence Heights

Zoning District	Maximum Height in a Side or Rear Yard (feet)	Maximum Height in a Front or Corner-Side Yard
R-1	8	4
R-2	8	4
R-3	8	4
MX-NC	8	4
C-1	8	4
C-2	8	4
C-3	8	6
P	8	4
CON	N/A	N/A

D. Swimming Pools.

1. Location. There shall be at least six (6) feet between a building and the water's edge of an outdoor swimming pool. There will also be at least six (6) feet between any side or rear property line or building line and the water's edge of an outdoor swimming pool.
2. All pool enclosures (enclosure constructed of metal, wood, or similar type material for framing and consisting of screen mesh or any similar material between framing members making up the roof and walls, and which specifically covers a swimming pool or spa), shall have the same front setback as the principal structure and shall be erected at least three (3) feet from the rear or side property line, except if the lot is a corner lot, then the main building corner side setback shall apply; however, if the main dwelling side setbacks are less than three (3) feet, the pool enclosure may take the same side setbacks as the main dwelling.
3. Pool Fencing.
 - a. A fence, at minimum four (4) feet in height shall be required around the perimeter of any outdoor swimming pool. Such fence shall be erected either around the immediate proximity of such pool or around or within the boundary of the real property where such pool is located. No swimming pool permit shall be issued unless there is an existing satisfactory safety barrier on or around such pool, or if a permit for such safety barrier was issued prior to or simultaneously with such pool permit.
 - b. Allowed materials include chain link, wood picket, stockade, woven wire, or woven wood.
 - c. See Florida Building Code, Current Edition for all design and construction requirements.

Sec. 7-2 – Signs.

A. Generally.

1. Purpose. It is the purpose of this section to provide comprehensive and balanced sign regulations that are consistent with constitutional guarantees, promote business growth and retention, achieve clear and effective communication in the City's environment, and to authorize signs which are:
 - a. Consistent with the objectives of the comprehensive plan;
 - b. Compatible with their surroundings;
 - c. Integrated and harmonious with the appearance of the community;
 - d. Legible under the circumstances in which they are seen; and
 - e. Safe for motorists, by preventing visual distraction and visual clutter.
2. In interpreting and applying the provisions of Sec. 7-2, the sign regulations are declared to authorize the maximum allowable signage for the purposes set forth. Any sign authorized by Sec. 7-2 may display noncommercial messages. Nothing in Sec. 7-2 shall be construed to regulate the content of the message displayed on any sign.
3. No person shall move, erect, post, construct, paint, alter, or maintain a sign except in compliance with the standards and requirements set forth in Sec. 7-2.
 - a. A development permit is required for any sign that is not exempt from the standards and provisions of Sec. 7-2. Application and review procedures for obtaining sign permits are set forth in Chapter 3.
 - b. The installation and maintenance of signs and sign structures shall comply with all applicable building, electrical, and other codes of the City.
 - c. All signs shall be located to comply with the clear visibility requirements set forth in **Sec. XXX**.
4. All signs shall be adequately maintained in a structurally sound and safe condition. At a minimum, the following standards shall be met:
 - a. The area around the sign shall be clear of overgrown vegetation or other obstacles so as to make the sign readily visible.
 - b. All damaged or deteriorated panels or structural components shall be replaced.
 - c. Any sign copy shall be maintained securely to the face, and all missing copy shall be replaced.
 - d. All defective, discolored, faded, broken, or torn parts shall be replaced or repaired.
 - e. A sign that becomes unsafe, dangerous, or a threat to public safety shall be replaced, repaired, or otherwise made safe within the time limit set by the City.

B. Exempt Signs. The following signs are exempt from the requirement to obtain a development permit.

1. Regulatory, statutory, traffic control, or directional signs erected on public property by or with permission of the United States, the State of Florida, Okaloosa County or the City.
2. Legal notices and official instruments.
3. Signs incorporated into machinery or equipment by a manufacturer or distributor, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper boxes, and gasoline pumps.
4. Advertising and identifying signs located on taxicabs, buses, trailers, trucks, or vehicle bumpers.
5. Public warning signs to indicate the dangers of swimming, animals, or similar hazards.

Comment [EADI(4): This and other similarly highlighted areas will be completed later during the process of compiling all chapters and appurtenant documents.

6. Memorial signs or tablets, names of buildings, and dates of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials.
 7. Signs carried by a person.
- C. Provisionally Exempt Signs. Signs identified in this section may be placed without a development permit, provided that such signs comply with the standards set forth in Table Sec. 7-2.1.

Table Sec. 7-2.1 – Standards for Provisionally Exempt Signs

Sign Type	Standards
Entrance, exit, or other directional signs, including parking identification signs.	- Maximum area of four (4) s.f. - No individual letters, symbols, logos or designs in excess of eight (8) inches measured vertically or horizontally - Signs shall not be lighted
"No trespassing" or "no dumping" signs	Maximum area of four (4) s.f.
Home Occupation Nameplate in R-1, R-2, R-3, and MX-NC zoning District	- Maximum area of one (1) s.f. - Limited to one (1) per property - Must be affixed to front wall of the dwelling unit containing the Home Occupation - Signs shall not be lighted - May only contain name identifying business in use as Home Occupation
Campaign Signs	- Maximum area of nine (9) s.f. and maximum height of six (6) feet in R-1, R-2, R-3 and MX-NC zoning districts - Maximum area of thirty-two (32) s.f and maximum height of six (6) feet in C-1, C-2, C-3, P and CON zoning districts - Limited to one sign per property - Limited to the period of the campaign issue - Must be removed within forty-eight (48) hours of the campaign issue being decided
Real estate signs in R-1, R-2, R-3, and MX-NC zoning districts	- One (1) sign per dwelling offered for sale or rent - Located on property offered for sale or rent - Maximum area of nine (9) s.f. - Maximum height of six (6) feet. - Setback a minimum of fifteen (15) from the street curb or edge of pavement - Removed within ten (10) days of property no longer being for sale or rent
Real estate signs in C-1, C-2, C-3, P, and CON zoning districts	- One (1) sign per street frontage - Located on property offered for sale or rent - Maximum area of thirty-two (32) s.f.

	• Maximum height of six (6) feet. • Setback a minimum of twenty (20) from the street curb or edge of pavement • Removed within ten (10) days of property no longer being for sale or rent
Construction signs, R-1, R-2, R-3, and MX-NC zoning districts	• Located on a property where a valid building permit has been issued and has not expired. • Maximum area of thirty-two (32) s.f. • Maximum height of eight (8) feet. • Removed when the certificate of occupancy has been issued
Construction signs, C-1, C-2, C-3, P, and CON zoning districts	• Located on a property where a valid building permit has been issued and has not expired. • Maximum area of all signs not to exceed thirty-two (32) s.f. • Maximum height of eight (8) feet. • Removed when the certificate of occupancy has been issued
Yard or garage sale signs	• Maximum area of four (4) s.f. • Located on the property on which a sale is being conducted. • Limited to the period of the sale • Limited to one sign per property • Must be removed within forty-eight (48) hours of the conclusion of the sale
Automatic Teller Machine (ATM) signs	• Not more than one (1) wall sign • Maximum area of four (4) s.f. • Mounted not more than eight (8) feet above finished elevation of the ATM

D. Prohibited Signs. The following signs are prohibited.

1. Off-premises signs.
2. Portable signs.
3. Snipe signs, including temporary signs stuck in the ground (sometimes also called bandit signs), and signs attached to utility poles, trees, rocks, or other natural object.
4. Any sign which constitutes a traffic hazard or a detriment to traffic safety by reason of its size, location, movement, content, coloring, or method of illumination.
5. Signs or sign structures that interfere in any way with free use of any fire escape, emergency exit, or standpipe.
6. Signs that are of such intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist, or pedestrian using or entering a public way, or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics.

7. Abandoned signs.
 8. Signs erected on or projecting over any public property or right-of-way, with the exception of signs erected by public authority for public purposes.
 9. Any other signs that are not specifically permitted or exempted as set forth in Sec. 7-2.
- E. Temporary Signs. Temporary signs shall comply with the following standards.
1. Temporary signs are permissible subject to receipt of a temporary sign permit specifying type, size, location, and duration of placement. Temporary sign permits are limited to three (3) per business in any one (1) calendar year. Temporary signs may be displayed for a period not exceeding fifteen (15) days.
 2. Each permitted temporary sign shall not exceed a size of sixteen (16) square feet.
 3. Temporary signs shall not be placed in the public right-of-way.
 4. Temporary signs shall not flash, blink, spin, or rotate.
 5. Temporary signs include banners, flags, and pennants. The placement of temporary signs shall comply with the clear visibility requirements set forth in **Sec. XXX**. Such signs shall not block traffic or pedestrian visibility or constitute a vehicular or pedestrian traffic hazard.
 6. The placement of temporary signs shall not cause a public nuisance.
 7. Permissible temporary signs shall be firmly secured to the ground or to a building according to the requirements of the temporary permit. Temporary signs may be attached to or cover an existing permitted sign only for the period during which the temporary sign is permitted.
- F. Permitted permanent accessory signs.
1. Permanent accessory signs to be permitted in C-1, C-2, C-3 zonings, and MX-NC zoning where there is an active business on site.
 2. Sign types allowed. A permanent accessory sign may be a ground sign to include a thirty-two (32) square foot reader board, or a building sign. Permanent accessory signs and reader board signs may be changeable copy or automatic changeable facing signs; however, facing or copy shall not rotate or change so rapidly as to cause distraction to a motorist.
 3. Permissible number area, spacing and height of permanent accessory ground signs: Table 7-2.2.

Table 7-2.2 – Requirements for Permanent Accessory Signs

Sign Type	Maximum Number	Maximum Sign Face Area	Sign Dimensions	Maximum Sign Height	Setback/Spacing
Wall	Single Occupancy: 3 per façade Multiple Occupancy: 1 per façade per tenant	Maximum 20% of façade	N/A	Not to exceed height of roofline	N/A
Awning	No Maximum	N/A	75% of Awning Length	2 feet	N/A
Projecting/ Perpendicular	1 per tenant	6 sq. ft.	Width – 4 feet	3 feet	N/A
Monument/ Ground	1 per street frontage	2 sq. ft. per linear foot of street frontage to a maximum of 240 sq. ft.	No required dimensions	24 feet	Property lines: 5 feet Other ground signs: 10 feet

G. Interstate Highway I-10 Corridor Accessory Signs.

1. Interstate Highway I-10 Corridor accessory signs are allowed in the Interstate Highway I-10 Corridor only.
2. An Interstate Highway I-10 Corridor sign may be a ground sign and may be changeable copy or automatic changeable facing signs; however, facing or copy shall not rotate or change so rapidly as to cause distraction to motorist.
3. One sign permitted per multiple-occupancy complex and each occupant not located in a multiple-occupancy complex.
4. Permissible number, area, spacing and height of Interstate Highway I-10 Corridor Accessory signs: Table 7-2.3.

Table 7-2.3 – Requirements for Interstate Highway I-10 Corridor Signs

Number of Signs	Maximum Sign Face Area	Maximum Height	Setback/Spacing
1	420 sq. ft.	85 feet above the crown of Interstate Highway I-10 nearest the sign	Front property line: 25 feet Side/Rear property line: 50 feet Other permanent ground sign on same site: 100 feet

H. Billboards

1. Billboards are allowed in the Commercial (C-1, C-2, C-3) zoning districts.
2. Interstate Highway I-10 Corridor Billboards are allowed in the Commercial (C-1, C-2, C-3) zoning districts that are also in the Interstate Highway I-10 Corridor.
3. Permissible number, area, spacing and height of billboards: Table 7-2.4.

