



CITY OF CRESTVIEW

OFFICE OF THE CITY CLERK

P.O. DRAWER 1209, CRESTVIEW, FLORIDA 32536

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

January 1, 1900

12:00 AM

Council Chambers

REGULAR COUNCIL MEETING

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. Invocation, Pledge of Allegiance

2.1. Pastor Ronnie Bearden, First United Methodist Church

3. Open Policy Making and Legislative Session

4. Approve Agenda

5. Presentations and Reports

5.1. Officer of the Year - Crestview Police Department

6. Consent Agenda

6.1. Approval of the Minutes from the February 8, 2021 City Council Meeting

6.2. Approval of Agreement with Crestview Investment Company, LLC.

7. Public Hearings / Ordinances on Second Reading

8. Ordinances on First Reading

8.1. Ordinance 1793 - Brookmeade Drive @ Redstone Avenue Annexation

8.2. Ordinance 1794 - Brookmeade Drive @ Redstone Avenue Comprehensive Plan Amendment

- 8.3. Ordinance 1795 - Brookmeade Drive @ Redstone Avenue Rezoning
- 8.4. Ordinance 1796 - 4th Avenue NE & Industrial Drive Annexation
- 8.5. Ordinance 1797 - 4th Avenue NE & Industrial Drive Comprehensive Plan Amendment
- 8.6. Ordinance 1798 - 4th Avenue NE & Industrial Drive Rezoning
- 8.7. Ordinance 1799 - Redstone Avenue Annexation
- 8.8. Ordinance 1800 - Redstone Avenue Comprehensive Plan Amendment
- 8.9. Ordinance 1801 - Redstone Avenue Rezoning
- 8.10. Ordinance 1802 - Industrial Drive @ Richburg Lane Annexation
- 8.11. Ordinance 1803 - Industrial Drive @ Richburg Lane Comprehensive Plan Amendment
- 8.12. Ordinance 1804 - Industrial Drive @ Richburg Lane Rezoning

9. Resolutions

- 9.1. Resolution 2021-07 FDOT Off System Project Maintenance Agreement for Hwy 85 and Antioch Rd
- 9.2. Resolution 2021-8 Industrial Drive Sidewalks

10. Action Items

11. City Clerk Report

12. City Manager Report

13. Comments from the Mayor and Council

14. Comments from the Audience

15. Adjournment

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

Any invocation that is offered before the official start of the City Council meeting shall be the voluntary offering of a private person, to and for the benefit of the City Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious beliefs or views of this, or any other speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall

not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered. A person may exit the City Council Chambers and return upon completion of the opening invocation if a person does not wish to participate in or witness the opening invocation.



Staff Report

CITY COUNCIL MEETING DATE: January 1, 1900

TYPE OF AGENDA ITEM: Presentation

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Stephen McCosker, Police Chief
DATE: 2/18/2021
SUBJECT: Officer of the Year - Crestview Police Department

BACKGROUND:

Officer Corey Newcomb has been selected as the 2020 Crestview Police Department Officer of the Year.

DISCUSSION:

Officer Newcomb retired from the United States Air Force with 21 years of service, during which time he served 17 years with the Security Forces and 4 years as a Basic Training Instructor. Coupled with 3 1/2 years of service with the police department, Officer Newcomb has devoted his adult life to his nation and community.

In 2020, Officer Newcomb proved himself to be a top performer in the department, as he responded to 1795 calls for service, completed 151 offense reports, conducted 70 traffic stops and made 31 arrests. Beyond the statistics, Officer Newcomb is a Field Training Officer and assisted in training five new officers, who have since become full time officers with the department.

Officer Newcomb's dedication to public service was highlighted several times during the year; as evidenced by three letters of appreciation from his peers outlining his work ethic, professionalism and commitment. Officer Newcomb has an outstanding ability to build rapport with individuals, especially during times of crisis. On at least two separate occasions, Officer Newcomb was praised for his patience and demeanor when he responded to calls where individuals were having suicidal thoughts, one of which has been publicly praised by the City Manager.

Officer Newcomb's work ethic, professionalism and compassion for the city, the agency and the citizens of Crestview is very evident and is the epitome of the City of Crestview's mission statement. Officer Newcomb's efforts have earned him the title of 2020 Crestview Police Department Officer of the Year.

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

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

FINANCIAL IMPACT

There are no anticipated financial impacts from this presentation.

RECOMMENDED ACTION

Staff respectfully requests to recognize Officer Corey Newcomb for his outstanding service.

Attachments

None



Staff Report

CITY COUNCIL MEETING DATE: January 1, 1900

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Elizabeth Roy, City Clerk
DATE: 2/18/2021
SUBJECT: Approval of the Minutes from the February 8, 2021 City Council Meeting

BACKGROUND:

Minutes are presented for approval in regular or special City Council or CRA meetings.

DISCUSSION:

Minutes are accomplished as soon as possible after any meeting of the City Council or CRA Board

Council and CRA members are requested to send any corrections to the City Clerk prior to the meeting so any corrections can be made.

Any amended minutes will be presented in the meeting for approval.

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.

Communication- To engage, inform and educate public and staff

FINANCIAL IMPACT

There is no financial impact to the City.

RECOMMENDED ACTION

Staff respectfully requests that the Council approve the minutes from the February 8, 2021 City Council Meeting,

Attachments

1. 2021.02.08 CCM Draft

**City Council Meeting
February 8, 2021
6:00 PM
Council Chambers**

The Regular Meeting of the Crestview City Council was called to order at 6:00 P.M. Members present were Shannon Hayes, Joe Blocker, Cynthia Brown and Harry LeBoeuf. Also present were the honorable City Clerk Elizabeth Roy, City Manager Tim Bolduc, City Attorney Mr. Holloway, department heads and members of the press. Mayor JB Whitten and Mr. Rencich were not in attendance.

REGULAR AGENDA

1. Called to Order

This meeting was called to order by the Honorable Mayor Pro-Tem Hayes at 6:00 p.m.

2. Invocation and Pledge of Allegiance

The invocation and pledge led by Deacon Felton Barnes of First Church of God In Christ.

3. Open Policy making and legislative session

4. Approval of Agenda

Mayor Pro-Tem Hayes asked if there were any changes for the Agenda.

Mr. Bolduc, City Manager asked to move Strategic Planning Update to Action Items Section 10.

Mayor Pro-Tem asked for action by Council.

A motion made by Ms. Brown to approve the move of the item. Seconded by Mr. LeBoeuf with the vote of 4 yeas from Ms. Brown, Mr. LeBoeuf, Mr. Blocker, Mr. Hayes with 0 nays, motion carried.

5. Presentations and Reports

5.1 Black History Month Proclamation- Mayor Pro Tem Hayes

Mayor Pro-Tem Hayes read the Mayor's Proclamation for Black History Month.

5.2 Strategic Plan Update-(Item moved to Action Items)

6. Consent Agenda

7. Public Hearings- Ordinances on Second Reading

7.1 Ordinance 1805- Revised Time of Sale of Alcohol

Mr. Bolduc, City Manager stated that Ordinance 1805 is before Council for Second Reading. This ordinance amends the hours for the sale of alcohol. He then asked the Clerk to read Ordinance 1805 by title.

Ms. Roy, City Clerk, "Ordinance 1805 reads by title,

ORDINANCE 1805

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR COMPLIANCE WITH STATE OF FLORIDA STATUTE; PROVIDING FOR REVISION TO CITY OF CRESTVIEW CODE OF ORDINANCES CHAPTER 6 - ALCOHOLIC BEVERAGES, SECTION 6-6 - HOURS OF SALE; PROVIDING FOR AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

This is the Second Reading of Ordinance 1805."

Mayor Pro-Tem Hayes asked for action by Council.

A motion made by Mr. LeBoeuf to adopt Ordinance 1805 on Second Reading and send for signatures. Seconded by Ms. Brown with the vote of 4 yeas from Mr. LeBoeuf, Ms. Brown, Mr. Blocker, Mr. Hayes, 0 nays, motion carried.

7.2 Ordinance 1789- Land Development Code

Mr. Duley, Planning Administrator asked the City Clerk to read Ordinance 1789 by title.

Ms. Roy, City Clerk stated, "Ordinance 1789 reads by title,

ORDINANCE 1789

AN ORDINANCE CREATING A NEW LAND DEVELOPMENT CODE; REPEALING THE EXISTING CODE; PROVIDING FOR AUTHORITY; 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.

This is the Second Reading of Ordinance 1789.”

Mayor Pro-Tem Hayes asked for action by Council.

A motion made by Mr. LeBoeuf to adopt Ordinance 1789 on Second Reading and send for signatures. Seconded by Mr. Joe Blocker with 4 yeas from Mr. LeBoeuf, Mr. Blocker, Ms. Brown, Mr. Hayes with 0 nays, motion carried.

8. Ordinances on First Reading

9. Resolutions

9.1 Resolution 2021-05 Crestview Engineering Standards Manual: an appendix to the new LDC

Mr. Duley, Planning Administrator informed Council that the Engineering Manual is an appendix to the new LDC. The manual provides engineering and design elements that have been removed from the existing LDC. The manual contains the City of Crestview's standard specifications. In the past these the standards were kept in a series of documents making it difficult for developers and engineers to locate and utilize them. The manual will contain codes related to roads, streets, driveways, parking lots, sidewalks, water distribution, sanitary sewer collection, and stormwater management. He then asked the City Clerk to read Resolution 2021-05 by title.

Ms. Roy, City Clerk stated, “Resolution 2021-05 reads by title,

RESOLUTION 2021-5

A RESOLUTION OF THE CITY OF CRESTVIEW, FLORIDA, CREATING THE CRESTVIEW ENGINEERING STANDARDS MANUAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Pro-Tem Hayes asked for action by Council.

A motion made by Mr. LeBoeuf to adopt Resolution 2021-05. Seconded by Ms. Brown with 4 yeas from Mr. LeBoeuf, Ms. Brown, Mr. Blocker, Mr. Hayes with 0 nays, motion carried.

9.2 Resolution 2021-4 Annexation Fee Moratorium

Mr. Duley, Planning Administrator asked the City Clerk to read Resolution 2021-04 by title.

Ms. Roy, City Clerk stated, “Resolution 2021-04 reads by title,

RESOLUTION 2021-4

A RESOLUTION OF THE CITY OF CRESTVIEW, FLORIDA, AMENDING THE COMPREHENSIVE FEE SCHEDULE, PROVIDING FOR A SIX-MONTH WAIVER PERIOD FOR THE COLLECTION OF ANNEXATION APPLICATION FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Duley, Planning Administrator informed Council that previous fee moratoriums have proven to be successful at creating an opportunity for property owners to annex into the City. It provided unique opportunities to annex properties into the City that then developed or are planning to develop their properties. It also provided an opportunity to clean up some of the multiple enclaves that exist. Staff would like to provide this opportunity again.

A brief discussion ensued.

Mayor Pro-Tem Hayes asked for action by Council.

A motion made by Mr. LeBoeuf to adopt Resolution 2021-04. Seconded by Mr. Blocker with the vote of 4 yeas from Mr. LeBoeuf, Mr. Blocker, Ms. Brown, Mr. Hayes with 0 nays, motion carried.

9.3 Resolution 2021-06- In Support of Governor Ron DeSantis

Mr. Bolduc, City Manager informed Council that at the January 25th City Council meeting, Councilman Rencich requested that the City send a Resolution to Governor Ron DeSantis in appreciation of the handling of the current pandemic and related issues. He then asked the City Clerk to read Resolution 2021-06 by title.

Ms. Roy, City Clerk stated, "Resolution 2021-06 reads by title,

RESOLUTION 2021-6

A RESOLUTION OF THE CITY OF CRESTVIEW, FLORIDA, SUPPORTING THE HONORABLE RON DESANTIS, GOVERNOR OF THE STATE OF FLORIDA FOR THE EFFORTS OF THE OFFICE OF THE GOVERNOR DURING THE COVID-19 PANDEMIC.

Mr. Bolduc, City Manager read Resolution 2021-06 in its entirety.

Mayor Pro-Tem Hayes asked for action by Council.

A motion made by Mr. LeBoeuf to adopt Resolution 2021-06. Seconded by Ms. Brown with 4 yeas from Mr. LeBoeuf, Ms. Brown, Mr. Blocker, Mr. Hayes with 0 nays, motion carried.

10. Action Items

10.1 Hirsch Access Control System

Ms. Leavins, Administrative Services Director the City currently has a variety of types of door security including residential style key locks, commercial key locks, magnetic locks with keypads, traditional door locks with keypads, and two types of magnetic locks with proximity card readers. Maintaining multiple systems is inefficient and the majority of the systems are difficult to maintain and not providing the level of security needed for this organization. The City requested bids for a Hirsch access control system and installation in October 2020. This system was specifically sought to ensure compliance with the Florida Department of Law Enforcement information system standards and is fiscally responsible as this product was already purchased for the new Emergency Communications Center. After no bids were received, the Council approved for the City Manager to directly negotiate with vendors on October 19, 2020.

A brief discussion ensued.

Mayor Pro-Tem Hayes asked for action by Council.

A motion made by Ms. Brown to approve the Staff recommendation. Seconded by Mr. Blocker with the vote of 4 yeas from Ms. Brown, Mr. Blocker, Mr. LeBoeuf, Mr. Hayes with 0 nays, motion carried.

10.2 Contract for Facilities Inventory and Operation Assessment

Mr. Bolduc, City Manager stated this item is in the 2020 Strategic Plan, one of the primary areas of focus was organizational capacity, effectiveness & efficiency. Since the plan's adoption staff has worked on finding and developing efficiencies within operations. The analysis provided by this study will assist in the long-range planning as the City continues to grow. Currently, there are multiple developments in all phases of the process which will continue to grow the city in both geographical area and population. To successfully pace this growth in the provision of services proper planning is necessary. As the city prepares to update the current strategic plan, the City manager is recommending the utilization of undesignated fund balance to move forward with this plan to insure that all purchases, sales and renovations of City property in the coming years take into account sound facility and organizational planning practices.

The funding for this item was not included in the 2021 budget and therefore will require a budget amendment. After an analysis of the 2020-year end and the recent funding of the reserve policy, staff has identified sufficient undesignated funds to accomplish this project in this year. Staff is seeking approval to use a not to exceed amount of \$152,000 to complete this study.

Discussion ensued.

Mayor Pro-Tem Hayes asked for action by Council.

A motion made by Mr. LeBoeuf to approve the work with Matrix Design Group to finalize the contract for the Facility Inventory and Operational Assessment for the not to exceed amount of \$152,000.00. Seconded by Mr. Blocker with a vote of 4 yeas from Mr. LeBoeuf, Mr. Blocker, Ms. Brown, Mr. Hayes with 0 nays, motion carried.

10.3 Purchase of Radio Frequency Identification (RFID) System- Library

Mr. Bolduc, City Manager stated that the library is requesting the purchase of a RFID (Radio Frequency Identification) system for use during the current Covid-19 pandemic and to have in place in the event of other needs for social distancing and remote service access. CARES funding has been reserved for this purpose in the amount of \$75,000. The quotes attached for the system are \$64,315.79.

A brief discussion ensued.

Mayor Pro-Tem Hayes asked for action by Council.

A motion made by Mr. LeBoeuf to waive purchasing policy and approve the purchase of RFID from Envisionware for a not to exceed amount of 70,000.00. Seconded by Mr. Blocker with 4 yeas from Mr. LeBoeuf, Mr. Blocker, Ms. Brown, Mr. Hayes, with 0 nays, motion carried.

10.4 Approval to Engage Panhandle Engineering & Construction Inc.

Mr. Bolduc, City Manager stated earlier this year, the City Council approved an agreement with Mr. Don Dewrell for the purchase of a piece of property, the annexation of several of Mr. Dewrell's properties and improvements to the traffic light at State Road 85 at Garden Street.

For the last several weeks, staff has been working with the FDOT to design and permit improvements to the traffic signal located at State road 85 and Garden Street. After several conversations with the department and a review of the current workload of staff, the Public Services Director and the City Manager decided that engaging a company that specializes in the permitting of such improvements was in the best interest of the project. Panhandle Engineering & Construction specializes in this type of permit process and has provided a task order to the City to complete all the necessary work to obtain the permit. Staff is asking that the City Council waive the purchasing policy for completing a request for proposals. This waiver will expedite the process and allow the City to move forward with the improvement in time to accommodate potential development.

Mayor Pro-Tem Hayes asked for action by Council.

A motion made by Mr. LeBoeuf to waive the purchasing policy and approve the attached task order for the permitting of improvements to the intersection at SR 85 and Garden Street. Seconded by Mr. Blocker with 4 yeas from Mr. LeBoeuf, Mr. Blocker, Ms. Brown, Mr. Hayes with 0 nays, motion carried.

10.5 Strategic Plan Update

Mr. Bolduc, City Manager stated that the City Council acknowledges the value of organized long-range organizational planning. In April 2019 the City entered into a contract with Analytica Strategic and completed the city's current strategic plan. At that time, it was decided the plan should be reviewed annually before the adoption of the budget; however, the Covid-19 pandemic lead to the absence of 2020 update. Mr. Marlow is available for planning on March 2, 2021. This will be a one-day session, with the morning session focused on elected officials and the afternoon session focused on staff.

Mayor Pro-Tem Hayes asked for action by Council.

A motion made by Mr. LeBoeuf to approve the Strategic Plan meeting on March 2, 2021. Seconded by Ms. Brown with 4 yeas from Mr. LeBoeuf, Ms. Brown, Mr. Blocker, Mr. Hayes, with 0 nays, motion carried.

11. City Clerk Report

12. City Manager Report

Mr. Bolduc, City Manager gave Council and update concerning the skate park. There was an agreement of donation from Eglin Federal Credit Union of \$100,000.00 and a start date of March 3rd with a completion date in May.

13. Comments from the Mayor and Council

Ms. Brown spoke about her excitement in the direction that the City is going in.

Mr. Blocker thanked all who showed their concern for him during his time of absence.

Mr. Hayes informed all that there are tickets still available for the upcoming Valentine's Day Ball, sponsored by Main Street Association. He noted that the Covid-19 vaccination shots are available in local area and that he will be taking his first of two shots in the coming days.

14. Comments from the Audience

Ms. Cantrell of 152 Patch Ave, Crestview Fl shared her views and concerns about the good that the City is doing but, in her opinion, not addressing the consistent issues that she witnesses.

Mr. Bolduc, City Manager addressed Ms. Cantrell's concerns and that specific actions have been taken on their behalf.

Ms. Whobrey, 150 Patch Ave, Crestview Fl shared her main concern of the happenings in the same neighborhood.

Mr. Bolduc, City Manager assured her that this issue is being handled.

15. Adjournment

This meeting was adjourned by Mayor Pro-Tem Hayes at 6:57 p.m.

Elizabeth M. Roy
City Clerk

J B Whitten
Mayor

Minutes approve this _____ day of _____, 20__.

DRAFT

STATE OF FLORIDA

COUNTY OF OKALOOSA

AGREEMENT

Made this 22nd day of February, 2021 by Crestview Investment Company, LLC, a Florida Limited Liability Company, ("SELLER") and the City of Crestview, Florida, a Municipal Corporation, ("BUYER"):

WHEREAS, as a contemporaneous and integral part of the closing of the sale/purchase of improved real property as described in Exhibit "A" attached hereto and made a part hereof:

The parties agree, as follows:

1. Following the closing, SELLER shall have a period of ninety (90) days in which to remove its items of personal property from the seven (7) - unit former apartment building located on Parcel 2 of the subject property.
2. BUYER acknowledges that SELLER has an existing month-to-month tenant (Salty Turtle Designs, LLC, a Florida Limited Liability Company) at improved real property at 176 Industrial Drive as located within a portion of Parcel 3 of the subject property. BUYER agrees that, following the closing, the said Salty Turtle Designs, LLC shall have a **minimum** of one hundred twenty (120) days' notice to vacate said property. BUYER, at its sole discretion, may extend the Salty Turtle Designs, LLC's tenancy.

WHEREFORE, SELLER has set his hand and seal the day, month and year first above written.

J. D. WINGARD, JR.
Manager/Member
CRESTVIEW INVESTMENT COMPANY, LLC,
A Florida Limited Liability Company

STATE OF FLORIDA

COUNTY OF OKALOOSA

The foregoing instrument was sworn to and subscribed before me this _____ day of February 2021, by J. D. WINGARD, JR., as Manager/Member of CRESTVIEW INVESTMENT COMPANY, LLC, A Florida Limited Liability Company, as Seller, who is personally known to me or produced an identification.

(SEAL)

Signature of Notary Public

Print, Type or Stamp Commissioned
Name of Notary Public

ACCEPTED upon the terms hereinabove set forth
**Subject to the approval of the City of Crestview
Council**

CITY OF CRESTVIEW, FLORIDA
J. B. WHITTEN, MAYOR

ATTEST

CITY OF CRESTVIEW, FLORIDA
ELIZABETH M. ROY, CITY CLERK

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY TO BE CONVEYED

Parcel 1: Tax Id No. 17-3N-23-2490-0009-0490

Lot 49, Block 9, Town of Crestview, Florida; LESS AND EXCEPT: The State Road Right-of-Way, according to the plat as recorded in Plat Book 1, Page 72, in the Public Records of Okaloosa County, Florida.

Parcel 2: A Portion of Tax Id No. 17-3N-23-2490-0009-0500

Lot 50, Block 9, Town of Crestview, Florida according to the plat as recorded in Plat Book 1, Page 72, in the Public Records of Okaloosa County, Florida.

Parcel 3: Tax ID No. 17-3N-23-2490-0009-0530

Lot 54, Block 9, LESS the South 20 feet thereof, Town of Crestview, Florida according to the plat as recorded in Plat Book 1, Page 72, in the Public Records of Okaloosa County, Florida; AND the West half of Lot 53, Block 9, Town of Crestview, Florida according to the plat as recorded in Plat Book 1, Page 72, in the Public Records of Okaloosa County, Florida; AND the East half of Lot 53, Block 9, Town of Crestview, Florida according to the plat as recorded in Plat Book 1, Page 72, in the Public Records of Okaloosa County, Florida, also being known as Lots 1 and 2 of a Re-Subdivision of the East half of Lot 53, Block 9, Town of Crestview, Florida according to the plat as recorded in Plat Book 1, Page 72, in the Public Records of Okaloosa County, Florida.





Staff Report

CITY COUNCIL MEETING DATE: January 1, 1900

TYPE OF AGENDA ITEM: 2nd Reading

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Trae Duley, Planning Administrator
DATE: 2/12/2021
SUBJECT: Ordinance 1793 - Brookmeade Drive @ Redstone Avenue Annexation

BACKGROUND:

On January 11, 2021 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at 475 Brookmeade Drive.

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

The Planning and Development Board recommended approval of the request on February 1, 2021.

DISCUSSION:

The property description is as follows:

Property Owner: City of Crestview
Parcel ID: 28-3N-23-0000-0004-0010
28-3N-23-0000-0005-0000
Site Size: .97 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	Commercial	Commercial (C-1)	Commercial
East	Okaloosa County Mixed Use	Okaloosa County Mixed Use	Commercial
South	Okaloosa County LDR	Okaloosa County R-1	Vacant
West	Commercial	Currently C-1, Proposed C-2	Commercial

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 use will be developed for commercial use.

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 January 11, 2021.

A letter was sent via certified mail to the Okaloosa Board of County Commissioners on January 11, 2021. The property was posted on January 20, 2021. An advertisement ran in the Crestview News Bulletin on January 20, 2021.

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.

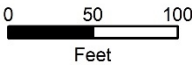
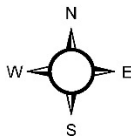
The cost of advertising is \$463.68.

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 adoption of Ordinance 1793 on first reading and send to second reading.