Table 7-2.4 – Requirements for Billboards

Sign Type	Maximum Number	Maximum Sign Face Area	Maximum Height	Maximum Width	Setback/Spacing
Billboard	1	310 sq. ft.	38 feet	30 feet	Property lines: 10 feet Other billboard on same side of thoroughfare: 1,500 feet
Interstate Highway I-10 Corridor Billboard	1	672 sq. ft.	50 feet above the crown of Interstate Highway I-10 nearest the sign	48 feet	Interstate I-10 right of way: 20 feet Other property lines: 50 feet Other billboard on same side of thoroughfare: 1,500 feet

4. Permits required from other agencies shall be obtained prior to receiving a permit from the Community Development Services department.
- I. Directional Signs. Directional signs giving directions to motorists regarding the location of parking areas and access drives shall be permitted as permanent accessory signs on all parcels and shall not be counted as part of an occupancy's allowable sign area.
1. Directional signs located on parcels with single user drives and parking, shall be limited to ten square feet.
 2. Directional signs located on parcels with shared access drives and interconnected parking, shall be limited to 20 square feet.
- J. Signs at entrances to residential developments, farms and ranches.
1. Generally. Permanent accessory signs may be displayed at the entrance to residential developments, farms and ranches.

2. Restrictions.

- a. Signs are permitted at each entrance into the development, farm or ranch from each abutting street. The sign may be a single sign with two faces of equal size or may be two single-faced structures of equal size located on each side of the entrance. No face of the sign shall exceed 32 square feet in size and may be illuminated in a steady light only.
- b. When considering the placement of such signs, the Community Development Services department shall consider the location of public utilities, sidewalks and future street widening.
- c. The Community Development Services department shall ensure that such signs shall be maintained perpetually by the developer, the owner of the sign, a pertinent owners' association, or some other person who is legally accountable under a maintenance arrangement approved by the department. If no accountable person accepts legal responsibility to maintain the signs and no other provision has been made for the maintenance of them, the signs shall be removed by the developer or owner.

K. Flags.

1. Flags allowed in all zones, as per the restrictions below.
2. Number. Not more than four five flags may be displayed on any one parcel of land.
3. Size. The maximum distance from top to bottom of any flag shall be 20 percent of the total height of the flagpole, or, in the absence of a flagpole, 20 percent of the distance from the top of the flag or insignia to the ground.

- L. Utility signs. Public utility signs that identify the location of underground utility lines and facilities, high-voltage lines and facilities, and other utility facilities and appurtenances are permitted so long as they do not exceed three feet in height, and so long as the sign face does not exceed one-half square foot.

Comment [DB5]: John says we need to look at this for a possible freedom of speech issue.

Comment [NS6]: Proposed modification of flag section.

Sec. 7-3 – Detached Accessory Dwellings in Residential Zoning Districts

A. Purpose.

1. The Purpose of this section is to ensure a wide variety of housing choices to city residents and allow opportunities for extended family living.
2. This section provides for detached accessory dwellings, also called accessory apartments, guesthouses, helper quarters, mother-in-law suites, and granny flats.
3. The intent of this section is to ensure that the establishment of a detached accessory dwelling in a residential zoning district maintains compatibility of the area by minimizing or avoiding potential negative impacts from a secondary dwelling unit.

- B. Applicability. Accessory dwelling units are permissible in R-1, R-2, R-3 and MX-NC when established in compliance with the standards set forth in this section.

- C. No more than one (1) accessory dwelling shall be established on any lot, parcel or tract of land.

D. Standards for a detached accessory dwelling.

1. A detached accessory dwelling shall not be allowed on a property where the principle structure is a mobile home, trailer, or of any construction that is not a site-built structure.
2. A detached accessory dwelling shall be held to and reviewed against all applicable building codes, fire codes, and life safety codes required for any new construction dwelling unit.
3. Any detached accessory dwelling shall comply with all site development standards for principle dwelling structures required by the zoning district.

4. Design standards, roof style and materials, and architectural style of the detached accessory dwelling shall be consistent with the principle dwelling.
5. One (1) additional parking space shall be provided, either within an existing garage or carport, or on the driveway. Where on-street parking is established for the neighborhood, on-street parking may be counted to meet this requirement.
6. A detached accessory dwelling shall not exceed 900 square feet or forty (40) percent of the total living area of the principle dwelling on the site, whichever is greater.
7. The existence of a detached accessory dwelling shall not be construed to allow for additional accessory structures on any lot, parcel, or tract of land beyond the number and type of accessory structures permissible with the principle dwelling.
8. There shall be no additional signage to identify the detached accessory dwelling, other than the signage permissible for the principle dwelling.
9. There shall be no additional mailbox, exterior utility equipment, or other evidence of a detached accessory dwelling unit. A detached accessory dwelling unit shall not have separate metered utility service, except as otherwise provided in the Florida Building Code, Current Edition.

Sec. 7-4 – Detached Caretaker/Security Dwellings (Accessory Dwellings) in Specified Nonresidential Zoning Districts.

- A. Purpose. The purpose of this section is to provide for a detached dwelling unit as an accessory to commercial and industrial uses where such dwelling provides for security and caretaking of the principle use.
- B. Applicability. One (1) caretaker dwelling shall be permissible as an accessory structure in the C-1, C-2, and C-3 zoning districts.
- C. Standards.
 1. There shall be no more than one (1) detached caretaker dwelling unit per lot or business establishment, whichever is more restrictive.
 2. The caretaker dwelling shall be provided by the manager, owner or caretaker of the principle use.
 3. The detached caretaker dwelling shall only be located within a side or rear yard.
 4. The detached caretaker dwelling shall not exceed 900 square feet.
 5. The detached caretaker dwelling shall be included in calculations of maximum impervious surface coverage for the site.
 6. The detached caretaker dwelling shall not be located in any required buffer, landscaped area, easement, or stormwater management area.
 7. Two (2) parking spaces shall be provided, which may be shared with parking for the principle use.
 8. The caretaker dwelling shall comply with the setback and height standards applicable to the principle building.
 9. No residential accessory structures shall be permitted.

Sec. 7-5 – Home Occupations

- A. Home occupations may be permitted as an accessory use in a lawfully established dwelling unit located in the R-1, R-2, R-3, and MX-NC zoning districts. The standards for home occupations are intended to ensure compatibility with other permitted use and with the residential character of the neighborhood.
- B. The following and similar uses shall be considered home occupations:
1. An office, such as for professionals and general business.
 2. Instruction for teaching, such as, but not limited to, academic tutoring, performing arts, or fine arts, provided that no more than two (2) students are instructed at any one (1) time.
 3. Administrative or clerical support service, such as transcription, court reporting, stenography, notary public, or word processing, data entry or addressing services.
 4. Authors, composers, or creators of intellectual property.
 5. Telephone answering services.
 6. Beauty salons, barber shops, nail technicians, or similar personal service, limited to one (1) chair or station.
 7. Similar uses: An interpretation that a use is similar shall be based on the tasks and activities normally associated with the proposed use and similarity of those tasks and activities with the tasks and activities of a listed use.
- C. The following uses are specifically prohibited as home occupations:
1. Appliance and motor repairs (small or large).
 2. Automotive, vehicle, or watercraft repairs.
 3. Florist.
 4. Veterinary clinic.
 5. Medical office accompanied by patient foot traffic for a doctor, dentist, or other medical practitioner.
 6. Repair of radios, televisions, computers, CD or DVD players, or other similar equipment.
 7. Any occupation involving hazardous materials.
 8. Restaurants.
 9. Any other occupation that does not meet the standards set in this section.
- D. All home occupations shall comply with the following standards:
1. A home occupation shall be required to have a City Business Tax Receipt (BTR). There shall be one (1) BTR for each business conducted in the dwelling.
 2. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes and shall not change the residential character of the structure.
 3. Not more than twenty-five (25) percent of the habitable floor area of the dwelling unit shall be used in the conduct of the home occupation.
 4. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation including outside storage or signs pertaining to the home occupation. However, one (1) unlighted nameplate, not more than one (1) square foot in area, may be attached to the front wall of the dwelling unit identifying the name of the business which constitutes the home occupation.
 5. No home occupation shall be conducted in any accessory building, except for the permissible parking of vehicles in a garage or carport.

Comment [DB7]: What about doctors doing web-based visits?

Comment [NS8]: See proposed change.

6. No open storage of equipment shall be permitted except that which is of a quantity and configuration normally used for purely domestic purposes.
7. The home occupation shall not generate noise, vibration, glare, fumes, odors, or electrical interference to adjacent properties.
8. Up to two (2) passenger vehicles, which may be commercially marked, are permissible in association with the home occupation. All permissible vehicles shall be parked within a lawful garage, lawful carport, or on the driveway. However, vehicles with a primary purpose of commercial use are prohibited; such vehicles include well-drilling trucks, tow-trucks, cement mixers, semi-trailers, tractors, refrigerated trucks or vans, graders, or other earth moving equipment. Lawn equipment trailers and similar vehicles are permissible provided that they are screened from public view and limited to one (1) per dwelling. Taxi cabs may be permissible, provided that all such vehicles can be parked within a garage, or carport, or on the driveway.
9. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood. The basis for evaluating traffic generated shall be data available from the Institute of Transportation Engineers.
10. Any need for parking generated by the conduct of such home occupation shall be met by the parking areas serving the residential use, such as the driveway, garage, or carport. No vehicle shall block access to the driveway, pedestrian movement on a sidewalk, or be parked in public right-of-way.

Sec. 7-6 – Special Exception Uses

A. Recreational camps.

1. Recreational camps. Recreational camps are allowed by special exception in the Agriculture (A), Commercial (C-1), Industrial (M) and Conservation (C) ~~Commercial (C-1, C-2, C-3) and Conservation (CON)~~ districts in accordance with the following standards.
2. For purposes of this subsection, "Recreational camp" or "Recreational camps" means one or more buildings or structures, tents, trailers, or vehicles, or any portion thereof, together with the land appertaining thereto, established, operated, or used as living quarters for one or more resident or transient members of the public and designed and operated for recreational or other non-profit purposes.
3. The minimum lot area within the A, C-1 or M ~~C-1, C-2 or C-3~~ districts shall be 40 acres. In the C-CON district, the minimum lot area shall be 80 acres.
4. Recreational camps in the C-CON district may only be allowed in accordance with an approved management plan. The management plan shall be prepared at the expense of the applicant by a person or persons qualified in the appropriate fields of study and conducted according to professionally accepted standards. At a minimum, the management plan includes the following:
 - a. Description of goals and objectives based on type of natural resources to be managed;
 - b. Description of all proposed uses, including existing and any proposed physical and access improvements;
 - c. Description of prohibited activities, such as mowing in wetland buffers, or removal of native vegetation in protected habitat areas;

Comment [EADI(9): This change is required as a result of redefining the zones.

- d. Descriptions of ongoing activities that will be performed to protect, restore, or enhance the natural resources to be protected. This may include:
 - (1) Removal or control of invasive vegetation and debris;
 - (2) Replanting with native vegetation as necessary;
 - (3) Provision for listed species habitat needs, including restricting, at appropriate times, intrusions into sensitive foraging, breeding, roosting, and nesting areas;
 - (4) Fencing or other institutional controls to minimize impact of human activities on wildlife and vegetation, such as predation by pets;
 - (5) Prescribed burning, thinning, or comparable activities performed in an environmentally sensitive manner to restore or maintain habitat;
 - (6) Cooperative efforts and agreements to help promote or conduct certain management activities, such as cleanups, maintenance, public education, observation, monitoring, and reporting;
 - (7) Any additional measures determined to be necessary to protect and maintain the functions and values of conservation areas in conjunction with wildfire mitigation;
 - (8) Set of schedules, estimated costs, staffing requirements, and assignments of responsibility for specific implementation activities to be performed as part of the management plan, and identification of means by which funding will be provided;
 - (9) Performance standards with criteria for assessing goals and objectives;
 - (10) Five-year monitoring plan with schedule and responsibility;
 - (11) Ownership and party responsible for management activities;
 - (12) Provision for changes to be reviewed and approved by the City; and
 - (13) Contingency plans for corrective measures or change if goals not met, and recognition of City enforcement authority.
- 5. The maximum density of cabins, lodges and/or tent campsites shall not exceed one per five acres. Density shall be calculated as gross density and include all land area exclusive of major water bodies starting at the high-water mark.
- 6. Cabins or lodges shall comply with the Florida Building Code and must contain a minimum of 250 square feet of floor space per occupant with a maximum capacity of 10. Use of mobile homes or recreational vehicles for lodging is prohibited.
- 7. A single permanent residence is allowed.
- 8. All structures, cabins and tent sites shall be setback a minimum of 200 feet from the property line.
- 9. Vehicular access shall be from a paved public roadway.
- 10. A unified plan for water distribution and wastewater disposal meeting the requirements of the Health Department shall be provided as part of any application for a recreational camp.
- 11. Sanitary facilities including showers, toilets, and sinks shall be provided. Potable water from a municipal water supply shall be used for such sanitary facilities, unless the facility is served by a private well registered, approved and tested by the Department of Health as a limited use public water system.
- 12. Recreational camps for five or more members of the public as defined in Section 513.01, Florida Statutes, are subject to the provisions of Chapter 513, Florida Statutes and shall not be permitted as a special exception unless the Department of Business and Professional Regulation has issued a permit for such activity and such permit remains valid and current at

all times and such property meets every provision of this section not in conflict with the requirements of Chapter 513, Florida Statutes.