**Subject Parcel
Aerial Exhibit**



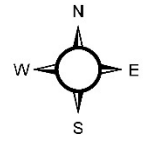
Legend

-  Subject Parcel
-  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 Parcels Existing Use



0 50 100
Feet

Legend

- Subject Parcels
- City Limits
- MOBILE HOM
- OFFICE BUI
- PRIVATE HO
- PROFESSION
- SINGLE FAM
- VACANT
- VACANT COM
- WAREHOUSE-

0.97 Acres

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:

AN ORDINANCE ANNEXING TO THE CITY OF CRESTVIEW, FLORIDA, ± .97 ACRES OF CONTIGUOUS LANDS LOCATED IN SECTION 28, TOWNSHIP 3 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 # 28-3N-23-0000-0004-0010 & 28-3N-23-0000-0005-0000 (Deed recorded in Book 3512, page 1949, dated December 11, 2020)

Parcel 1:

Beginning at the Northwest corner of Section 28, Township 3 North, Range 23 West, thence East along Section line 210 feet and corner, thence South 240 feet and corner, thence West 210 feet to the County Road right of way and corner; thence North along the County Road 240 feet, more or less to the Point of Beginning, lying and being in Section 28, Township 3 North, Range 23 West, Okaloosa County, Florida.

LESS AND EXCEPT:

Beginning at the Northwest corner of Section 28, Township 3 North, Range 23 West, Okaloosa County, Florida, thence East along said Section line 210 feet and corner; thence South 66 feet and corner; thence West 210 feet and corner; thence North 66 feet to the Point of Beginning.

Parcel 2:

Beginning at the Northwest corner of Section 28, Township 3 North, Range 23 West, Okaloosa

County, Florida, thence East along said section line 210 feet and corner; thence South 66 Feet and corner; thence West 210 feet and corner; thence North 66 feet to the point of beginning.

LESS AND EXCEPT:

Beginning at the Northwest corner of Section 28, Township 3 North, Range 23 West, Okaloosa County, Florida, thence East along said Section line 210 feet and corner; thence South 46 feet and corner; thence West 210 feet and corner; thence North 46 feet to the Point of Beginning as contained in O.R. Book 2040 Page 2297 of the Official Records of Okaloosa County, Florida.

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.**

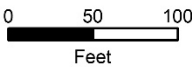
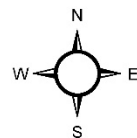
ATTEST:

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

CITY COUNCIL MEETING DATE: January 1, 1900

TYPE OF AGENDA ITEM: 2nd Reading

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Trae Duley, Planning Administrator
DATE: 2/12/2021
SUBJECT: Ordinance 1794 - Brookmeade Drive @ Redstone Avenue Comprehensive Plan Amendment

BACKGROUND:

On January 11, 2021 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at 475 Brookmeade Drive.

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.

The Planning and Development Board recommended approval of the request on February 1, 2021.

DISCUSSION:

The property description is as follows:

Property Owner: City of Crestview
Parcel ID: 28-3N-23-0000-0004-0010
28-3N-23-0000-0005-0000
Site Size: .97 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	Commercial	Commercial (C-1)	Commercial
East	Okaloosa County Mixed Use	Okaloosa County Mixed Use	Commercial
South	Okaloosa County LDR	Okaloosa County R-1	Vacant
West	Commercial	Currently C-1, Proposed C-2	Commercial

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 use will be developed for commercial use.

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

- The proposed future land use map designation is compatible with the surrounding area.
- The proposed future land use map designation 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 January 11, 2021. The property was posted on January 20, 2021. An advertisement ran in the Crestview News Bulletin on January 20, 2021.

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.

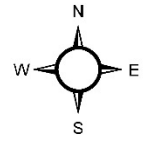
FINANCIAL IMPACT

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 adoption of Ordinance 1794 and move to second reading.

Subject Parcels Current FLU



0 50 100
Feet

Legend

Subject Parcels

City Limits

City Future Land Use

Commercial (C)

Industrial (IN)

Low Density Residential (LDR)

Medium Density Limited Residential (MDLR)

Medium Density Residential (MDR)

High Density Residential (HDR)

Mixed Use (MU)

Downtown Mixed Use

Public Lands (PL)

Conservation (CON)

Pending Comp Plan Amendment

County MU

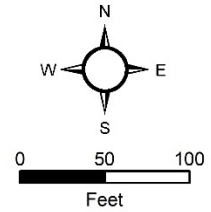
BROOKMEADE DR

BROOKMEADE DR

E REDSTONE AVE

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



0.97+/- acres of land
Ex FLU = County MU
Prop FLU = Commercial (C)

BROOKMEADE DR

E REDSTONE AVE

BROOKMEADE DR

Legend

Subject Parcels

City Limits

City Future Land Use

Commercial (C)

Industrial (IN)

Low Density Residential (LDR)

Medium Density Limited Residential (MDLR)

Medium Density Residential (MDR)

High Density Residential (HDR)

Mixed Use (MU)

Downtown Mixed Use

Public Lands (PL)

Conservation (CON)

Pending Comp Plan Amendment

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:

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 (C) ON APPROXIMATELY .97 ACRES, MORE OR LESS, IN SECTION 28, 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 Okaloosa County Mixed Use to Commercial on a parcel of land containing .97 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 .97 acres of land, more or less, from Okaloosa County Mixed Use to Commercial. For the purposes of this Ordinance and Comprehensive Plan Amendment, the .97 acres, more or less, is known as Parcel 28-3N-23-0000-0004-0010 & 28-3N-23-0000-0005-0000 and commonly described as:

Parcel 1:

Beginning at the Northwest corner of Section 28, Township 3 North, Range 23 West, thence East along Section line 210 feet and corner, thence South 240 feet and corner, thence West 210 feet to the County Road right of way and corner; thence North along the County Road 240 feet, more or less to the Point of Beginning, lying and being in Section 28, Township 3 North, Range 23 West, Okaloosa County, Florida.

LESS AND EXCEPT:

Beginning at the Northwest corner of Section 28, Township 3 North, Range 23 West, Okaloosa County, Florida, thence East along said Section line 210 feet and corner; thence South 66 feet and corner; thence West 210 feet and corner; thence North 66 feet to the Point of Beginning.

Parcel 2:

Beginning at the Northwest corner of Section 28, Township 3 North, Range 23 West, Okaloosa County, Florida, thence East along said section line 210 feet and corner; thence South 66 Feet and corner; thence West 210 feet and corner; thence North 66 feet to the point of beginning.

LESS AND EXCEPT:

Beginning at the Northwest corner of Section 28, Township 3 North, Range 23 West, Okaloosa County, Florida, thence East along said Section line 210 feet and corner; thence South 46 feet and corner; thence West 210 feet and corner; thence North 46 feet to the Point of Beginning as contained in O.R. Book 2040 Page 2297 of the Official Records of Okaloosa County, Florida.

The Commercial Future Land Use Category is hereby imposed on Parcel 28-3N-23-0000-0004-0010 & 28-3N-23-0000-0005-0000. 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 28-3N-23-0000-0004-0010 & 28-3N-23-0000-0005-0000 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.**

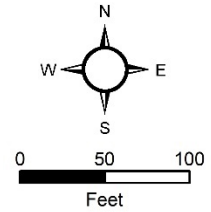
ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN
Mayor

Adopted Future Land Use



0.96+/- acres of land
Ex FLU = County MU
Adopted FLU = Commercial (C)

BROOKMEADE DR

E REDSTONE AVE

BROOKMEADE DR

Legend

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

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: January 1, 1900

TYPE OF AGENDA ITEM: 2nd Reading

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Trae Duley, Planning Administrator
DATE: 2/12/2021
SUBJECT: Ordinance 1795 - Brookmeade Drive @ Redstone Avenue Rezoning

BACKGROUND:

On January 11, 2021 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at 475 Brookmeade Drive.

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.

The Planning and Development Board recommended approval of the request on February 1, 2021.

DISCUSSION:

The property description is as follows:

Property Owner: City of Crestview
Parcel ID: 28-3N-23-0000-0004-0010
28-3N-23-0000-0005-0000
Site Size: .97 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	Commercial	Commercial (C-1)	Commercial
East	Okaloosa County Mixed Use	Okaloosa County Mixed Use	Commercial
South	Okaloosa County LDR	Okaloosa County R-1	Vacant
West	Commercial	Currently C-1, Proposed C-2	Commercial

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 use will be developed for commercial use.

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 January 11, 2021. The property was posted on January 20, 2021. An advertisement ran in the Crestview News Bulletin on January 20, 2021.

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.

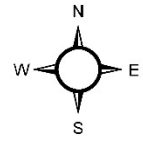
FINANCIAL IMPACT

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 Council to adopt Ordinance 1795 on first reading and send to second reading.

Subject Parcels Current Zoning



0 50 100
Feet

Legend

Subject Parcels

City Limits

Zoning

Commercial (C-1)

Commercial (C-2)

Industrial (M-1)

Single Family Dwelling District (R-1)

Single Family Dwelling District (R-1A)

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

Multi-Family Dwelling District (R-3)

Downtown Mixed Use (DMU)

Planned Unit Development (PUD)

Agricultural (A)

Public Lands (P)

Conservation (E)

Pending Rezoning

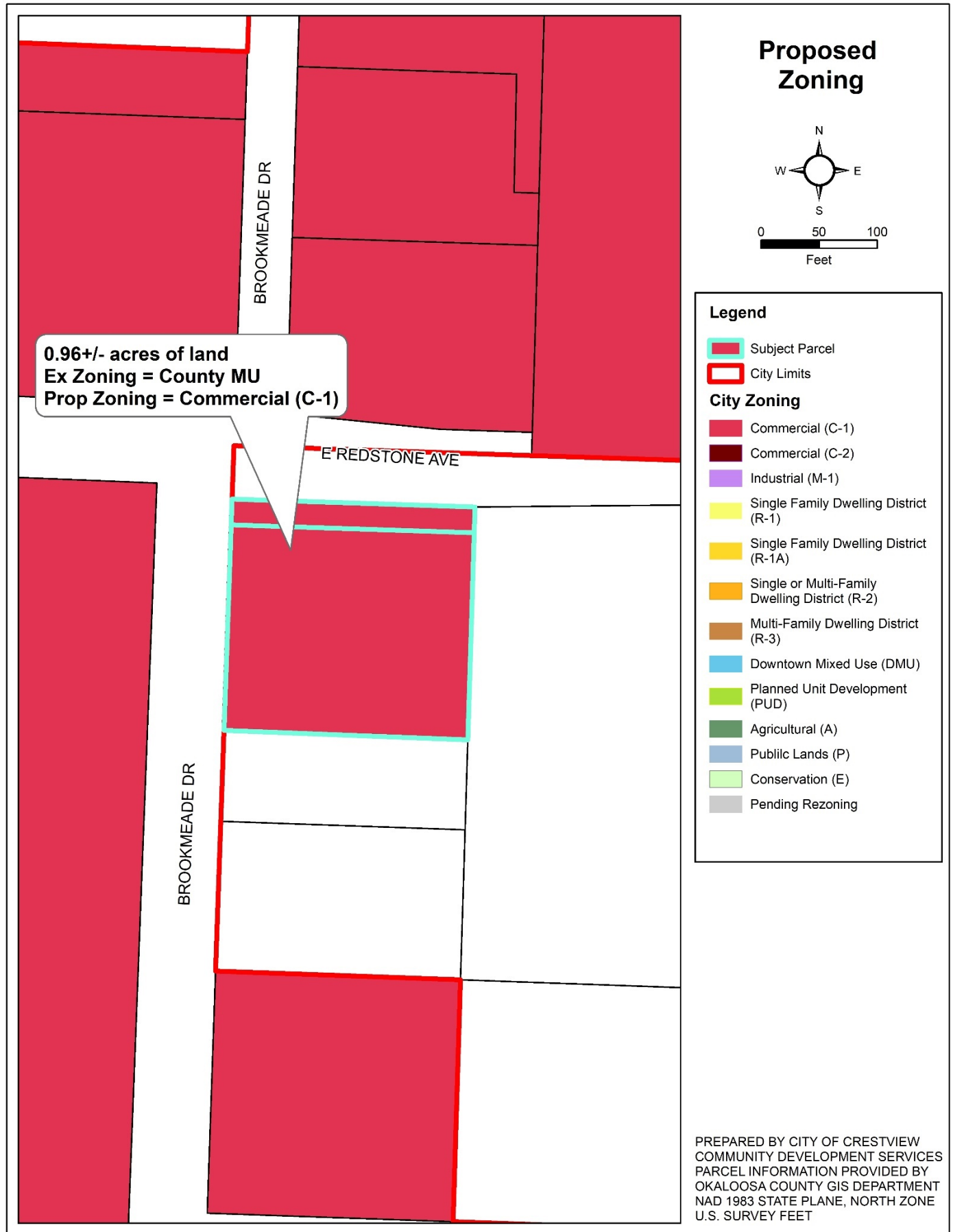
County MU

BROOKMEADE DR

BROOKMEADE DR

E REDSTONE AVE

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:

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE REZONING OF .97 ACRES, MORE OR LESS, OF REAL PROPERTY, LOCATED IN SECTION 28, TOWNSHIP 3 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 .97 acres, more or less, of real property lying within the corporate limits of Crestview, Florida, with .97 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 1794, is hereby rezoned to Commercial (C-1) to wit:

PIN # 28-3N-23-0000-0004-0010 & 28-3N-23-0000-0005-0000

Parcel 1:

Beginning at the Northwest corner of Section 28, Township 3 North, Range 23 West, thence East along Section line 210 feet and corner, thence South 240 feet and corner, thence West 210 feet to the County Road right of way and corner; thence North along the County Road 240 feet, more or less to the Point of Beginning, lying and being in Section 28, Township 3 North, Range 23 West, Okaloosa County, Florida.

LESS AND EXCEPT:

Beginning at the Northwest corner of Section 28, Township 3 North, Range 23 West, Okaloosa County, Florida, thence East along said Section line 210 feet and corner; thence South 66 feet and corner; thence West 210 feet and corner; thence North 66 feet to the Point of Beginning.

Parcel 2:

Beginning at the Northwest corner of Section 28, Township 3 North, Range 23 West, Okaloosa County, Florida, thence East along said section line 210 feet and corner; thence South 66 Feet and corner; thence West 210 feet and corner; thence North 66 feet to the point of beginning.

LESS AND EXCEPT:

Beginning at the Northwest corner of Section 28, Township 3 North, Range 23 West, Okaloosa County, Florida, thence East along said Section line 210 feet and corner; thence South 46 feet and corner; thence West 210 feet and corner; thence North 46 feet to the Point of Beginning as contained in O.R. Book 2040 Page 2297 of the Official Records of 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 # 1794 and becomes legally effective.

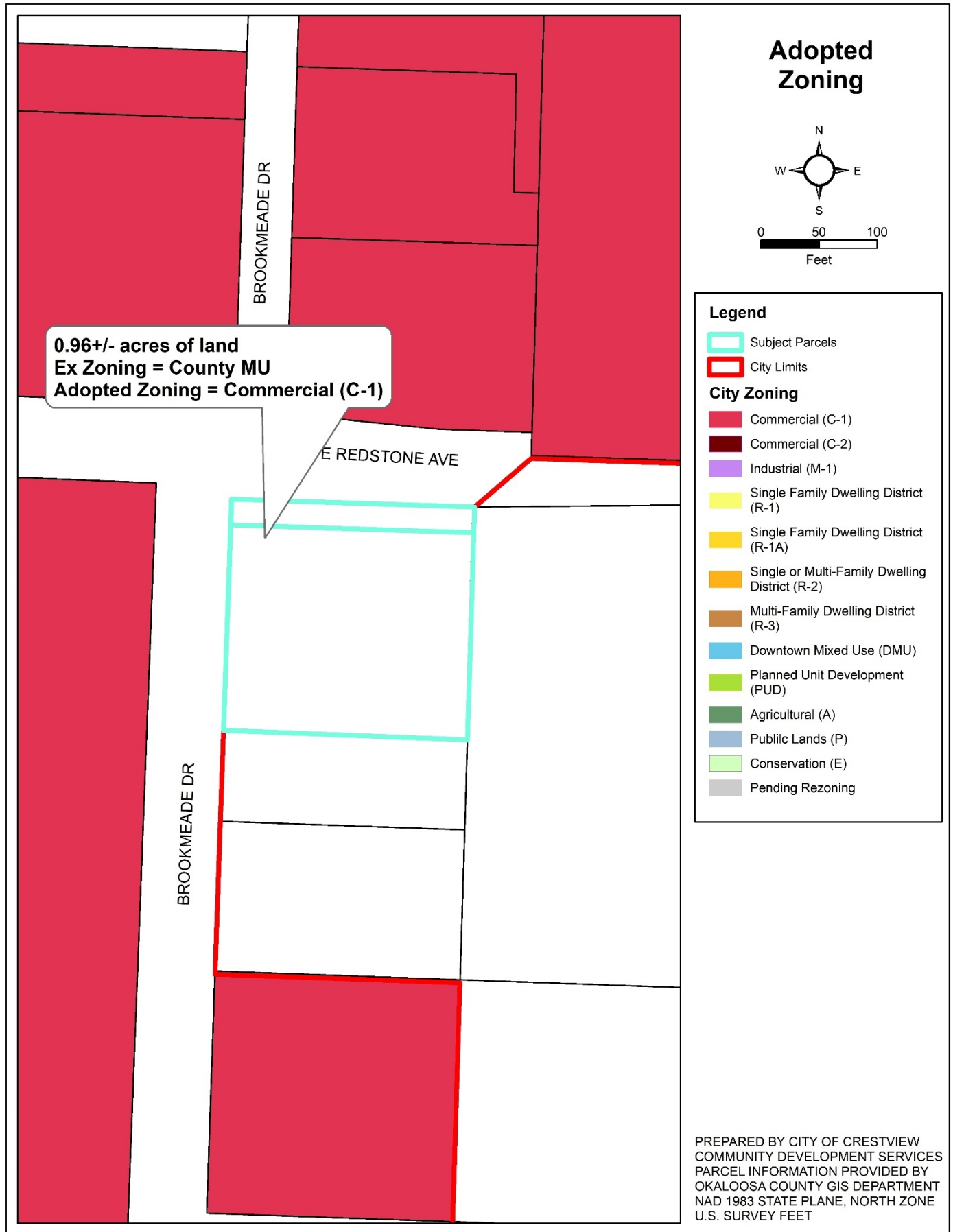
**PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW,
FLORIDA ON THE _____ DAY OF _____, 2020.**

ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN
Mayor





Staff Report

CITY COUNCIL MEETING DATE: January 1, 1900

TYPE OF AGENDA ITEM: 2nd Reading

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Trae Duley, Planning Administrator
DATE: 2/12/2021
SUBJECT: Ordinance 1796 - 4th Avenue NE & Industrial Drive Annexation

BACKGROUND:

On January 11, 2021 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at 105 4th Avenue NE.

The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Okaloosa County Mixed Use and Low-Density Residential, and Okaloosa County Mixed Use and R-1, respectively.

The Planning and Development Board recommended approval of the request on February 1, 2021.

DISCUSSION:

The property description is as follows:

Property Owner: Dewrell J Ladon & Carol A
Dcd Okaloosa Land CO LLC
Parcel ID: 04-3N-23-1840-0010-0010
Site Size: 2.60 acres
Current FLU: Okaloosa County Mixed Use and Low-Density Residential
Current Zoning: Okaloosa County Mixed Use and R-1
Current Land Use: Vacant

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

Direction	FLU	Zoning	Existing Use
North	Commercial	Currently C-1, Proposed C-2	Vacant
East	Okaloosa County LDR	Okaloosa County R-1	Residential
South	Commercial	Currently C-1, Proposed C-2	Commercial
West	Commercial	Currently C-1, Proposed C-2	Commercial

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 use will be developed commercially.

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 January 11, 2021.

A letter was sent via certified mail to the Okaloosa Board of County Commissioners on January 21, 2021. The property was posted on January 20, 2021. An advertisement ran in the Crestview News Bulletin on January 20, 2021.

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.

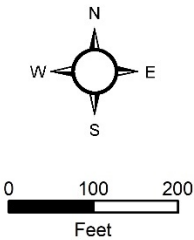
The cost of advertising is \$463.68.

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

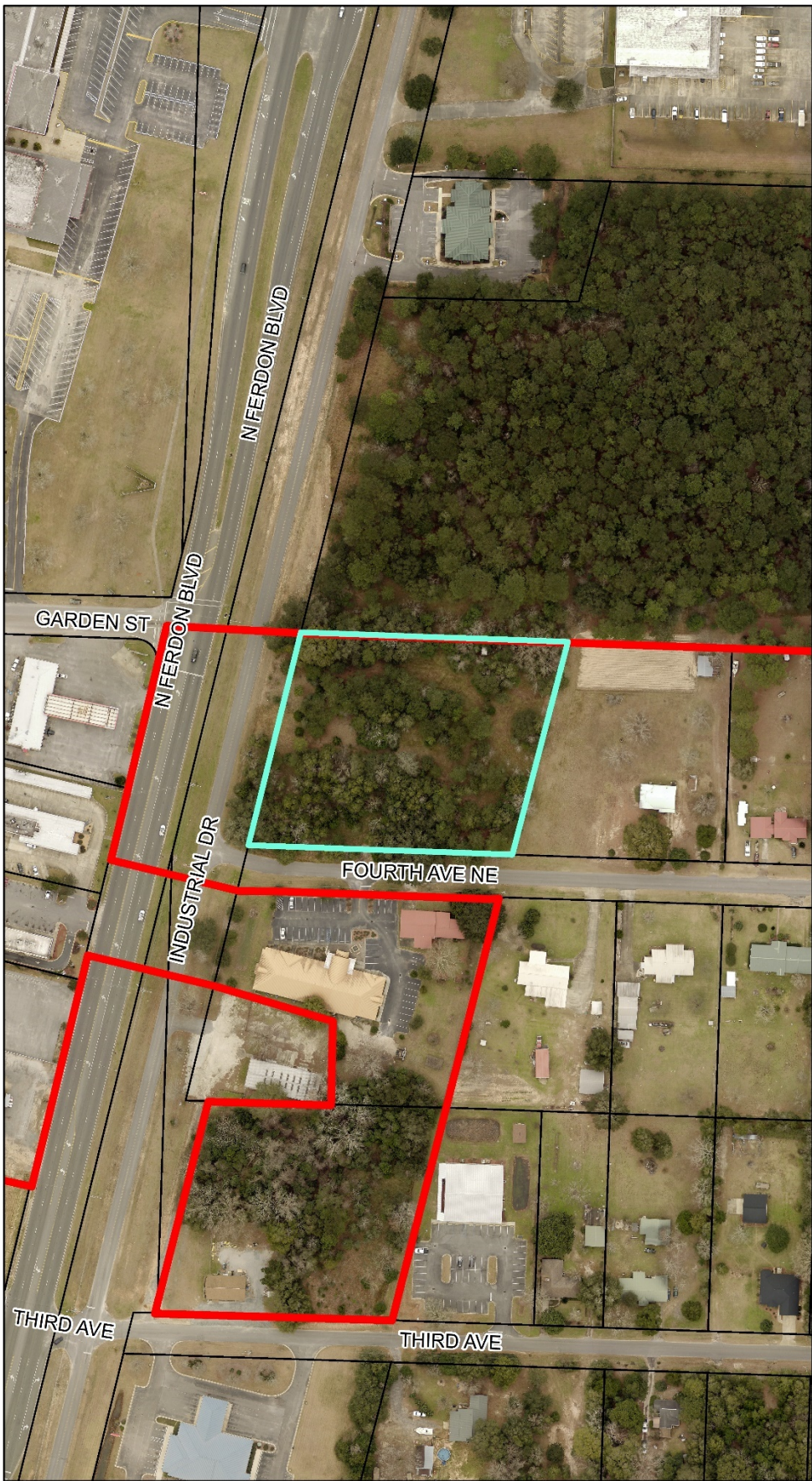
Staff respectfully requests adoption of Ordinance 1796 and move to second reading.