13. ~~Any violation of this section, including a property owner's operating or allowing unpermitted recreational camps shall be punished as provided for in section 1-11 of the City Code and each day that such condition continues is regarded as a new and separate offense. Provided for at beginning of chapter.~~

B. Recreational vehicle parks. Recreational vehicle parks ("RV Parks") are allowed by special exception in the Agriculture (A), Commercial (C-1), Industrial (M) **Commercial (C-1, C-2, C-3)** and Conservation (C) **(CON)** districts in accordance with the following standards.

1. Definitions **(Move definitions to new Chapter 2 – Definitions)**

- a. ~~"RV Park" or "RV Parks", for purposes of this subsection, means one or more buildings or structures, tents, trailers, or vehicles, or any portion thereof, together with the land appertaining thereto, established, operated, or used as living quarters for one or more resident or transient members of the public and designed and operated for profit.~~
- b. ~~"Unit" or "Units" means one trailer or one vehicle used as living quarters for one or more resident or transient members of the public.~~
- c. ~~"Tent" or "Tents" means a portable shelter of cloth or other material, whether designed for camping or fabricated for some other purpose, used for storage or as living quarters for one or more resident or transient members of the public.~~

2. Minimum lot size and density. The minimum lot size and density for RV Parks shall be as follows:

- a. If the parcel is accessed directly from a multi-lane or arterial road as defined in the City of Crestview Comprehensive Plan, the minimum lot size shall be 2.5 acres and the maximum allowable density shall be 18 units per acre, with a maximum of one tent per 25 units.
- b. If the parcel is accessed directly from a collector road as defined in the City of Crestview Comprehensive Plan, the minimum lot size shall be 5 acres and the allowable density shall be 9 units per acre, and a maximum of one tent per 25 units.
- c. If the parcel is accessed from any road which is not an arterial or collector road as defined in the City of Crestview Comprehensive Plan, the minimum lot size shall be 15 acres and the allowable density shall be 6 units per acre, and a maximum of one tent per 25 units.
- d. Density shall be calculated as gross density and include all land area exclusive of major water bodies starting at the high-water mark.
- e. For cabins or other permanent structures, the density, setback and other requirements of the zoning district in which the property is located shall apply.
- f. A single permanent residence is allowed.
- g. Cabins and other structures shall comply with the Florida Building Code and must contain a minimum of 250 square feet of floor space per occupant with a maximum capacity of 10.
- h. Use of mobile homes for lodging is prohibited, except that one mobile home may be located onsite for an office, resident manager or security watchman if a permanent residence is not located on the property.

3. Vehicular access shall be from a paved public roadway.

4. A unified plan for water distribution and wastewater disposal meeting the requirements of the Health Department shall be provided as part of any application for a recreational camp.

Comment [EADI(10)]: A new chapter will be added to the code that will contain all definitions from all sections in one location. One reason is ensuring that multiple definitions for terms are removed.

5. Sanitary facilities including showers, toilets, and sinks shall be provided. Potable water from a municipal water supply shall be used for such sanitary facilities, unless the facility is served by a private well registered, approved and tested by the Department of Health as a limited use public water system.
6. Protection of Resources. In addition to the foregoing requirements, RV Parks in the € CON district may only be allowed in accordance with an approved management plan. The management plan shall be prepared at the expense of the applicant by a person or persons qualified in the appropriate fields of study and conducted according to professionally accepted standards. At a minimum, the management plan must provide for the following:
 - a. Description of goals and objectives based on type of natural resources to be managed;
 - b. Description of all proposed uses, including existing and any proposed physical and access improvements;
 - c. Description of prohibited activities, such as mowing in wetland buffers, or removal of native vegetation in protected habitat areas;
 - d. Descriptions of ongoing activities that will be performed to protect, restore, or enhance the natural resources to be protected. This may include:
 - (1) Removal or control of invasive vegetation and debris;
 - (2) Replanting with native vegetation as necessary;
 - (3) Provision for listed species habitat needs, including restricting, at appropriate times, intrusions into sensitive foraging, breeding, roosting, and nesting areas;
 - (4) Fencing or other institutional controls to minimize impact of human activities on wildlife and vegetation, such as predation by pets;
 - (5) Prescribed burning, thinning, or comparable activities performed in an environmentally sensitive manner to restore or maintain habitat;
 - (6) Cooperative efforts and agreements to help promote or conduct certain management activities, such as cleanups, maintenance, public education, observation, monitoring, and reporting;
 - (7) Any additional measures determined to be necessary to protect and maintain the functions and values of conservation areas in conjunction with wildfire mitigation;
 - (8) Set of schedules, estimated costs, staffing requirements, and assignments of responsibility for specific implementation activities to be performed as part of the management plan, and identification of means by which funding will be provided;
 - (9) Performance standards with criteria for assessing goals and objectives;
 - (10) Five-year monitoring plan with schedule and responsibility;
 - (11) Ownership and party responsible for management activities;
 - (12) Provision for changes to be reviewed and approved by the City; and
 - (13) Contingency plans for corrective measures or change if goals not met, and recognition of City enforcement authority.
 - e. ~~Any violation of this section, including a property owner's operating or allowing unpermitted recreational camps shall be punished as provided for in section 1-11 of the City Code and each day that such condition continues is regarded as a new and separate offense.~~ **Provided for at beginning of chapter.**
- C. **Itinerant Vendors, Mobile Food Vendors, Peddlers and Solicitors**

Comment [EADI(11): This entire section (over 12 pages) has proven to be cumbersome, confusing, and in some aspects not allowed by other regulations. Therefore this entire section is being replaced by a more succinct, clear, and enforceable regulation with the goal of being more in line with the vision of the Strategic Plan.

1. Purpose and Intent
 - a. The purpose of this article ~~subsection~~ is to establish regulations for the location, approval and permitting of itinerant vendors, mobile food vendors, peddlers and solicitors. These administrative regulations are intended to provide orderly and effective management of temporary land use.
 - b. The intent of this article ~~subsection~~ is multifaceted and seeks to address the many concerns associated with itinerant vending. The following objectives apply:
 - (1) To aid and encourage small business development and entrepreneurialism, while protecting the interests of established "brick and mortar" businesses.
 - (2) To ensure that itinerant Vending locations are appropriate and will not create any unsafe or unsanitary condition nor put undue strain on nearby "brick and mortar" establishments.
 - (3) To ensure that the parking of vending vehicles or the placement of equipment, merchandise and any wares, will not adversely affect the public amenity and/or the aesthetics and functionality of the streetscape area.
 - (4) To protect the health, safety, and welfare of all citizens of and visitors to Crestview.
2. Definitions. The following words, terms and phrases when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning: ~~Revise and move to new Chapter 2 – Definitions.~~
 - a. *Commissary* means a public food service establishment licensed by the division or a food establishment permitted by the department of agriculture and consumer services, which is utilized by a mobile food dispensing vehicle for the purpose of providing all required support services, including potable water and wastewater disposal that are not available on the mobile food dispensing vehicle. (61 C-0001 FAC.)
 - b. *Division* refers to the Division of Hotels and Restaurants of the Florida Department of Business and Professional Regulations.
 - c. *Food code*. this term as used in chapters 61C-1, 61C-3 and 61C-4, F.A.C., means paragraph 1-201.10(B), chapter 2, chapter 3, chapter 4, chapter 5, chapter 6, chapter 7, and sections 8-103.11 and 8-103.12 of the Food Code, 2009 Recommendations of the United States Public Health Service/Food and Drug Administration including Annex 3: Public Health Reasons/Administrative Guidelines; Annex 5: Conducting Risk-based Inspections, herein adopted by reference. A copy of the food code, as adopted by the division, is available on the division's Internet website www.MyFloridaLicense.com/dbpr/hr. A copy of the entire Food Code is available on the U.S. Food and Drug Administration Internet website. Printed copies of the entire food code are available through the National Technical Information Service, 5301 Shawnee Road, Alexandria, VA 22312.
 - d. *Food establishment* as utilized in the Food Code, this term shall apply to public lodging establishments and food service establishments as defined in F.S. ch. 509, according to the context of the applicable rule language.
 - e. *Itinerant vendor* means any and all persons, firms and corporations, as well as their agents and employees, who engage in the temporary and/or transient business which offers services, merchandise, wares, goods, and/or other articles for purchase from one or more stationary or mobile locations and who, for the purpose of carrying on such business may rent, lease, hire, or otherwise occupy a space in any building, structure or occupy any area

on a lot or parcel of land or who occupies a vehicle, self-propelled or otherwise, through which any services, merchandise, wares, goods, and/or other articles, may be traded, bartered, sold, offered for sale, or exhibited for sale within the city.

- f. *Itinerant vending operations* is a term used in this article that generally refers to the itinerant vending categories as a whole with respect to certain site requirements or components of an itinerant vending use.
- g. *Mobile food vendor* means any itinerant vendor, which travels by self-propelled or non-self-propelled vehicle, trailer, wagon, or any other conveyance, from place to place, or from street to street, carrying, conveying or transporting edible goods, such as meats, fish, vegetables, fruit, or other, which are sold, offered for sale, and/or exhibited for sale. The term mobile food vendor includes but is not limited to the terms lunch wagon, cart, ice cream truck, mobile food truck and others.
- h. *Peddler* means any person who carries from place to place any goods wares or merchandise which may be sold, is exhibited for sale, and may or may not be immediately delivered, or bartered the same, shall be deemed to be a peddler. All persons who do not keep a regular place of business, open at all times during regular business hours and at the same place, who shall offer for sale goods, wares and merchandise, shall be deemed peddlers under this article. All persons who keep a regular place of business, open at all times in regular business hours and at the same place, who shall, elsewhere than at such regular place of business, personally or through their agents, offer for sale or sell and, at the time of such offering for sale, deliver goods, wares and merchandise, shall also be deemed peddlers as above.
- i. *Premises* means the public food service or lodging establishment and the contiguous land or property under the control of the operator. The property may include all yards, alleys, driveways, sidewalks, and other exterior portions of the licensed premises.
- j. *Public food service establishments*, as defined in F.S. § 509.013(5), are licensed in accordance with the following classifications and requirements:
 - (1) Non-seating:
 - (a) *Permanent*. Permanent non-seating establishments are classified as those fixed public food service establishments for which the sole service provided is intended as take-out or delivery, or which do not otherwise provide accommodations for consumption of food by guests on the premises, or premises under the control of the operator. For the purposes of this section, establishments located at food courts and malls are classified in this manner as long as seating is not provided within the premises of the establishment itself.
 - (b) *Mobile food dispensing vehicle*. Mobile food dispensing vehicles are classified as any vehicle mounted public food service establishments which are self-propelled or otherwise movable from place to place and include self-contained utilities, such as gas, water, electricity and liquid waste disposal.
 - (c) *Caterer*. Caterers are classified as any public food service establishments where food or drink is prepared for service elsewhere in response to an agreed upon contract for a function or event. The term includes catering kitchens. For the purpose of this rule, the term "caterer" does not include those establishments licensed pursuant to F.S. ch. 500 or F.S. ch. 381, or any other location where food