Subject Parcel
Aerial Exhibit



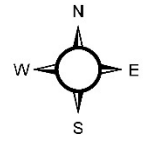
Legend

- Subject Parcel
- 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

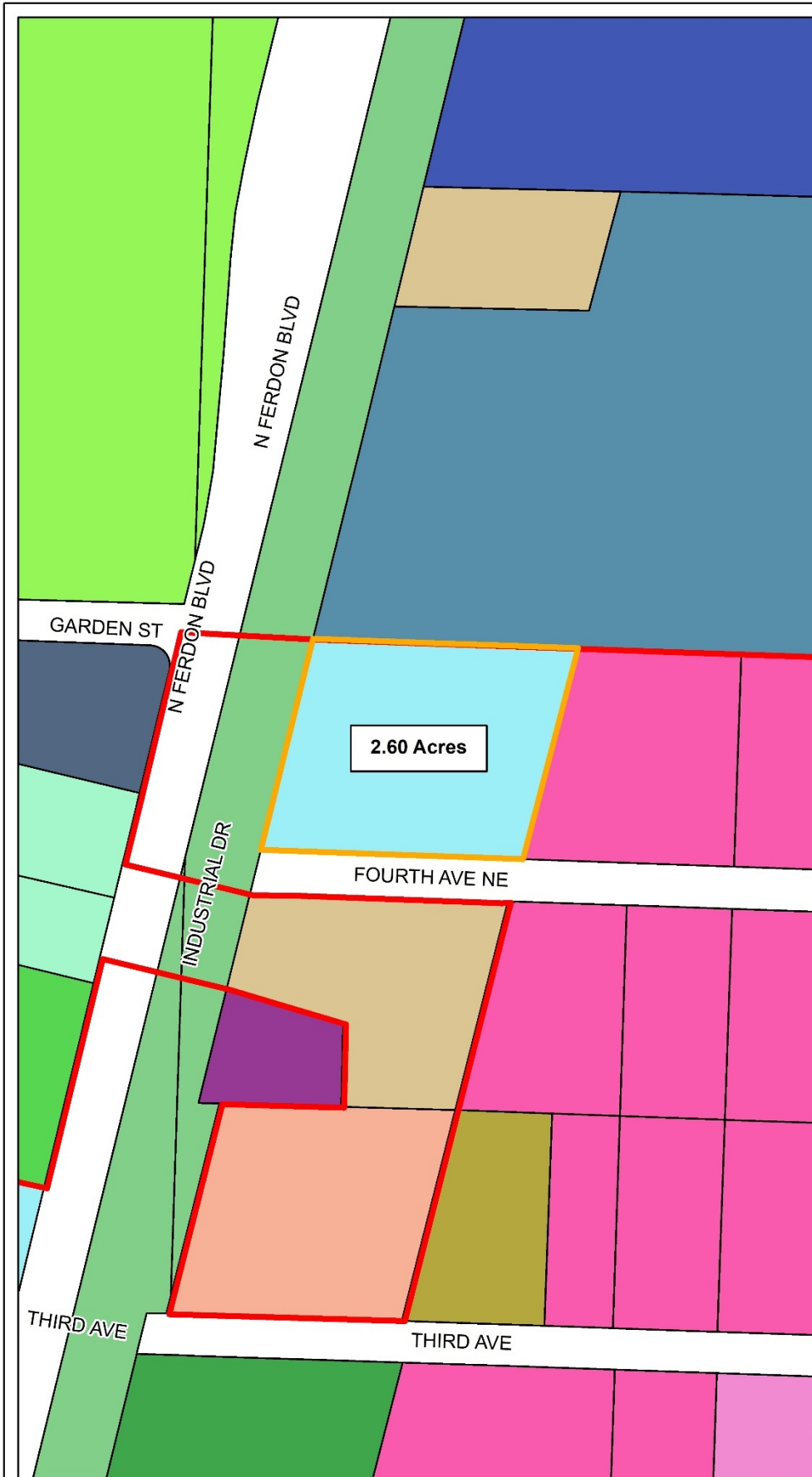
Subject Parcel Existing Use



0 100 200
Feet

Legend

- Subject Parcel
- City Limits
- FEDERAL
- FINANCIAL
- GYM/FITNES
- MUNICIPAL
- NO AG ACRE
- OFFICE BUI
- PUBLIC SCH
- RESTAURANT
- SINGLE FAM
- STORES, 1
- SUPERMARKE
- VACANT
- VACANT COM
- VEH SALE/R
- WAREHOUSE-



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

Attachments

None

ORDINANCE:

AN ORDINANCE ANNEXING TO THE CITY OF CRESTVIEW, FLORIDA, ± 2.6 ACRES OF CONTIGUOUS LANDS LOCATED IN SECTION 4, TOWNSHIP 3 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 # 04-3N-23-1840-0010-0010 (Deed recorded in Book 3419, page 2373, dated September 9, 2019)

Lots 1, 2, 3 and 4, Block 10, OAKDALE MINIATURE FARMS, according to the Plat thereof as recorded in Plat Book 1, Page(s) 129-130, of the Public Records of Okaloosa County, Florida.

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-2) 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.**

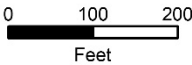
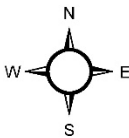
ATTEST:

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

CITY COUNCIL MEETING DATE: January 1, 1900

TYPE OF AGENDA ITEM: 2nd Reading

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Trae Duley, Planning Administrator
DATE: 2/12/2021
SUBJECT: Ordinance 1797 - 4th Avenue NE & Industrial Drive Comprehensive Plan Amendment

BACKGROUND:

On January 11, 2021 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at 105 4th Avenue NE.

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 Okaloosa County Mixed Use and Low-Density Residential, and Okaloosa County Mixed Use and R-1, respectively.

The Planning and Development Board recommended approval of the request on February 1, 2021.

DISCUSSION:

The property description is as follows:

Property Owner: Dewrell J Ladon & Carol A
Dcd Okaloosa Land CO LLC
Parcel ID: 04-3N-23-1840-0010-0010
Site Size: 2.60 acres
Current FLU: Okaloosa County Mixed Use and Low-Density Residential
Current Zoning: Okaloosa County Mixed Use and R-1
Current Land Use: Vacant

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

Direction	FLU	Zoning	Existing Use
North	Commercial	Currently C-1, Proposed C-2	Vacant
East	Okaloosa County LDR	Okaloosa County R-1	Residential
South	Commercial	Currently C-1, Proposed C-2	Commercial
West	Commercial	Currently C-1, Proposed C-2	Commercial

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 use will be developed commercially.

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

- The proposed future land use map designation is compatible with the surrounding area.
- The proposed future land use map designation 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 January 11, 2021. The property was posted on January 20, 2021. An advertisement ran in the Crestview News Bulletin on January 20, 2021.

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.

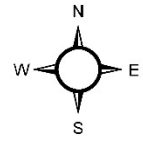
FINANCIAL IMPACT

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 adoption of Ordinance 1797 and move to second reading.

Subject Parcel Current FLU



0 100 200
Feet

Legend

- Subject Parcel
- 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

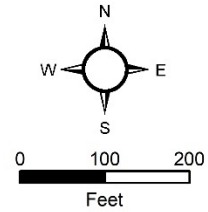
County MU, LDR

FOURTH AVE NE

THIRD AVE

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

Subject Parcel

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)

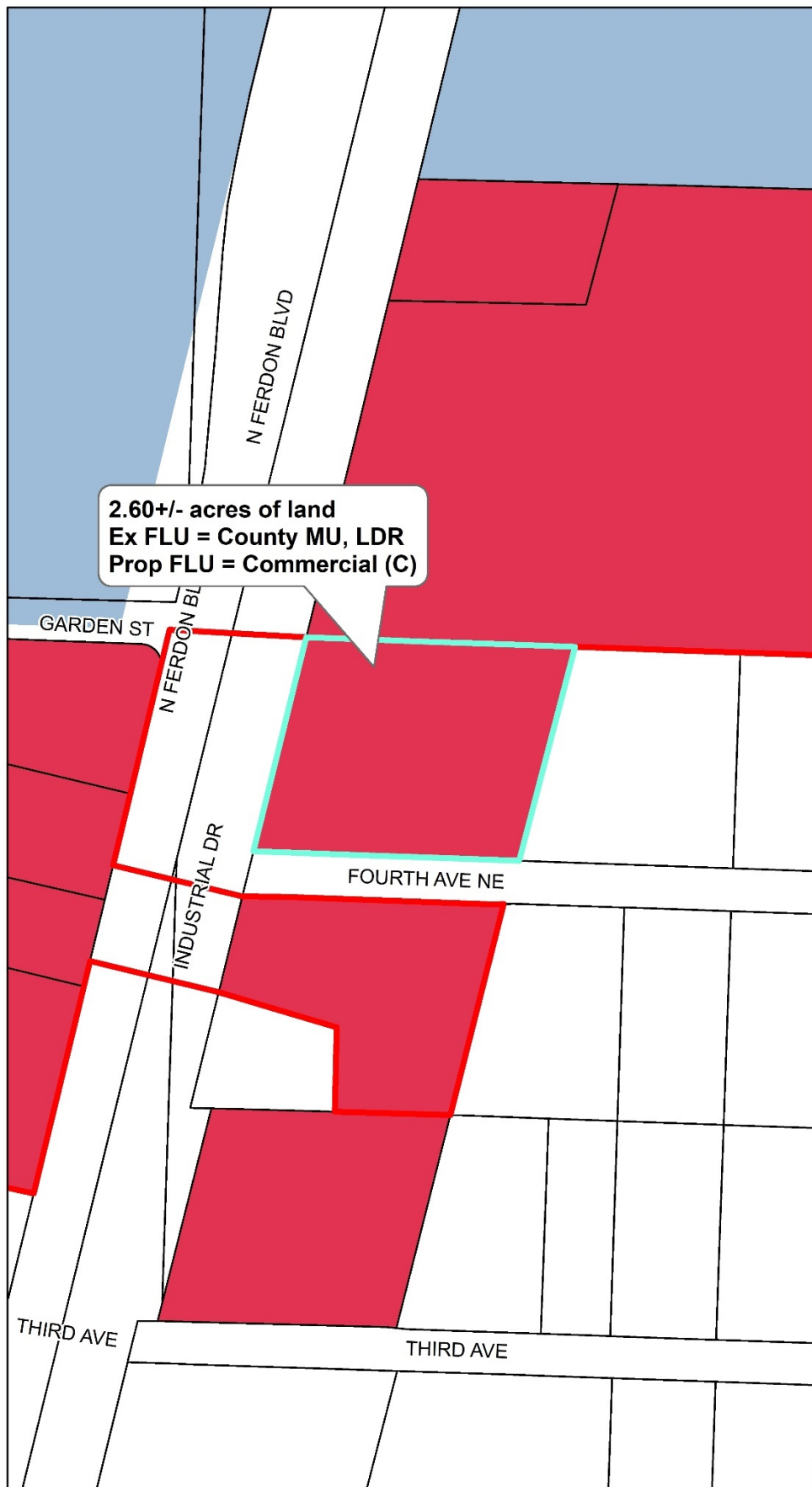
Downtown Mixed Use

Public Lands (PL)

Conservation (CON)

Pending Comp Plan Amendment

2.60+/- acres of land
Ex FLU = County MU, LDR
Prop 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

Attachments

None

ORDINANCE:

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 AND LOW DENSITY RESIDENTIAL TO COMMERCIAL (C) ON APPROXIMATELY 2.6 ACRES, MORE OR LESS, IN SECTION 4, 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 Okaloosa County Mixed Use and Low Density Residential to Commercial on a parcel of land containing 2.6 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 2.6 acres of land, more or less, from Okaloosa County Mixed Use and Low Density Residential to Commercial. For the purposes of this Ordinance and Comprehensive Plan Amendment, the 2.6 acres, more or less, is known as Parcel 04-3N-23-1840-0010-0010 and commonly described as:

Lots 1, 2, 3 and 4, Block 10, OAKDALE MINIATURE FARMS, according to the Plat thereof as

recorded in Plat Book 1, Page(s) 129-130, of the Public Records of Okaloosa County, Florida.