~~is provided or displayed for sale by the individual meal. A licensed public food service establishment that also provides catering services is not required to hold a separate catering license from the division. Caterers must meet all applicable standards of a public food service establishment as provided in rules 61C 1.004, 61C 4.010 and 61C 4.023, F.A.C. Separate independent caterers utilizing the equipment or premises of a licensed public food service establishment are deemed operators as defined by section F.S. § 509.013(2), of such public food service establishment and subject to all applicable requirements of law and rule.~~

~~(2) Temporary public food service establishments and vendors:~~

- ~~(a) Temporary public food service establishments are classified as those establishments operated at temporary food service events as defined in F.S. § 509.013(8). If upon inspection the temporary public food service establishment does not meet minimum sanitation standards as provided in chapters 61C-1 and 61C-4, F.A.C., food service operations shall be discontinued until corrections are complete and verified by the division of hotels and restaurants of the department of business and professional regulation.~~
- ~~(b) Public food service establishments that have a current license may operate one facility at a temporary event as part of the existing license. Each additional facility operated by the same licensee must acquire a separate temporary food service event license.~~
- k. ~~*Self-sufficient mobile food dispensing vehicle* means a public food service establishment classified as a mobile food dispensing vehicle that contains, as part of the vehicle, a three compartment sink for washing, rinsing, and sanitizing equipment and utensils; a separate hand wash sink; adequate refrigeration and storage capacity; full provision of power utilities including electrical, LP gas, or a portable power generation unit; a potable water holding tank; and a liquid waste disposal system in accordance with subparts 5-3 and 5-4 of the food code.~~
- l. ~~*Solicitation* means a request, directly or indirectly, for money, property, financial assistance, or any other thing of value on the plea or representation that such money, property, financial assistance, or other thing of value or a portion of it will be used for a charitable or sponsor purpose or will benefit a charitable organization or sponsor. The term includes, but is not limited to, the following methods of requesting or securing the promise, pledge, or grant of money, property, financial assistance, or any other thing of value:~~
 - ~~(1) Making any oral or written request;~~
 - ~~(2) Making any announcement to the press, on radio or television, by telephone or telegraph, or by any other communication device concerning an appeal or campaign by or for any charitable organization or sponsor or for any charitable or sponsor purpose;~~
 - ~~(3) Distributing, circulating, posting, or publishing any handbill, written advertisement, or other publication that directly or by implication seeks to obtain any contribution; or~~
 - ~~(4) Selling or offering or attempting to sell any advertisement, advertising space, book, card, coupon, chance, device, magazine, membership, merchandise, subscription,~~

sponsorship, flower, admission, ticket, food, or other service or tangible good, item, or thing of value, or any right of any description in connection with which any appeal is made for any charitable organization or sponsor or charitable or sponsor purpose, or when the name of any charitable organization or sponsor is used or referred to in any such appeal as an inducement or reason for making the sale or when, in connection with the sale or offer or attempt to sell, any statement is made that all or part of the proceeds from the sale will be used for any charitable or sponsor purpose or will benefit any charitable organization or sponsor.

- m. A solicitation is considered as having taken place regardless of whether the person making the solicitation receives any contribution. A solicitation does not occur when a person applies for a grant or an award to the government or to an organization that is exempt from federal income taxation under section 501(a) of the Internal Revenue Code and described in section 501(c) of the Internal Revenue Code and is duly registered with the department.
 - n. *Solicitor* means any person, firm, or corporation as well as their agents and employees, who engage in any means of request, directly or indirectly, for money, property, financial assistance, or any other thing of value on the plea or representation that such money, property, financial assistance, or other thing of value or a portion of it will be used for a charitable purpose or will benefit a charitable organization or sponsor. The term shall also include, but is not limited to, taking or attempting to take orders for the sale of goods, wares or merchandise, subscriptions or personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of such sale or whether he is collecting advance payments on such sale or not; distributing, circulating, posting, or publishing any handbill, written advertisement, or other publication that directly or by implication seeks to obtain any contribution shall also be included in this term.
 - o. *Temporary food service event* means any event of 30 or fewer consecutive days in duration, advertised and recognized in the community, where food is prepared, served, or sold to the general public.
3. Itinerant vendor, peddler, solicitor compliance certificate—Required.
- a. It shall be unlawful for any person, firm, or corporation, to engage in the business activities of itinerant and/or mobile vending, peddling or solicitation, within the City of Crestview, without first registering with the city by obtaining an itinerant vendor, peddler, and solicitor compliance certificate.
 - (1) Any itinerant vendor, peddler, a or solicitor wishing to engage in the business activities of itinerant and/or mobile vending, peddling or solicitation, within the City of Crestview, shall make application to the growth management **Community Development Services** department on forms provided by the department.
 - (2) The growth management **Community Development Services** department of the City of Crestview shall issue to any itinerant vendor, peddler, or solicitor, a compliance certificate authorizing such itinerant vendor, peddler, or solicitor, to sell, exhibit for sale or offer for sale, in the City of Crestview, any goods, wares and merchandise only after such itinerant vendor, peddler, or solicitor shall have fully complied with the provisions of this article.

- b. The itinerant vendor, peddler, and solicitors compliance certificate shall be valid from October 1st to September 30th of the following year and shall be based on the type of vending, peddling, and/or soliciting each applicant is proposing and the time of year in which application is made. A base annual registration fee shall be established with regards to the following categories:

(1) *Itinerant vending categories.*

- (a) *Itinerant auto oriented sales/events.* This category includes the itinerant sales of self-propelled vehicles and non-self-propelled vehicle trailers, to include but not be limited to cars, trucks, fifth wheel trailers, trailers, campers, off road vehicles, motorcycles, dirt bikes, boats, ski-dos, jet-skis, and others. This category includes temporary auto consignment lots. **If temporary auto consignment lot is not at the location of the permanent motor vehicle sale business, then it must be conducted by a licensed dealership with a permanent sales location within the jurisdictional boundaries of the City of Crestview.** This category does not include the one-time sale of a single vehicle by a resident of the city.
- (b) *Tent sales.* This category includes itinerant sales of both seasonal and non-seasonal items which involve semi-mobile or stationary, temporary sales and sales events, to include but not be limited to Christmas tree lots, firework stands, home mercantile product sales, used merchandise, garage type sales (offsite of a parcel land on which the primary use is residential in nature), farmer's markets, and others. This does not include those temporary sales events conducted on the premises, including the parking lot, of established commercial enterprises, performed exclusively by the owner and/or operator of the commercial enterprise or with the expressed permission from said owner or operator by a commercial vendor of new products which are sold within the commercial enterprise on the premises, within 15 feet of the primary structure.
- (c) *Mobile vending truck/trailer.* This category specifically refers to those itinerant vendors that travel by either self-propelled vehicle or are otherwise pulled or moved by a self-propelled vehicle. This category also includes mobile food dispensing vehicles (MFDV's) including trucks and trailers which utilize either a water and sewer connections or a commissary at another location and ice cream trucks.
- (d) *Mobile food cart.* Is synonymous with push cart, hand cart, hand-drawn cart, and hot dog stand/cart and are a class of MFDV. Push carts are any variety of small, light, non-motorized, self-propelled units, which are moved by hand and are used exclusively for the retail sales of flowers, plant, fruits, vegetables, beverages, pre-packaged food stuffs, hot dogs, sausages, and ice cream.

c. **Background Investigation.**

- (1) Each applicant for an itinerant vendor, peddler, and solicitor compliance certificate shall agree, when making application, to submit to a limited background investigation. Upon receipt of such application, a copy shall be transmitted to the chief of police who shall make the following type investigations:
- (a) **Commercial activities.** The chief of police or designee shall cause an investigation of the applicant's business and moral character to be made as he deems

necessary for the protection of the public health, safety, and welfare. The applicant shall include any and all employee information as deemed necessary by the chief of police.

(b) A copy of all vendor's, solicitor's or peddler's application must be submitted to the chief of police for approval.

- d. Applicants for a compliance certificate under this article must file with the growth management ~~Community Development Services~~ department a signed application which shall give the following information:
 - (1) Name of the applicant and of each person who owns ten percent or more of the outstanding stock or equity interest in the licensed activity.
 - (2) A valid driver's license.
 - (3) The applicants' vehicles' make, model, color and tag number if applicable.
 - (4) Permanent home address, valid telephone number and email address of the applicant.
 - (5) The applicant shall provide their federal employer identification number and sales tax identification number.
 - (6) The address or parcel identification number of the planned vending site, including the property owner's name and telephone number.
 - (7) A notarized statement from the property owner(s) that the temporary use is allowed on the property. The statement must include the temporary use dates (including setup and take-down), location, description type and the name of the business and representative designated by the property owner.
 - (8) A brief description of the nature of the business and the goods, food or beverages to be sold.
 - (9) The address of the commissary, if applicable.
4. Temporary vending permit—Required.
 - a. It shall be unlawful for any person, firm, or corporation, to engage in the business activities of itinerant and/or mobile vending, peddling or solicitation, within the City of Crestview, without first obtaining a Temporary Vending Permit.
 - b. A temporary vending permit shall be issued upon such conditions as the growth management ~~Community Development Services~~ department may reasonably require, assuring compliance with the City of Crestview's Code of Ordinances.
 - (1) All applications received for a particular location will be processed on a first come first serve basis. Any subsequent applications received may be issued once the prior applicant has vacated the premises.
 - (2) A compliance certificate shall have been obtained prior to issuance of a temporary vending permit.
 - (3) All vendors must adhere to all applicable state and local laws
 - c. Applicants for permit under this article must file a signed application with the growth management ~~Community Development Services~~ department. The application shall provide sufficient information to determine if the proposed site and temporary activity comply with this article and other provisions of the Code of Ordinances.
 - d. In addition to the application, all applicants shall submit:
 - (1) Copies of all applicable state licenses.

- (2) Insurance.
- (a) Proof of general liability insurance, such proof in a form acceptable to the city, issued by an insurance company that is licensed to do business in the State of Florida, protecting the applicant from all claims for damages to property or bodily injury, which may arise from operations under or in connection with the vendor's activity.
 - (b) For all motorized mobile vending units, proof of auto liability insurance, such proof in a form acceptable to the city, issued by an insurance company that is licensed to do business in the State of Florida, protecting the applicant from all claims for damages to property or bodily injury, which may arise from the use of a motor vehicle in connection with mobile vending and shall be in an amount no less than \$1,000,000.00 per occurrence.
 - (c) A signed and notarized hold harmless agreement (form to be provided by city).
- (3) A site plan, accurate drawing or pictorial representation of the property to be used, rented, or leased for the temporary vending use, which shall include the following:
- (a) All existing and proposed structures on-site,
 - (b) The structural dimensions and locations in relation to property lines,
 - (c) The zoning district setback lines,
 - (d) Locations of temporary sanitary facilities (Port-o-lets) and waste disposal,
 - (e) Parking areas,
 - (f) Signage, and
 - (g) The means of ingress and egress for vehicular and pedestrian traffic;
 - (h) Any additional information necessary to accurately portray the property and to identify the area to be utilized for the event; and
 - (i) A description of the proposed use
 - (j) Mobile food carts are exempt from this requirement.
- e. Door to door solicitors and peddlers, in addition to subsections 102-602(1) ~~7-6(C)(2)~~ through 102-602(3) ~~7-6(C)(4)~~ above, must provide:
- (1) If employed, the name and address of the employer, together with credentials establishing the exact relationship.
 - (2) A valid driver's licenses for all drivers and related proof of insurance.
 - (3) The length of time and location for which the solicitation or peddling shall occur.
 - (4) A signed and notarized hold harmless agreement (form to be provided by city).
- f. Itinerant vending permit time frames.
- (1) All applicable licensure, certificates and permits must be obtained prior to the installation of any temporary structures, lighting, signage, etc.
 - (2) The application for a temporary vending permit for all uses shall be filed no less than 21 days prior to the date on which the permit is to take effect.
 - (3) Duration of temporary vending permit (TVP) by itinerant vendor category.
 - (a) *Itinerant auto oriented sales/events.* A TVP issued to an itinerant auto oriented sales/event use, shall be valid for a maximum of 15 consecutive days, two times per calendar year. Each 15-day period shall be separated by at least 30 days within the same calendar year. Dates of operation will include dates to assemble and dismantle equipment and/or structures.