The Commercial Future Land Use Category is hereby imposed on Parcel 04-3N-23-1840-0010-0010. 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 04-3N-23-1840-0010-0010 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.**

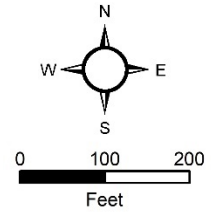
ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN
Mayor

Adopted Future Land Use



Legend

- Subject Parcel
- 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

2.60+/- acres of land
Ex FLU = County MU, LDR
Adopted 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



Staff Report

CITY COUNCIL MEETING DATE: January 1, 1900

TYPE OF AGENDA ITEM: 2nd Reading

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Trae Duley, Planning Administrator
DATE: 2/12/2021
SUBJECT: Ordinance 1798 - 4th Avenue NE & Industrial Drive Rezoning

BACKGROUND:

On January 11, 2021 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at 105 4th Avenue NE.

The application requests the Commercial (C-2) zoning designation for the property.

The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Okaloosa County Mixed Use and Low-Density Residential, and Okaloosa County Mixed Use and R-1, respectively.

The Planning and Development Board recommended approval of the request on February 1, 2021.

DISCUSSION:

The property description is as follows:

Property Owner: Dewrell J Ladon & Carol A
Dcd Okaloosa Land CO LLC
Parcel ID: 04-3N-23-1840-0010-0010
Site Size: 2.60 acres
Current FLU: Okaloosa County Mixed Use and Low-Density Residential
Current Zoning: Okaloosa County Mixed Use and R-1
Current Land Use: Vacant

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

Direction	FLU	Zoning	Existing Use
North	Commercial	Currently C-1, Proposed C-2	Vacant
East	Okaloosa County LDR	Okaloosa County R-1	Residential
South	Commercial	Currently C-1, Proposed C-2	Commercial
West	Commercial	Currently C-1, Proposed C-2	Commercial

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 use will be developed commercially.

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 January 11, 2021. The property was posted on January 20, 2021. An advertisement ran in the Crestview News Bulletin on January 20, 2021.

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.

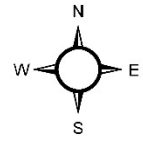
FINANCIAL IMPACT

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 adoption of Ordinance 1798 and move to second reading.

Subject Parcel Current Zoning



0 100 200
Feet

Legend

Subject Parcel

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)

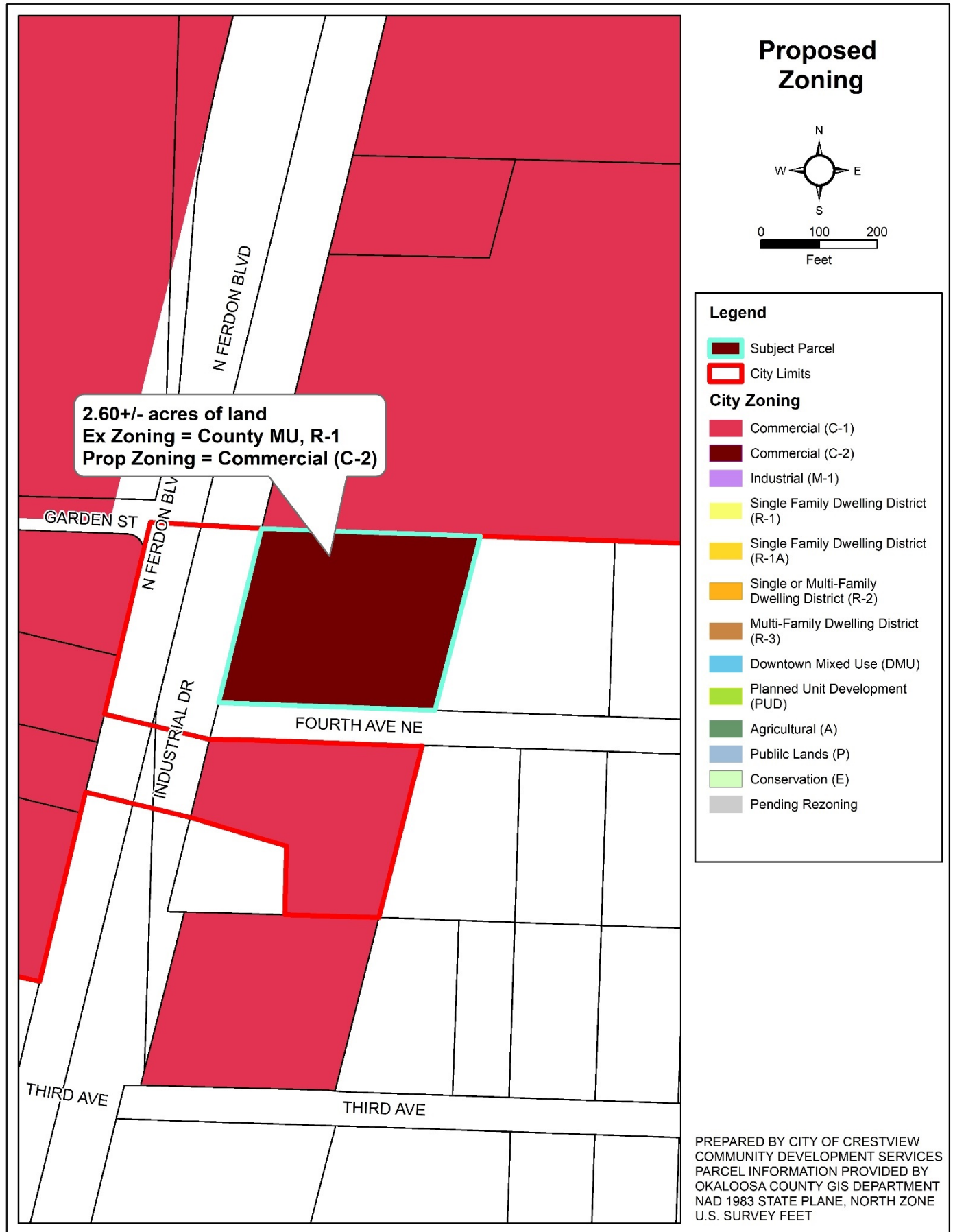
Pending Rezoning

County MU, R-1

FOURTH AVE NE

THIRD AVE

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:

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE REZONING OF 2.6 ACRES, MORE OR LESS, OF REAL PROPERTY, LOCATED IN SECTION 4, TOWNSHIP 3 NORTH, RANGE 23 WEST, FROM THE OKALOOSA COUNTY MIXED USE AND R-1 ZONING DISTRICT TO THE COMMERCIAL (C-2) 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 2.6 acres, more or less, of real property lying within the corporate limits of Crestview, Florida, with 2.6 acres, more or less, being formerly zoned Okaloosa County Mixed Use and R-1 with the Commercial Future Land Use Map designation recently ratified by the City Council through adoption of Ordinance 1797, is hereby rezoned to Commercial (C-2) to wit:

PIN # 04-3N-23-1840-0010-0010

Lots 1, 2, 3 and 4, Block 10, OAKDALE MINIATURE FARMS, according to the Plat thereof as recorded in Plat Book 1, Page(s) 129-130, of the Public Records of 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 # 1797 and becomes legally effective.

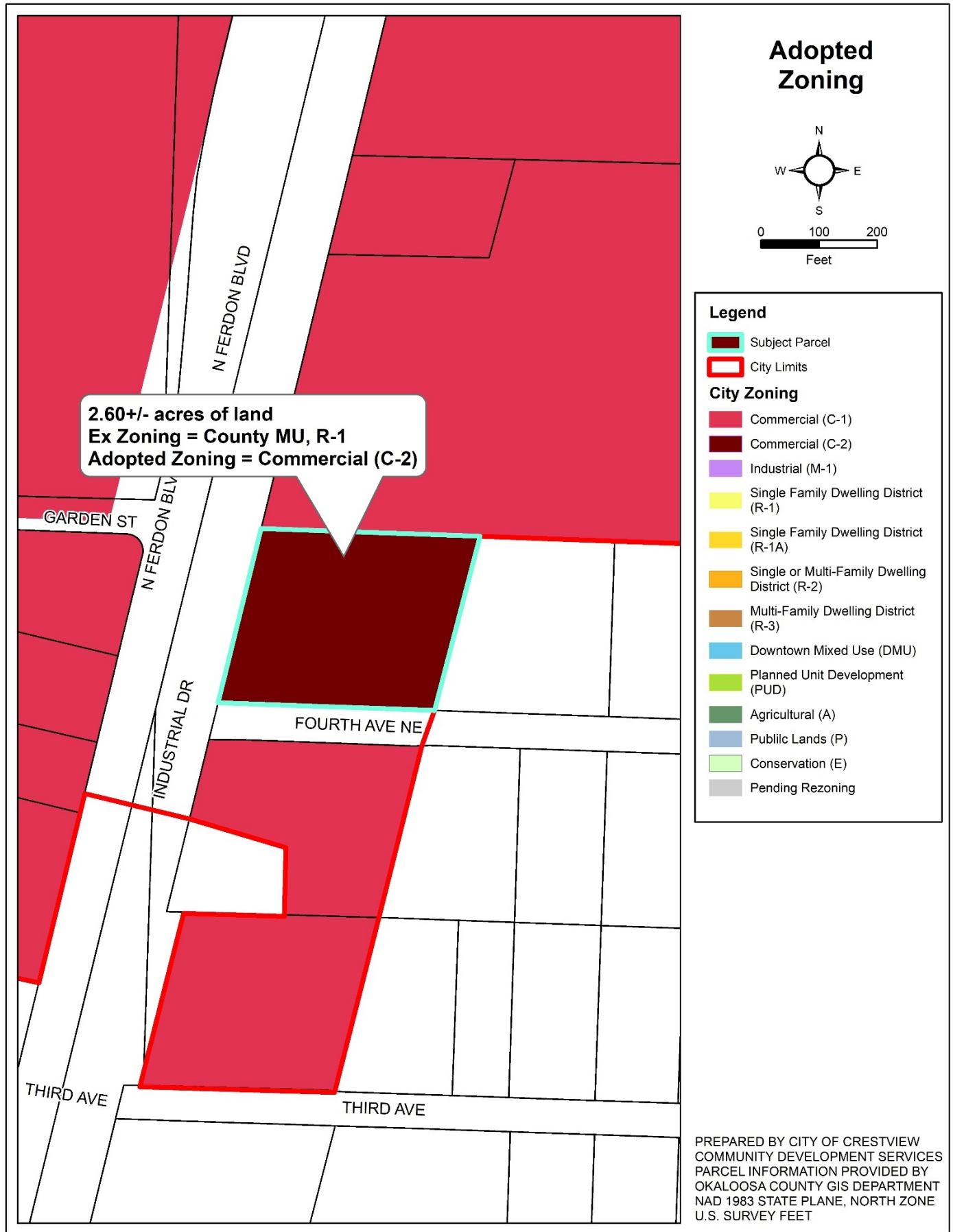
**PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW,
FLORIDA ON THE _____ DAY OF _____, 2020.**

ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN
Mayor





Staff Report

CITY COUNCIL MEETING DATE: January 1, 1900

TYPE OF AGENDA ITEM: 2nd Reading

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Trae Duley, Planning Administrator
DATE: 2/12/2021
SUBJECT: Ordinance 1799 - Redstone Avenue Annexation

BACKGROUND:

On December 15, 2020 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at Redstone Avenue E.

The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Low Density Residential and R-1, respectively.

The Planning and Development Board recommended approval of the request on February 1, 2021.