- (b) *Tent sales.* A TVP issued to an itinerant tent sales use, shall be valid for a period not to exceed 15 consecutive days, three times per calendar year. Dates of operation will include dates to assemble and dismantle equipment and/or structures.
- (c) *Mobile vending truck/trailer.* A TVP issued to an itinerant mobile vendor truck/trailer use, shall be valid for period of time not to exceed one year (365 days) from the date of issuance.
- (d) *Mobile food cart.* A TVP issued to an itinerant mobile food cart use, shall be valid for a period of time not to exceed one year (365 days) from the date of issuance.
- (e) *Solicitors.* A TVP issued to a solicitor shall be valid for a period of time not to exceed one year (365 days) from the date of issuance.

5. Regulations, requirements, site restrictions:

a. *Use restrictions.*

- (1) Temporary vending operations and events shall only occur within Commercial (C-1, and C-2 and C-3), industrial (M-1) and downtown mixed use (DMU) zoning districts.
- (2) At no time shall any temporary vending operations disrupt the flow of vehicular or pedestrian traffic on or off site.
- (3) Itinerant auto oriented sales shall not be located on vacant and/or unimproved lands.
- (4) Itinerant auto oriented sales/events and tent sales shall be limited to one temporary vending permit per parcel of land at any given time.
- (5) Itinerant auto oriented sales/events and tent sales, when located on any parcel of land or lot of record, with an existing primary use building or structure, shall be limited to one temporary vending permit at any given time.
- (6) Mobile vending trucks and trailers shall not be located on vacant and/or unimproved lands.
- (7) There shall not be more than three mobile vending trucks and/or trailers on one parcel of land at any given time.
- (8) Mobile food carts shall not be required to maintain the applicable zoning district yard regulations but at no time shall any mobile food cart become stationary within any public right of way, obstruct any vision triangle, and/or obstruct or detract from any vehicular or pedestrian traffic flow.

b. *Site requirements.*

- (1) At no time shall a mobile vending truck or trailer be closer than ten feet to one another mobile vending truck or trailer on the same parcel of land.
- (2) All itinerant vending operations shall maintain the applicable zoning district setback standards, for the zoning district in which they are located.
- (3) At no time shall any component of an itinerant vending operation be located within ten feet of any permanent structure onsite.

c. *Parking.*

- (1) At no time shall any temporary vending operations restrict the number of parking spaces to a level below what is required by this land development code for the permanent primary use onsite.
- (2) Adequate parking areas, consistent with current zoning requirements for similar uses shall be maintained during such temporary vending uses.

- ~~(a) Parking spaces required to fulfill the minimum requirements of a principal use, on site or adjacent to the itinerant vending use, as per **section 102-151** of this Code may not be used by any itinerant vendor operation.~~
 - ~~(b) Parking shall only be allowed on designated parking areas identified on the approved site plan.~~
 - ~~(3) No parking will be allowed on any public right-of-way.~~
- d. ~~Traffic:~~
 - ~~(1) Traffic generation shall not adversely impact the flow of traffic on an adjacent roadway.~~
 - ~~(2) The use of any existing access drives on or connected to the property, parcel, or lot on which the itinerant vending use is located is required.~~
- e. ~~Temporary structures:~~
 - ~~(1) Only one temporary structure is allowed per permitted itinerant vending operation.~~
 - ~~(2) Itinerant auto oriented sales/events and tent sales shall be limited by the following:~~
 - ~~(a) The temporary structure may be a tent or a trailer that has been built as an office trailer. Temporary structures do not include motor homes, camp trailers or the like.~~
 - ~~(b) The temporary structure may require a building permit to be obtained and subsequently require an inspection by the building and the fire department prior to operation.~~
- f. ~~Sanitation:~~
 - ~~(1) The site shall be kept clean of all debris, trash, waste, or other unsightly condition.~~
 - ~~(2) Temporary sanitary facilities (Port-o-lets), shall be kept in a clean and working order.~~
- g. ~~Signage:~~
 - ~~(1) Any temporary signage shall be installed and maintained in compliance with chapter 102, Land Use Regulations, article XVI, Signs **Sec. 7-2 of this Chapter.**~~
- h. ~~Utilities:~~
 - ~~(1) New temporary electrical poles shall not be provided. If one exists onsite it may be utilized for the temporary vending operation, provided it meets the following requirements:~~
 - ~~(a) Any use of power from the main structure onsite shall be in accordance with the Florida Building and Life Safety Codes and~~
 - ~~(b) The use of electrical cords is prohibited.~~
- i. ~~Additional mobile food cart requirements:~~
 - ~~(1) Location:~~
 - ~~(a) Mobile food carts shall be permitted to operate in commercial or downtown mixed-use zoning districts in the downtown area, bounded by Bowers Avenue west to the south, by Ferdon Boulevard to the east, by James Lee Blvd. West to the north, and by Wilson Street to the west.~~
 - ~~(b) Mobile food carts shall only be located on properties where there is an existing use that is non-residential in nature.~~
 - ~~(c) Mobile food carts shall not be placed on an unimproved surface during the course of business.~~

- (d) ~~Mobile food carts selling food and/or beverages shall not stop and conduct business within 100 feet of any indoor and/or outdoor eating establishment including another food cart.~~
 - (e) ~~No more than two mobile food carts shall be located on any block face at any given time except during organized and permitted events.~~
 - (f) ~~At no time, shall placement of a mobile food cart impede pedestrian or vehicular traffic.~~
 - (g) ~~At no time, shall placement of a mobile food cart deteriorate any pedestrian or vehicular site triangle.~~
 - (h) ~~At no time, shall mobile food carts placement be in front of a buildings entrance, a fire hydrant, or emergency exit.~~
 - (i) ~~All applicable permits must be obtained prior to the installation of any temporary structure, lighting, signage, etc.~~
6. ~~Administration.~~
- a. ~~Application shall be made to the growth management **Community Development Services** department, on forms provided by the department, for a compliance certificate and a temporary vender permit prior to any itinerant vending operation setup within the city limits.~~
 - b. ~~Upon approval of the compliance certificate application for operating as an itinerant vendor within the city limits, the applicant may submit a temporary use permit application for the specific location and timeframes for said operation.~~
 - c. ~~The growth management **Community Development Services** department shall review the application the duration of the permit and specifying such conditions as to, location, parking, traffic, access and any other conditions of the activity that may be required for permit issuance.~~
7. ~~Denial or revocation of itinerant vendor compliance certificate and/or temporary vending permit.~~
- a. ~~The growth management **Community Development Services** department may revoke, suspend, or deny the issuance of any itinerant vending compliance certificate or temporary vending permit if it is determined that an applicant has:~~
 - (1) ~~Been convicted of or entered a plea of guilty or nolo contendere to, a crime against the laws of this state or any other state of the United States, involving moral turpitude, fraudulent or dishonest dealing, or the illegal use or sale of a controlled substance.~~
 - (2) ~~Has obtained a permit by fraud, false statement, misrepresentation, or failure to truthfully answer any question in the required permit application.~~
 - (3) ~~Has failed to obtain required approvals from the state or obtain any applicable permits or licenses.~~
 - (4) ~~Upon finding imminent and hazardous threats to public health and safety caused by any use, the growth management **Community Development Services** department may take reasonable steps to prevent public access thereto and to eliminate such hazard and may revoke or suspend a certificate permit.~~
 - (5) ~~Not later than ten days after the filing of a completed application for a vendor's certificate, the applicant shall be notified by the growth management **Community**~~

~~Development Services~~ department of the decision on the issuance or denial of the license. If the issuance of the license is approved, the growth management ~~Community Development Services~~ department may issue a temporary use permit upon review of an application for said permit.

- (6) If the temporary use permit is denied, the applicant shall be provided with a statement of the reasons therefor, which reasons shall be entered in writing on the application.

8. Prohibitions.

- a. No temporary vending permit shall be issued for any itinerant vendor operation in a residential zoning district.
- b. No solicitor, peddler or vendor shall enter into any house, building or other structure or upon any land, parcel, lot, or property, without the prior consent of the owner or occupant thereof where there is placed or posted on the premises in a conspicuous position at or near the usual means of ingress or visible from such location, a sign or other form of notice stating or indicating that the owner or occupant thereof forbids or otherwise does not desire persons engaged in such or similar activity to enter upon the premises.
- c. No solicitor or vendor shall conduct themselves or their business in an unlawful manner or in such manner as to constitute a breach of peace, is offensive to public decency or can be considered menacing to the health, safety or general welfare of the public.
- d. It shall be unlawful for any person to sell or attempt to sell any commodity by means of vending such commodity upon any street, sidewalk, public area, public right-of-way or private property in the city, without first obtaining a compliance certificate with the city and securing the required temporary vending permit(s).

9. Exemptions.

- a. The following activities are exempt from the provisions of the article ~~Sec. 7-6(C)~~:
 - (1) Salesmen representing wholesale houses or distributors who sell to local retail merchants from catalogues or samples.
 - (2) Sales of goods, wares, food, or merchandise at festivals, carnivals, celebrations or other special events sponsored and/or permitted by the appropriate governing body or authority.
 - (3) The sale of privately owned and used merchandise, at garage or yard sales conducted on the privately owned or rented premises used as a residence by the seller of such goods.
 - (4) The sale of farm, aqua cultural, grove, horticultural, floricultural, tropical porciculture, or tropical fish farm products, or other products manufactured there from, except intoxicating liquors, wine, or beer.
 - (5) Sales of goods or merchandise purchased with donated funds or donated by the owners thereof, the proceeds whereof are to be applied to any charitable, not-for-profit, or philanthropic purpose.
 - (6) Minors conducting home solicitation sales under the supervision of an adult, or solicitors, salespersons, or agents making calls or soliciting orders on behalf of a religious, charitable, scientific, educational, or veterans' institution or other not-for-profit organization are exempt from this article.

- (7) Any public or nonprofit school which operates a carnival, fair, or other celebration, by whatever name known, which is in operation for three days or less and which includes the sale and preparation of food and beverages must notify the local county health department of the proposed event and is exempt from any temporary food service regulations with respect to the requirements for having hot and cold running water; floors which are constructed of tight wood, asphalt, concrete, or other cleanable material; enclosed walls and ceilings with screening; and certain size counter service. A school may not use this notification process to circumvent the license requirements of this chapter.
10. Appeals-
- a. Appeals may be filed as provided elsewhere within the land development code. A permit may be reinstated provided that the applicant has met all conditions and requirements.
11. Compliance certificate and/or permit nontransferable-
- a. Neither the certificate nor the permit provided for in this article shall be transferable, nor give authority to more than one location, unless provided for by this article, by any person to sell or exhibit goods or merchandise.
12. Display of certificate and permit-
- a. Both the itinerant vending compliance certificate and the temporary vending permit shall be displayed in a conspicuous place on the premises where the sale or exhibit is being conducted and shall remain displayed so long as any goods or merchandise are being sold or exhibited.
13. Prerequisite for issuance of municipal or county occupational license-
- a. A municipality or county may not issue an occupational license to any business coming under the provisions of this chapter until a license has been procured for such business from the division.
14. Penalties-
- a. Any person or business violating any provision of this article or any rule, order, or regulation made pursuant to this article shall be subject to a civil penalty in an amount not to exceed \$500.00. Each day the violation exists shall be considered a separate violation. The penalty provided for herein is cumulative to other remedies or enforcement processes the city may have, including those available under F.S. ch. 162, and section 1-11, General penalty; continuing violations, of the City of Crestview Code of Ordinances.
- b. For the purposes of this article, a separate offense shall be deemed committed for each day a violation of this article exists, such time commencing on the day the offender is notified of the violation.
- c. No person or business shall be in violation of this article for catering activity, temporary sales of food, or vending machine activity in accordance with F.S. ch. 509, and Rule 61C-1.002(5)(a), Florida Administrative Code, so long as such person or business is not required to procure a license from the Florida Department of Business and Professional Regulation and/or the department of agriculture, for service of food to the public as a mobile food dispensing vehicle.
15. Reference-
- a. F.S. chs. 500, Food Products and 509, Lodging and Food Service Establishments; Department of Business and Professional Regulations, Division of Hotels and Restaurants,