DISCUSSION:

The property description is as follows:

Property Owner: Adams Harold J Trustee
Parcel ID: 28-3N-23-0000-0002-0000
Site Size: 7.9 acres
Current FLU: Okaloosa County Low Density Residential
Current Zoning: Okaloosa County R-1
Current Land Use: Vacant

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

Direction	FLU	Zoning	Existing Use
North	Commercial, MDR, County LDR	C-1, R-2, County R-1	Vacant
East	Low Density Residential	Currently C-1, Proposed R-2	Residential
South	Commercial & LDR	Currently C-1 & R-2, Proposed MU	Vacant & Residential
West	Okaloosa County Mixed Use	Okaloosa County Mixed Use	Commercial

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 may be developed as an apartment complex.

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 January 11, 2021. A letter was sent via certified mail to the Okaloosa Board of County Commissioners on January 11, 2021. The property was posted on January 20, 2021. An advertisement ran in the Crestview News Bulletin on January 20, 2021.

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.

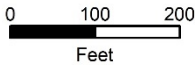
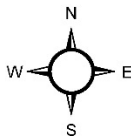
The cost of advertising is \$463.68.

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

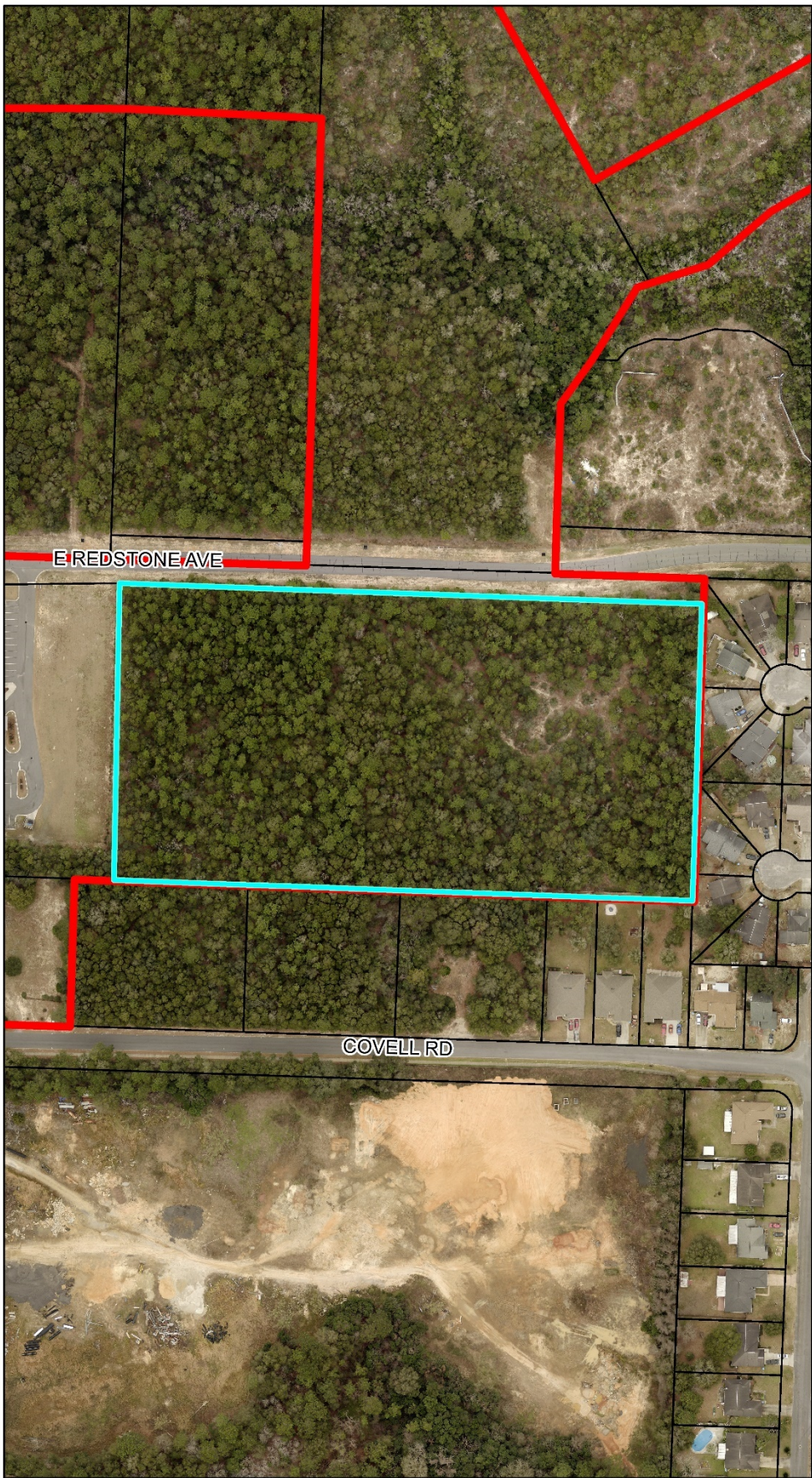
Staff respectfully requests adoption of Ordinance 1799 and move to second reading.

**Subject Parcel
Aerial Exhibit**



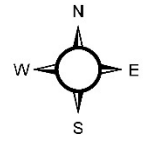
Legend

- Subject_Parcel
- 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

Existing Use



0 100 200
Feet

Legend

- Subject Parcel
- City Limits
- MUNICIPAL
- NO AG ACRE
- PROFESSION
- SINGLE FAM
- VACANT
- VACANT COM

7.90 Acres

E REDSTONE AVE

COVELL RD

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:

AN ORDINANCE ANNEXING TO THE CITY OF CRESTVIEW, FLORIDA, ± 7.9 ACRES OF CONTIGUOUS LANDS LOCATED IN SECTION 28, TOWNSHIP 3 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 # 28-3N-23-0000-0002-0000 (Deed recorded in Book 2867, page 2194, dated December 3, 2008)

THE NORTH 450 FEET OF THE NORTH ONE-HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 3 NORTH, RANGE 23 WEST, LESS AND EXCEPT THE WEST 210 FEET THEREOF, SITUATE, LYING AND BEING IN OKALOOSA COUNTY, FLORIDA.

EXCEPT RIGHT OF WAY GIVEN TO COUNTY FOR A ROAD AS FOLLOWS: THE NORTH 33.0 FEET OF NORTHWEST QUARTER OF NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA

ALSO LESS AND EXCEPT COMMENCE AT THE NORTHWEST CORNER OF SECTION 28, T-3-N, R-23-W, OKALOOSA COUNTY, FLORIDA; THENCE N 90 DEGREES 00' 00" E 210.00 FEET; THENCE S 00 DEGREES 00' 00" E 33.00 FEET TO THE POINT OF BEGINNING; THENCE N 90 DEGREES 00'00" E 264.81 FEET; THENCE S 00 DEGREES 00'00" E 417.00 FEET; THENCE N 90 DEGREES 00'00" W 264.81 FEET; THENCE N 00 DEGREES 00' 00" E 417.00 FEET TO THE POINT OF BEGINNING.

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:

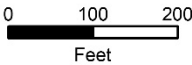
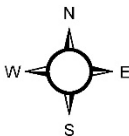
ELIZABETH M. ROY

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

CITY COUNCIL MEETING DATE: January 1, 1900

TYPE OF AGENDA ITEM: 2nd Reading

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Trae Duley, Planning Administrator
DATE: 2/12/2021
SUBJECT: Ordinance 1800 - Redstone Avenue Comprehensive Plan Amendment

BACKGROUND:

On December 15, 2020 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at Redstone Avenue E.

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 Low Density Residential and R-1, respectively.

The Planning and Development Board recommended approval of the request on February 1, 2021.

DISCUSSION:

The property description is as follows:

Property Owner: Adams Harold J Trustee
Parcel ID: 28-3N-23-0000-0002-0000
Site Size: 7.9 acres
Current FLU: Okaloosa County Low Density Residential
Current Zoning: Okaloosa County R-1
Current Land Use: Vacant

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

Direction	FLU	Zoning	Existing Use
North	Commercial, MDR, County LDR	C-1, R-2, County R-1	Vacant
East	Low Density Residential	Currently C-1, Proposed R-2	Residential
South	Commercial & LDR	Currently C-1 & R-2, Proposed MU	Vacant & Residential
West	Okaloosa County Mixed Use	Okaloosa County Mixed Use	Commercial

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 may be developed as an apartment complex.

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

- The proposed future land use map designation is compatible with the surrounding area.
- The proposed future land use map designation 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 January 11, 2021. The property was posted on January 20, 2021. An advertisement ran in the Crestview News Bulletin on January 20, 2021.

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.

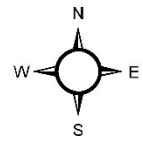
FINANCIAL IMPACT

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 adoption of Ordinance 1800 and move to second reading.

Current Future Land Use



0 100 200
Feet

Legend

- Subject Parcel
- 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

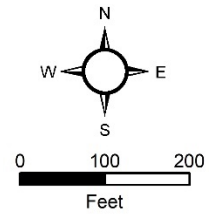
County LDR

E REDSTONE AVE

COVELL RD

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

Subject_Parcel

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

7.90+/- acres of land
Ex FLU = County LDR
Prop FLU = Commercial (C)

E REDSTONE AVE

COVELL RD

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:

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 LOW DENSITY RESIDENTIAL TO COMMERCIAL (C) ON APPROXIMATELY 7.9 ACRES, MORE OR LESS, IN SECTION 28, 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 Okaloosa County Low Density Residential to Commercial on a parcel of land containing 7.9 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 7.9 acres of land, more or less, from Okaloosa County Low Density Residential to Commercial. For the purposes of this Ordinance and Comprehensive Plan Amendment, the 7.9 acres, more or less, is known as Parcel 28-3N-23-0000-0002-0000 and commonly described as:

THE NORTH 450 FEET OF THE NORTH ONE-HALF OF THE NORTHWEST QUARTER

OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 3 NORTH, RANGE 23 WEST, LESS AND EXCEPT THE WEST 210 FEET THEREOF, SITUATE, LYING AND BEING IN OKALOOSA COUNTY, FLORIDA.

EXCEPT RIGHT OF WAY GIVEN TO COUNTY FOR A ROAD AS FOLLOWS: THE NORTH 33.0 FEET OF NORTHWEST QUARTER OF NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA

ALSO LESS AND EXCEPT COMMENCE AT THE NORTHWEST CORNER OF SECTION 28, T-3-N, R-23-W, OKALOOSA COUNTY, FLORIDA; THENCE N 90 DEGREES 00' 00" E 210.00 FEET; THENCE S 00 DEGREES 00' 00" E 33.00 FEET TO THE POINT OF BEGINNING; THENCE N 90 DEGREES 00'00" E 264.81 FEET; THENCE S 00 DEGREES 00'00" E 417.00 FEET; THENCE N 90 DEGREES 00'00" W 264.81 FEET; THENCE N 00 DEGREES 00' 00" E 417.00 FEET TO THE POINT OF BEGINNING.

The Commercial Future Land Use Category is hereby imposed on Parcel 28-3N-23-0000-0002-0000. 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 28-3N-23-0000-0002-0000 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.

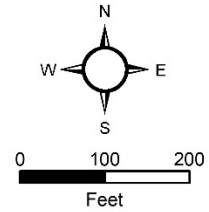
ATTEST:

ELIZABETH M. ROY
City Clerk

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

J. B. WHITTEN
Mayor

Adopted Future Land Use



Legend

- City Limits
- Subject Parcel

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

7.90+/- acres of land
Ex FLU = County LDR
Adopted FLU = Commercial (C)

E REDSTONE AVE

COVELL RD

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: January 1, 1900

TYPE OF AGENDA ITEM: 2nd Reading

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Trae Duley, Planning Administrator
DATE: 2/12/2021
SUBJECT: Ordinance 1801 - Redstone Avenue Rezoning

BACKGROUND:

On December 15, 2020 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at Redstone Avenue E.

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 Low Density Residential and R-1, respectively.

The Planning and Development Board recommended approval of the request on February 1, 2021.