~~Public Lodging and Food Service Establishments, Administrative Rules (September 2018)
chapter 61C-1 Florida Administrative Code and chapter 61C-4 Public Food Service
Establishments; US Department of Health and Human Services, FDA US Food and Drug
Administration, Food Code 2017.~~

Sec 7-7 – Temporary Uses

A. Roadside and Mobile Vendors

1. Applicability. Unless otherwise specified, roadside and mobile vendors conducting retail sales or displays are permissible as a temporary use in the MX-NC, C-1, C-2 and C-3 zoning districts, in accordance with the standards of this section
2. Unless otherwise specified, temporary uses subject to this section shall not exceed fifteen (15) days in any one (1) month.
3. A temporary use permit is required according to the requirements of the Florida Building Code.
4. Standards for roadside and mobile vendors.
 - a. The applicant shall possess a valid City Business Tax Receipt.
 - b. The applicant shall have written permission from the property owner and the business owner of the site on which the roadside or mobile vendor is proposed.
 - c. The applicant shall demonstrate that the proposed use meets all applicable City, County and State requirements, including, but not limited to a Florida Department of Professional and Business Regulation Mobile Food Dispensing Vehicle License and/or Public Food Service License, if applicable. Proof of an approved Florida Plan Review for hot dog carts and other mobile vendors shall also be submitted, if applicable.
 - d. The proposed use shall provide sufficient on-site parking.
 - e. The proposed use shall not be located in or block a fire lane.
 - f. The hours of operation shall be appropriate for the location.
 - g. The proposed use shall not block or impede any roadway, driveway, accessway, or sidewalk in a way that hinders normal traffic flow or pedestrian traffic flow.
 - h. The applicant shall demonstrate proper control of sanitation and litter associated with the proposed use.
 - i. The applicant shall demonstrate that the proposed use includes proper restroom facilities available during all hours of operation.
5. Stationary Food Trucks (SFT) and stationary Food Dispensing Vehicles (SFDV):
 - a. SFT and SFDV vendors conducting retail sales or displays are permissible in the MX-NC, C-1, C-2 and C-3 zoning districts.
 - b. ~~Definitions:~~ **Move to new Chapter 2 – Definitions.**
 - (1) ~~Stationary Food Truck/Stationary Food Dispensing Vehicle. Refers to Itinerant Vendors that operate in either a self-propelled vehicle or other trailer/vehicle moved by a self-propelled vehicle.~~
 - (2) ~~Mobile service base. A place for food storage, the cleaning of the equipment, the filling of water tanks, and proper disposal of wastewater and grease and does not include the use of a private home as a mobile service base.~~
 - (3) ~~Vend. To sell or offer to sell products from a mobile food truck dispensing vehicle.~~

- c. In addition to the standards for roadside and mobile vendors in Sec 7-7(A)(4), stationary food trucks and stationary food dispensing vehicles shall be subject to the following standards:
 - (1) Transferability. Ownership of any SFT and or SFDV permit shall not be transferred.
 - (2) SFT and/or SFDV permits shall be valid for a period not to exceed one (1) year (three hundred sixty-five (365) days) from the date of issuance.
 - (3) The applicant shall obtain all applicable City building permits for the installation of the SFT and/or SFDV for improvements including but not limited to temporary/accessory structures, site improvements, lighting, signage, and utilities prior to issuance of SFT and/or SFDV permit.
 - (4) The applicant shall demonstrate that all applicable City fees including, but not limited to, permitting, business tax receipt and impact fees have been paid prior to issuance of SFT and/or SFDV permit.
 - (5) All equipment and/or utilities associated with the SFT and/or SFDV shall be screened from public view. The SFT and/or SFDV shall not contain any structural defects (i.e. rust, broken parts, holes) and shall contain surfaces that are readily cleanable.
 - (6) The applicant shall demonstrate that the SFT and/or SFDV meets all setback requirements in the applicable zoning district.
- 6. Temporary Auto Sales. Temporary auto sales are permissible if conducted by a dealership licensed by the Florida Department of Motor Vehicles with a permanent sales location within the City of Crestview.
 - a. Temporary auto sales shall be allowed for a maximum of fifteen (15) consecutive days, two (2) times per calendar year per dealership. Dates of operation will include dates to assemble and dismantle equipment and/or structures.
 - b. No more than one (1) temporary auto sales event shall be allowed on any parcel of land and/or lot at any given time.



Staff Report

PLANNING AND DEVELOPMENT BOARD

MEETING DATE: September 8, 2020

TYPE OF AGENDA ITEM: Presentation

TO: Planning and Development Board
CC: City Manager and City Attorney
FROM: Community Development Services
DATE: 8/31/2020
SUBJECT: Discussion and Review for New Land Development Code Chapter 9 - Variations from Standards in the LDC

BACKGROUND:

The current Land Development Code is based on code written mostly in 1996 and updated sporadically. State, federal statutes and regulations have changed as well as industry best practices. These changes created a multitude of updates, resulting in a code that is very difficult to regulate. On March 5th, the City Council and the Local Planning Agency met to discuss a plan to update the Land Development Code. During the meeting, city staff outlined a plan to systematically review and rewrite the LDC. The results from that effort created a new Administrative Procedures chapter, which created the Planning and Development Board. Changing the duties and procedures for the board. This is chapter 9 Variations for Standards in LDC of the plan.

DISCUSSION:

The purpose of this chapter is to provide mechanisms for obtaining relief from the provisions of this LDC where hardship would otherwise occur. There are several ways that potential relief from hardship is addressed: potential relief through requirements regarding the use of and changes to nonconforming development; potential relief through the grant of a variance from the site development standards of this LDC; potential relief when an administrative decision is appealed; and potential relief when an administrative waiver is granted to modify certain site development standards of this LDC.

Establishes waiver of standards pertaining to metal buildings to include:

- The proposed metal building shall be consistent with the character of the neighborhood within 500 feet of the site of the metal building.
- The metal building and the site on which it is proposed are designed to minimize potential detrimental impacts on properties within 500 feet of the development site. The determination that potential detrimental impacts are minimized.
- Defines Nonconforming Situations as a use, structure, lot, or site feature that was lawfully established and in compliance with regulations applicable to the use, structure, lot, or site feature at the time of establishment of such use, structure, lot, or site feature; and such use, structure, lot, or site feature does not comply with the regulations set forth in this LDC.
- Maintenance. Normal and customary maintenance or repair of nonconforming lots, sites, and structures shall be allowed, provided that such maintenance or repair does not otherwise increase the extent of the nonconformity. Maintenance or repair shall be performed only to ensure safety and to prevent a nuisance.

Defines types of Nonconformities to include:

- A benign nonconformity exists when the degree of nonconformity does not result in a harmful or unsafe condition; a negative impact on public safety or health is not expected to occur due to the continuation or modification of a benign nonconformity. All conforming structures as of January 1, 2020 will be considered benign nonconformities.
- Detrimental nonconformities defined as any use of land or structure that does not comply with the uses permissible in the applicable zoning district, as set forth, shall be considered to be a detrimental nonconformity.

Provided for damage and restoration of nonconforming buildings or structures to include:

- In the event that any nonconforming building or structure is damaged by any means, including fire, flood, wind, explosion, or other act of God, or act of the public enemy, to an extent of less than fifty (50) percent of the total assessed value of the building or structure, such building or structure shall be permitted to be replaced, restored, or reconstructed according to the development standards in effect at the time of original construction. The assessed value shall be determined by an independent appraisal establishing value on the date of the damage event. Where an independent appraisal is not provided, the assessed value shall be the most recent taxable value shown for the structure as determined by the Okaloosa County Property Appraiser on January 1 of the year in which the damage occurred.
- Replacement, restoration, and reconstruction shall be permissible only in compliance with building, plumbing, electrical, gas, mechanical, fire, and other construction and life safety regulations in effect at the time of application for a local development permit to allow such replacement, restoration, or reconstruction.
- Permits for replacement, restoration, or reconstruction shall not be issued after twenty-four (24) months have elapsed since the damage event.

Provided for expansion or modification of benign nonconformities to include:

- Any addition or expansion of the structure shall comply with the standards applicable to the zoning district as set forth in this LDC;
- Any addition or expansion of the structure shall not increase the extent of the nonconformity.
- Any addition or expansion of a structure shall comply with all local development permit requirements as set forth in this chapter.

Establishes procedures for variances to include:

- The application shall include a detailed explanation regarding how the proposed variance complies with each of the requirements of Section 9.02.02.
- An application for a variance for development subject to review of a site development plan shall be processed prior to completion of the site plan review process.
- The application shall be reviewed by the Planning Administrator for compliance with the required findings set forth in Section 9.02.02. A report shall be prepared and provided to the PDB at least seven (7) business days prior to the scheduled hearing date.
- The PDB shall approve, approve with conditions, or deny the application for a variance, based upon findings for each of the provisions set forth in Section 9.02.02. The decision of the PDB shall be reduced to a written order, which shall be issued to the applicant and filed with the Okaloosa County Clerk of Court. An order approving or approving with conditions shall expire within one (1) year of the

date of such order, unless development subject to the variance is completed. The order may be extended once by the PDB for good cause for a period not to exceed one (1) year.

Establishes administrative decisions include decisions by the Community Development Services Director and staff members pertaining to the following matters: zoning determinations, certificates of concurrency, minor plats, administrative waivers, change of use, interpretation of permissible uses within zoning districts, and expedited development orders. A person adversely affected by an administrative decision may appeal such decision to the PDB.

Establishes procedures for consideration of an appeal of an administrative decision to include:

- The consideration of an appeal by the PDB of an administrative decision shall be a de novo quasi-judicial hearing.
- The applicant has the burden of proof to demonstrate that the administrative decision was in error.
- The PDB shall issue a written order containing findings of facts and conclusions of law.

The above list is not a comprehensive list of items included within chapter 9 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 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.

Infrastructure – Satisfy current and future infrastructure needs.

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.

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

This will have no financial impact on the existing City budget.

RECOMMENDED ACTION

Staff respectfully requests the Planning and Development Board review and provide comments on this chapter.

Attachments

1. DRAFT Chapter 9 - Variations from Standards in the LDC

CHAPTER 9 – VARIATIONS FROM STANDARDS IN THE LDC

9.00.00 - GENERALLY

The purpose of this chapter is to provide mechanisms for obtaining relief from the provisions of this LDC where hardship would otherwise occur. There are several ways that potential relief from hardship is addressed: potential relief through requirements regarding the use of and changes to nonconforming development; potential relief through the grant of a variance from the site development standards of this LDC; potential relief when an administrative decision is appealed; and potential relief when an administrative waiver is granted to modify certain site development standards of this LDC.

9.00.01 - Waiver of Standards Pertaining to Metal Buildings.

The Planning and Development Board may approve a waiver of standards pertaining to metal building, provided the following standards are met:

- A. The proposed metal building shall be consistent with the character of the neighborhood within 500 feet of the site of the metal building.
- B. The metal building shall be designed to ensure compatibility with development in the zoning district in which it is proposed.
- C. The metal building and the site on which it is proposed are designed to minimize potential detrimental impacts on properties within 500 feet of the development site. The determination that potential detrimental impacts are minimized shall be based on the following:
 1. Proposed architectural design of the metal building;
 2. Proposed placement of the metal building on the site and the relationship to open space on the site;
 3. Proposed fencing and screening; and
 4. Proposed landscaping.

9.01.00 - NONCONFORMING SITUATIONS

9.01.01 - Generally.

- A. Purpose. It is the purpose of this section to address the continuation and potential modification of uses, structures, lots, and site features that meet the following conditions:
 1. A use, structure, lot, or site feature that was lawfully established and in compliance with regulations applicable to the use, structure, lot, or site feature at the time of establishment of such use, structure, lot, or site feature; and
 2. Such use, structure, lot, or site feature does not comply with the regulations set forth in this LDC.This situation is called a nonconformity.
- B. It is the intent of the City to:
 1. Establish two (2) types of nonconformities: benign and detrimental;
 2. Allow continuation of nonconformities until such nonconformities are abandoned;

Comment [EADI(1): These numbers will be reviewed and combined with full document at end of project. They may change at that time.

3. Allow change of use of specified nonconformities;
 4. Allow modifications to specified nonconformities; and
 5. Eliminate or reduce detrimental nonconformities.
- C. It is further the intent of the City that the casual, intermittent, temporary, or illegal use of land, water, buildings, structures, characteristics of use, or any such use in combination shall not be sufficient to establish the existence of a nonconforming use to create rights in the continuance of such use.
- D. Maintenance. Normal and customary maintenance or repair of nonconforming lots, sites, and structures shall be allowed, provided that such maintenance or repair does not otherwise increase the extent of the nonconformity. Maintenance or repair shall be performed only to ensure safety and to prevent a nuisance.
- E. Relocation of nonconforming buildings or structures. A nonconforming structure shall not be moved, in whole or in part, to another location within the City, unless the lot, site, and resulting structure placement conforms in all respects to the standards and requirements of this LDC.

9.01.02 - Types of Nonconformities.

A. Benign nonconformities.

1. A benign nonconformity exists when the degree of nonconformity does not result in a harmful or unsafe condition; a negative impact on public safety or health is not expected to occur due to the continuation or modification of a benign nonconformity. All conforming structures as of January 1, 2020 will be considered benign nonconformities.
2. Only the following situations shall be considered benign nonconformities:
 - a. An encroachment into a required setback of less than ten (10) percent.
 - b. A lot area which is less than the minimum required by not more than ten (10) percent.
 - c. A lot width which is less than the minimum required by not more than ten (10) percent.
 - d. A building feature which is more than the maximum allowed by not more than ten (10) percent.
 - e. A front yard setback that fails to comply with the standards in this LDC due to road widening.
 - f. Provision of off-street parking that contains up to ten (10) percent fewer spaces than required by this LDC or through a parking study.
 - g. Impervious surface coverage in excess of maximum allowed.

B. Detrimental nonconformities.

1. Any use of land or structure that does not comply with the uses permissible in the applicable zoning district, as set forth in **XX**, shall be considered to be a detrimental nonconformity.
2. Any nonconformity of a structure or site that is not identified as a benign nonconformity in **Section 9.01.02.A** shall be considered to be a detrimental nonconformity.

9.01.03 - Continuation of Nonconformities.

- A. A benign or detrimental nonconformity shall be allowed to continue except as follows:
 - 1. The nonconformity is declared to be unsafe or unlawful.
 - 2. The nonconformity is declared to be a public nuisance.
- B. A detrimental nonconformity which is discontinued for a period of 180 consecutive days shall be considered abandoned.
 - 1. Such nonconformity shall not thereafter be reinstated.
 - 2. Any subsequent occupancy of such nonconformity shall be permissible only when such nonconformity has been brought into compliance with the requirements of this LDC.
 - 3. The removal of buildings, structures, equipment, or other aspects of such nonconforming use; the absence of a water utility service deposit or account; or the absence of a current business tax receipt shall be deemed to be prima facie evidence of the discontinuance of a nonconformity.
 - 4. If the reason for discontinuance is the documented action by a governmental agency, the time of delay caused by the governmental agency shall not be calculated as part of the period of discontinuance.
- C. A benign nonconformity may be discontinued for any period of time and shall not be considered abandoned.

9.01.04 - Change of Use.

- A. All rights and obligations associated with a nonconformity shall run with the ownership of the land or water, are not personal to the present owner or tenant of the nonconforming use of land or water and are not affected by a change in ownership or tenancy, except if abandoned.
- B. Benign nonconformities. A land use carried out in or on a lot, site, or structure that has been identified as a benign nonconformity may be changed to any use permissible in the zoning district in which it is located, subject to the requirements set forth in XX. The nonconformities are not required to be modified for compliance with the standards of this LDC.
- C. Detrimental nonconformities. The use of a lot, site, or structure identified as a detrimental nonconformity may be changed, provided the following standards are met:
 - 1. The new use is less intense than the existing use. Intensity shall be determined by impervious surface coverage and either density for residential uses or the floor area ratio for nonresidential uses; or
 - 2. The new use complies with the requirements of this LDC.

9.01.05 - Damage and Restoration of Nonconforming Buildings or Structures.

- A. In the event that any nonconforming building or structure is damaged by any means, including fire, flood, wind, explosion, or other act of God, or act of the public enemy, to an extent of less than fifty (50) percent of the total assessed value of the building or structure, such building or structure shall be permitted to be replaced, restored, or reconstructed according to the development standards in effect at the time of original construction. The assessed value shall be determined by an independent appraisal establishing value on the date of the damage event. Where an independent appraisal is not provided, the assessed value shall be the most recent taxable value shown for the structure as determined by the Okaloosa County Property Appraiser on January 1 of the year in which the damage occurred.

Comment [DB2]: Mr. Haynes would like to know the source of this figure.

- B. Replacement, restoration, and reconstruction shall be permissible only in compliance with building, plumbing, electrical, gas, mechanical, fire, and other construction and life safety regulations in effect at the time of application for a local development permit to allow such replacement, restoration, or reconstruction.
- C. Permits for replacement, restoration, or reconstruction shall not be issued after twenty-four (24) months have elapsed since the damage event.

9.01.06 - Expansion or Modification of Benign Nonconformities.

- A. A structure which is a benign nonconformity may be modified or expanded, subject to the following standards:
 - 1. Any addition or expansion of the structure shall comply with the standards applicable to the zoning district as set forth in this LDC;
 - 2. Any addition or expansion of the structure shall not increase the extent of the nonconformity; and
 - 3. Any addition or expansion of a structure shall comply with all local development permit requirements as set forth in **Chapter XX**.
- B. A lot or site which is a benign nonconformity may be modified, subject to the following standards:
 - 1. Any additional structures or site features shall comply with the standards set forth in this LDC;
 - 2. The addition of structures or site features shall not increase the extent of the nonconformity; and
 - 3. The addition of structures or site features shall comply with all local development permit requirements as set forth in **Chapter XX**.

9.01.07 - Expansion or Modification of Detrimental Nonconformities.

- A. A structure which is a detrimental nonconformity shall not be expanded.
- B. A structure which is a detrimental nonconformity may be modified, subject to the following standards:
 - 1. The proposed modification of the structure shall be reviewed by the Community Development Services Director.
 - 2. Any modification of the structure shall not increase the extent of the nonconformity;
 - 3. Any modification of the structure shall comply with the standards set forth in this LDC;
 - 4. A modification shall not be permissible when off-street parking and loading required for the modification cannot be provided;
 - 5. When a modification is to allow or accommodate a change of use, the use shall be in compliance with the use requirements of the zoning district as set forth in **Chapter XX**;
 - 6. The modification of the structure shall maintain or improve compatibility of the structure with the neighborhood in which it is located; and
 - 7. Approval of modifications to nonconforming structures shall be conditioned upon the addition or improvement of access, driveways, sidewalks, drainage, and landscaping, in compliance with the requirements of this LDC.

C. A lot or site which is a detrimental nonconformity may be modified, subject to the following standards:

1. The proposed modification of the lot or site shall be reviewed by the Community Development Services Director.
2. Additional or modified structures or other site features shall be permissible only where such additions or modifications improve the degree of conformity or provide for the public safety;
3. The addition or modification of structures or other site features shall not increase the extent of the nonconformity;
4. The addition or modification of structures or other site features shall maintain or improve compatibility of the site with the neighborhood in which it is located;
5. As a condition of approval of applications to add or modify structures or other site features, the applicant may be required to demonstrate that the site is designed in compliance with the requirements of this LDC with regard to access, sidewalks, drainage, and landscaping.

9.01.08 - Specific Requirements for Lots of Record.

When an individual lot or parcel has an area smaller than the requirements of the zoning district in which it is located, but was a lot or parcel of record on January 1, 2021, the permitted uses of the zoning district shall be allowed on such lot or parcel, provided all requirements, other than minimum lot area, depth, or width, are maintained. For residentially zoned lots of record, the minimum side yard setback requirement on such lots or parcels can be modified but shall be not less than ten (10) percent of the lot width and, regardless of lot width, shall not be less than five (5) feet.

9.02.00 - VARIANCES

9.02.01 - Generally.

- A. Purpose. The purpose of a variance is to provide a means to grant permission to depart from the standards of the zoning district where unique characteristics of a parcel together with the imposition of the specific regulations of the zoning district result in a hardship.
- B. Variances granted prior to adoption of this LDC.
 1. Any variance granted before the date of adoption of this LDC shall remain in full force and effect, including any conditions of that variance, except as set forth in **Section 9.02.01.B(2) and (3)**.
 2. Property for which a variance was granted prior to the adoption of this LDC may be developed in accordance with the plans previously approved. Where construction or development does not commence prior to the expiration of the variance, the variance shall have no further force and effect and the provisions of this LDC shall apply to development and use of the property.
 3. Where a variance does not contain an expiration date, and a building permit application has not been submitted for the development for which the variance was granted, such variance shall expire twelve (12) months after the effective date of the order granting the variance. Upon expiration, the variance shall have no further force and effect and the provisions of this LDC shall apply to development and use of the property.

9.02.02 - Required Findings for a Grant of Variance.

- A. In order for an application for a variance to be approved or approved with conditions, the Planning and Development Board (PDB) shall make a positive finding, based on the evidence submitted, for each of the following provisions:
1. The need for the proposed variance is due to the unusual or unique physical shape, configuration, or other physical condition of the development site. These special conditions are not generally applicable to other lands, structures, or buildings in the same zoning district;
 2. The literal interpretation and application of the provisions of this LDC would deprive the property owner of property rights commonly enjoyed by other properties in the same zoning district, resulting in an undue hardship;
 3. The special conditions are not the result of actions of the property owner and are not based solely on a desire to reduce development costs;
 4. Approval of the proposed variance shall not provide to the property any special privilege that is denied to other development sites within the same zoning district;
 5. The proposed variance is the minimum variance that results in reasonable use of the land, building, or structure;
 6. Approval of the proposed variance shall ensure compatibility of the resulting development with the uses of land and character of the adjacent and surrounding neighborhood;
 7. The proposed variance is consistent with the intents and purposes of the requirements of this LDC;
 8. The proposed variance is consistent with the provisions of the Comprehensive Plan; and
 9. The proposed variance is not detrimental to the health, safety, or general welfare of the public.
- B. The PDB shall not consider a nonconforming use of neighboring lands, structures, or buildings in the same zoning district, or a permitted use of lands, structures, or buildings in other zoning districts, when determining whether to grant an application for a variance.

9.02.03 - Procedures for Variances.

- A. Any person requesting a variance from the provisions of this LDC shall submit an application to the City on forms provided by the City.
1. The application shall include the information required for all applications as set forth in **Section XX**.
 2. The application shall include a detailed explanation regarding how the proposed variance complies with each of the requirements of **Section 9.02.02**.
 3. An application for a variance for development subject to review of a site development plan shall be processed prior to completion of the site plan review process.
 4. The appropriate fee as established by the City shall accompany the application. No portion of the fee shall be refunded whether the application is withdrawn by the applicant or is denied by the City.

- B. The applicant for a variance has the burden of proof of demonstrating that the application for a variance complies with each of the requirements of **Section 9.02.02**.
- C. The application shall be reviewed by the Planning Administrator for compliance with the required findings set forth in **Section 9.02.02**. A report shall be prepared and provided to the PDB at least seven (7) business days prior to the scheduled hearing date.
- D. The PDB shall conduct a quasi-judicial hearing according to the procedures set forth in **Section XX**.
- E. Notice of the hearing shall be provided as set forth in **Section XX**.
- F. The PDB shall approve, approve with conditions, or deny the application for a variance, based upon findings for each of the provisions set forth in **Section 9.02.02**. The decision of the PDB shall be reduced to a written order, which shall be issued to the applicant and filed with the Okaloosa County Clerk of Court. An order approving or approving with conditions shall expire within one (1) year of the date of such order, unless development subject to the variance is completed. The order may be extended once by the PDB for good cause for a period not to exceed one (1) year.
- G. Limitations on the grant of a variance.
 - 1. A variance shall not be granted which authorizes a use that is not permissible in the zoning district in which the property subject to the variance is located.
 - 2. A variance shall not be granted which authorizes any use or standard that is expressly prohibited by this LDC.

9.02.04 - Appeal of Planning and Development Board Decisions.

The decision of the PDB shall be final, and there shall be no further review thereof except by resort to a court of competent jurisdiction.

9.02.05 - Specific Requirements for Variances Regarding Historic Buildings.

Variances may be issued for the reconstruction, rehabilitation, or restoration of buildings listed on the National Register of Historic Places or the Florida Master Site File. Such variance shall comply with the standards set forth in **Sections 9.02.01, through 9.02.03**, except where compliance would result in the structure losing its historical designation.

9.02.06 - Specific Requirements for Variances in Areas of Flood Hazard.

- A. An application for a variance in an area of flood hazard identified in **Chapter XX** shall comply with the findings and procedures set forth in **Sections 9.02.01 through 9.02.03**.
- B. In addition to the required findings set forth in **Section 9.02.02**, the PDB shall make the following findings when a variance is requested in an area of flood hazard:
 - 1. There is no anticipated danger to public safety from materials that may be swept onto other lands thereby causing the injury of others;
 - 2. There is no anticipated danger to life and property resulting from flooding or erosion;
 - 3. The proposed facility and its contents are not susceptible to flood damage and the potential effects of such damage;
 - 4. The proposed facility and services to the public provided by the facility are of such importance to the community that maximum protection from flood waters shall be ensured;

5. The facility requires a waterfront location, and is considered a water-dependent facility;
 6. There are no alternative locations for the proposed use that are not subject to flooding or erosion damage;
 7. Safe access to the property can be maintained in times of flood for ordinary and emergency vehicles;
 8. The proposed variance is the minimum required to avoid undue hardship and is designed to address the expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
 9. The proposed variance shall not result in increased costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges; and
- C. Variances shall not be granted within any designated floodway if any increase in flood levels would occur during the base flood discharge.

9.03.00 - APPEALS OF ADMINISTRATIVE DECISIONS

9.03.01 - Applicability.

Administrative decisions include decisions by the Community Development Services Director and staff members pertaining to the following matters: zoning determinations, certificates of concurrency, minor plats, administrative waivers, change of use, interpretation of permissible uses within zoning districts, and expedited development orders. A person adversely affected by an administrative decision may appeal such decision to the PDB.

9.03.02 - Notice of Intent to File an Appeal of an Administrative Decision.

- A. Prior to filing an application for an appeal of an administrative decision, an affected party shall file a Notice of Intent to Appeal within five (5) business days following the administrative decision, determination, or action to be appealed. The City shall provide a form for filing a Notice of Intent to Appeal. No fee shall be required.
- B. When a Notice of Intent to Appeal is filed, all work that is the subject of the appeal on a site shall be stayed for ten (10) business days.

9.03.03 - Filing an Appeal of an Administrative Decision.

- A. Within ten (10) business days following filing of a Notice of Intent to Appeal, the affected party filing the Notice of Intent may file an application to appeal an administrative decision.
- B. The application shall include a detailed explanation regarding how the applicant is adversely affected by the administrative decision. Where the administrative decision was based on technical standards, the applicant shall provide detailed data and analysis regarding alleged errors in the application of the technical standards.
- C. The appropriate fee as established by the City shall accompany the application. The application shall not be accepted without the filing fee. No portion of the fee shall be refunded.
- D. Upon receipt of an application to appeal an administrative decision, the Planning Administrator shall schedule the appeal to be heard by the PDB.
- E. The administrative decision subject to the Notice of Intent shall become final and effective if an application to appeal is not timely filed.

9.03.04 - Stay of Work.

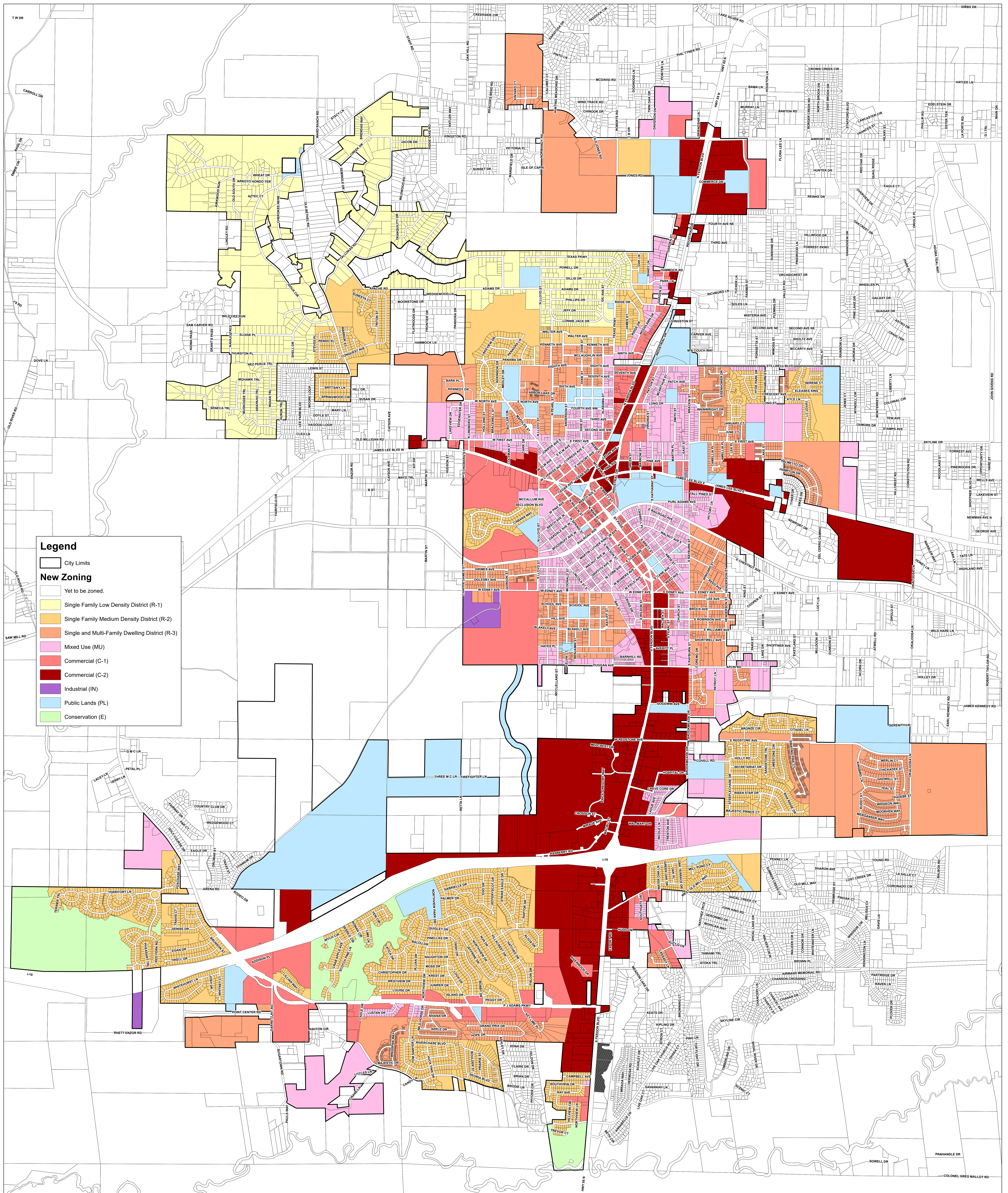
Filing an appeal of an administrative decision stays all work on the premises and all proceedings in furtherance of the action appealed that is subject to the appeal. When the Planning Administrator determines that a stay would cause imminent peril to life or property, the Planning Administrator shall notify the PDB of the determination. Only the work necessary to avoid imminent peril to life or property shall be permissible; all other work shall be stayed.

9.03.05 - Procedures for Consideration of an Appeal of an Administrative Decision.

- A. The consideration of an appeal by the PDB of an administrative decision shall be a de novo quasi-judicial hearing.
- B. The Planning Administrator shall prepare a report following the procedure for preparation of a compliance report set forth in **Section XX**.
- C. Notice of the hearing shall be provided as set forth in **Section XX**.
- D. The applicant has the burden of proof to demonstrate that the administrative decision was in error.
- E. The PDB shall determine whether the provisions of this LDC have been properly applied and shall take action as follows:
 - 1. Affirm the administrative decision that is the subject of the appeal;
 - 2. Reverse, wholly or in part, the administrative decision that is the subject of the appeal;
or
 - 3. Modify the administrative decision that is the subject of the appeal.
- F. The PDB shall issue a written order containing findings of facts and conclusions of law.

9.03.06 - Appeal of Planning and Development Board Decisions.

The decision of the PDB shall be final, and there shall be no further review thereof except by resort to a court of competent jurisdiction.



Legend

City Limits

New Zoning

Yet to be zoned.

Single Family Low Density District (R-1)

Single Family Medium Density District (R-2)

Single and Multi-Family Dwelling District (R-3)

Mixed Use (MU)

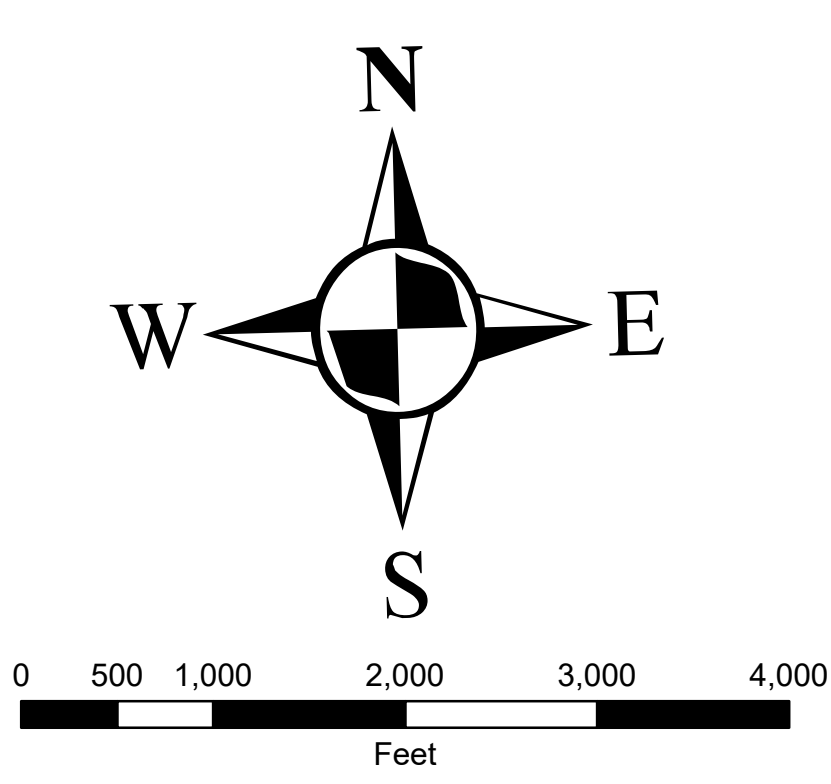
Commercial (C-1)

Commercial (C-2)

Industrial (IN)

Public Lands (PL)

Conservation (E)



Old Zones			New Zones		
	Count	Acreage		Count	Acreage
A	10	413.88			
R-1A	640	445.28	R-1	966	1150.62
R-1	5740	3448.38	R-2	4282	1637.59
R-2	1865	1417.07	R-3	2880	1594.55
R-3	5	33.57			
PUD	959	197.93			
MX	241	71.31	MU	1620	1963.39
DMU	3	2.92			
C-1	1173	1667.01	C-1	593	808.36
C-2	10	2.15	C-2	431	1352.32
M-1	86	233.08	IN	4	40.41
P	13	232.69	P	87	982.12
E	39	257.76	E	7	373.36

PROPOSED ZONING DISTRICTS

PREPARED BY COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 2011 FLA STATE PLANE, NORTH ZONE U S SURVEY FEET (FL83-NF)

Prepared 8/11/20