DISCUSSION:

The property description is as follows:

Property Owner: Adams Harold J Trustee
Parcel ID: 28-3N-23-0000-0002-0000
Site Size: 7.9 acres
Current FLU: Okaloosa County Low Density Residential
Current Zoning: Okaloosa County R-1
Current Land Use: Vacant

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

Direction	FLU	Zoning	Existing Use
North	Commercial, MDR, County LDR	C-1, R-2, County R-1	Vacant
East	Low Density Residential	Currently C-1, Proposed R-2	Residential
South	Commercial & LDR	Currently C-1 & R-2, Proposed MU	Vacant & Residential
West	Okaloosa County Mixed Use	Okaloosa County Mixed Use	Commercial

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 may be developed as an apartment complex.

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 January 11, 2021. The property was posted on January 20, 2021. An advertisement ran in the Crestview News Bulletin on January 20, 2021.

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.

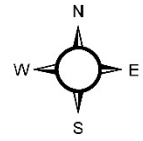
FINANCIAL IMPACT

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 adoption of Ordinance 1801 and move to second reading.

Current Zoning



0 100 200
Feet

Legend

Subject Parcel

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)

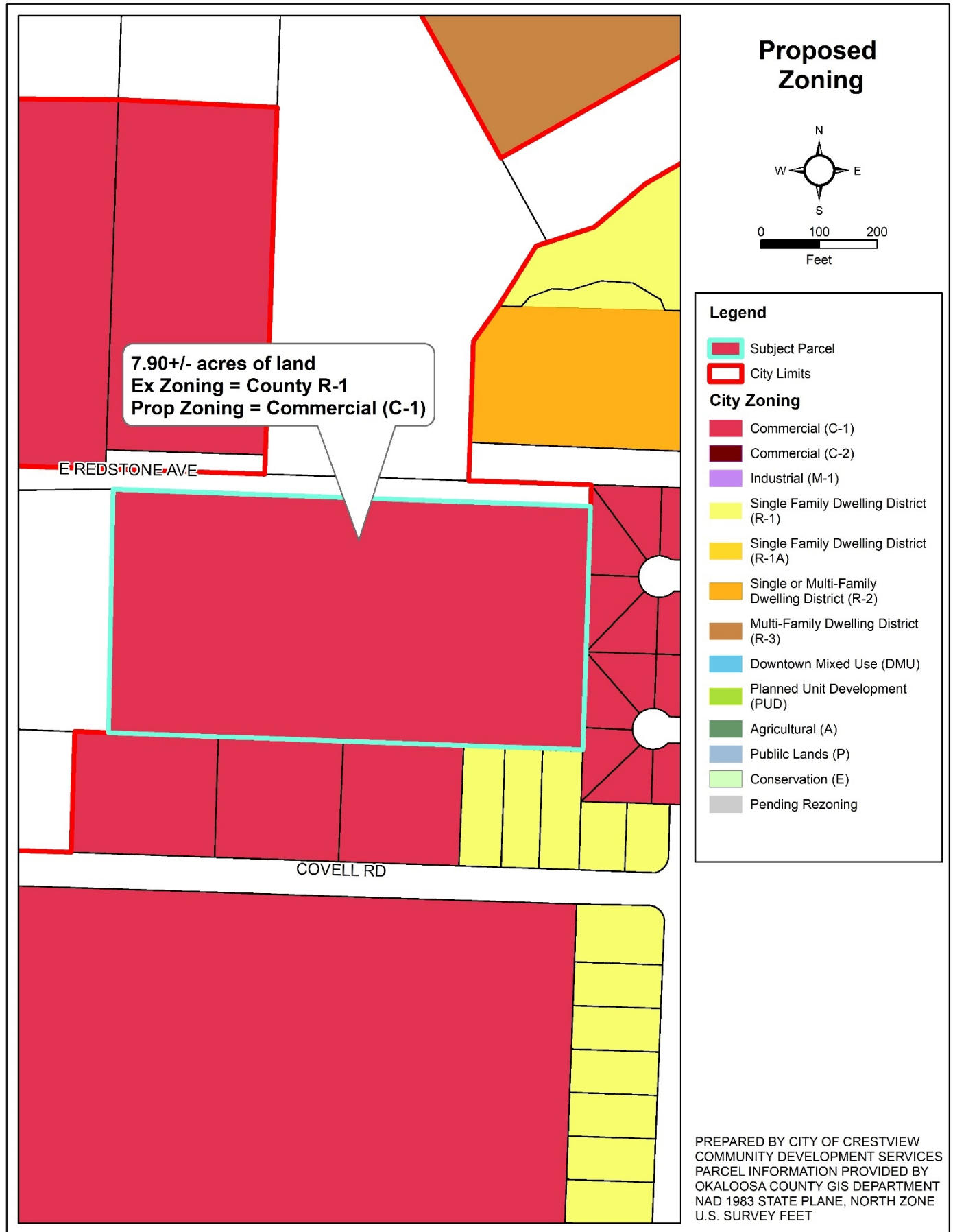
Pending Rezoning

County R-1

E REDSTONE AVE

COVELL RD

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:

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE REZONING OF 7.9 ACRES, MORE OR LESS, OF REAL PROPERTY, LOCATED IN SECTION 28, TOWNSHIP 3 NORTH, RANGE 23 WEST, FROM THE OKALOOSA COUNTY R-1 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 7.9 acres, more or less, of real property lying within the corporate limits of Crestview, Florida, with 7.9 acres, more or less, being formerly zoned Okaloosa County R-1 with the Commercial Future Land Use Map designation recently ratified by the City Council through adoption of Ordinance 1800, is hereby rezoned to Commercial (C-1) to wit:

PIN # 28-3N-23-0000-0002-0000

THE NORTH 450 FEET OF THE NORTH ONE-HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 3 NORTH, RANGE 23 WEST, LESS AND EXCEPT THE WEST 210 FEET THEREOF, SITUATE, LYING AND BEING IN OKALOOSA COUNTY, FLORIDA.

EXCEPT RIGHT OF WAY GIVEN TO COUNTY FOR A ROAD AS FOLLOWS: THE NORTH 33.0 FEET OF NORTHWEST QUARTER OF NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA

ALSO LESS AND EXCEPT COMMENCE AT THE NORTHWEST CORNER OF SECTION 28, T-3-N, R-23-W, OKALOOSA COUNTY, FLORIDA; THENCE N 90 DEGREES 00' 00" E 210.00 FEET; THENCE S 00 DEGREES 00' 00" E 33.00 FEET TO THE POINT OF BEGINNING; THENCE N 90 DEGREES 00'00" E 264.81 FEET; THENCE S 00 DEGREES 00'00" E 417.00 FEET; THENCE N 90 DEGREES 00'00" W 264.81 FEET; THENCE N 00 DEGREES 00' 00" E 417.00 FEET TO THE POINT OF BEGINNING.

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 # 1800 and becomes legally effective.

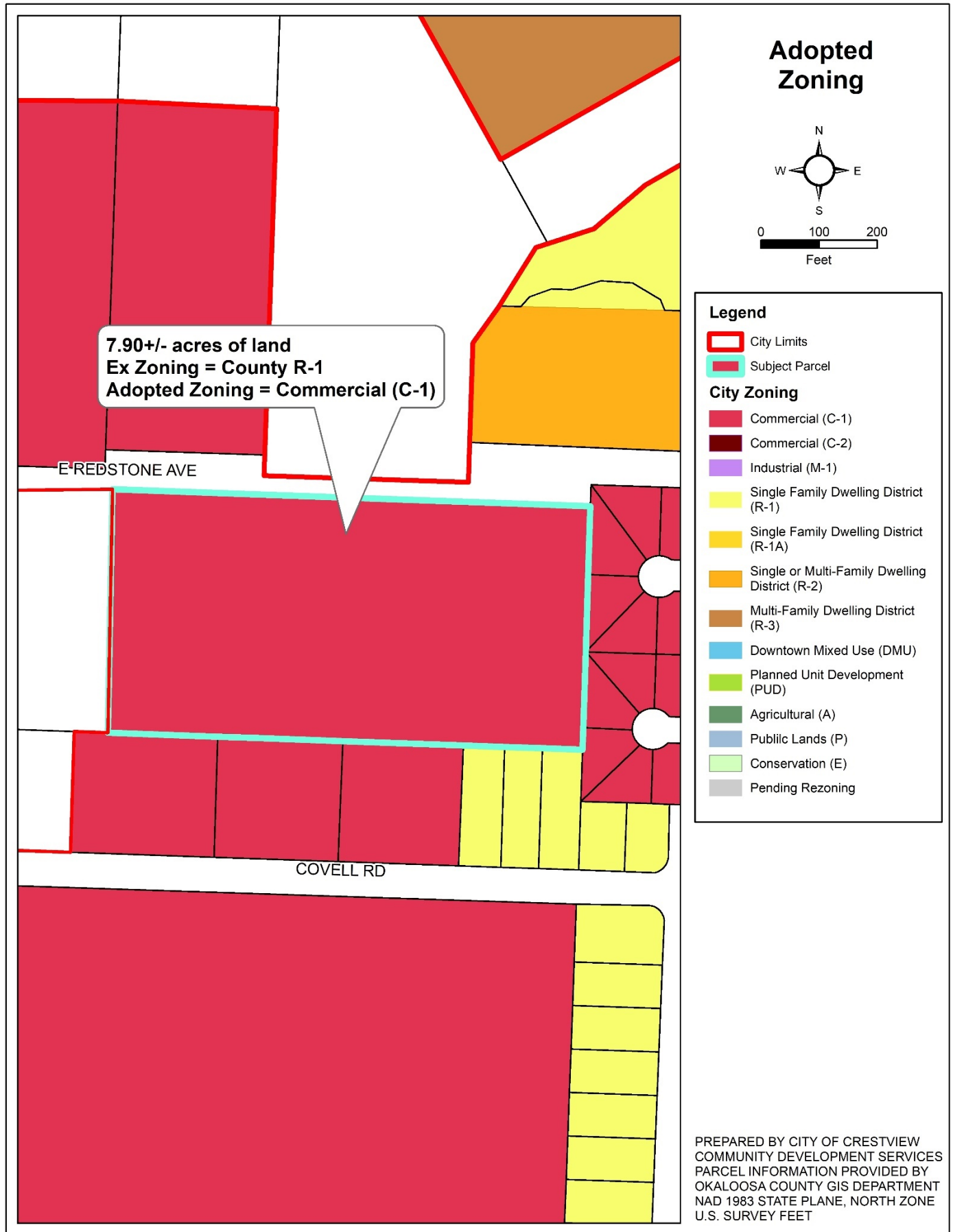
**PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW,
FLORIDA ON THE _____ DAY OF _____, 2020.**

ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN
Mayor





Staff Report

CITY COUNCIL MEETING DATE: January 1, 1900

TYPE OF AGENDA ITEM: 2nd Reading

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Trae Duley, Planning Administrator
DATE: 2/12/2021
SUBJECT: Ordinance 1802 - Industrial Drive @ Richburg Lane Annexation

BACKGROUND:

On January 11, 2021 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at Industrial Drive and Richburg Lane.

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

The Planning and Development Board recommended approval of the request on February 1, 2021.

DISCUSSION:

The property description is as follows:

Property Owner: Dewrell J Ladon & Carol A
04-3N-23-0000-0029-0000
Parcel ID: 05-3N-23-0000-0005-0000
09-3N-23-0000-0011-0000
Site Size: 46.38 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	County MU, LDR	County MU, R-1	Commercial, Residential
East	County LDR	County R-1	Residential, Vacant
South	County MU	County MU	Commercial, Residential
West	Commercial	Currently C-1, Proposed C-2	Commercial

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 commercially.

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 January 11, 2021.

A letter was sent via certified mail to the Okaloosa Board of County Commissioners on January 11, 2021. The property was posted on January 20, 2021. An advertisement ran in the Crestview News Bulletin on January 20, 2021.

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.

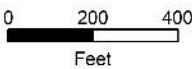
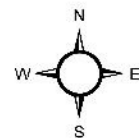
The cost of advertising is \$463.68.

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

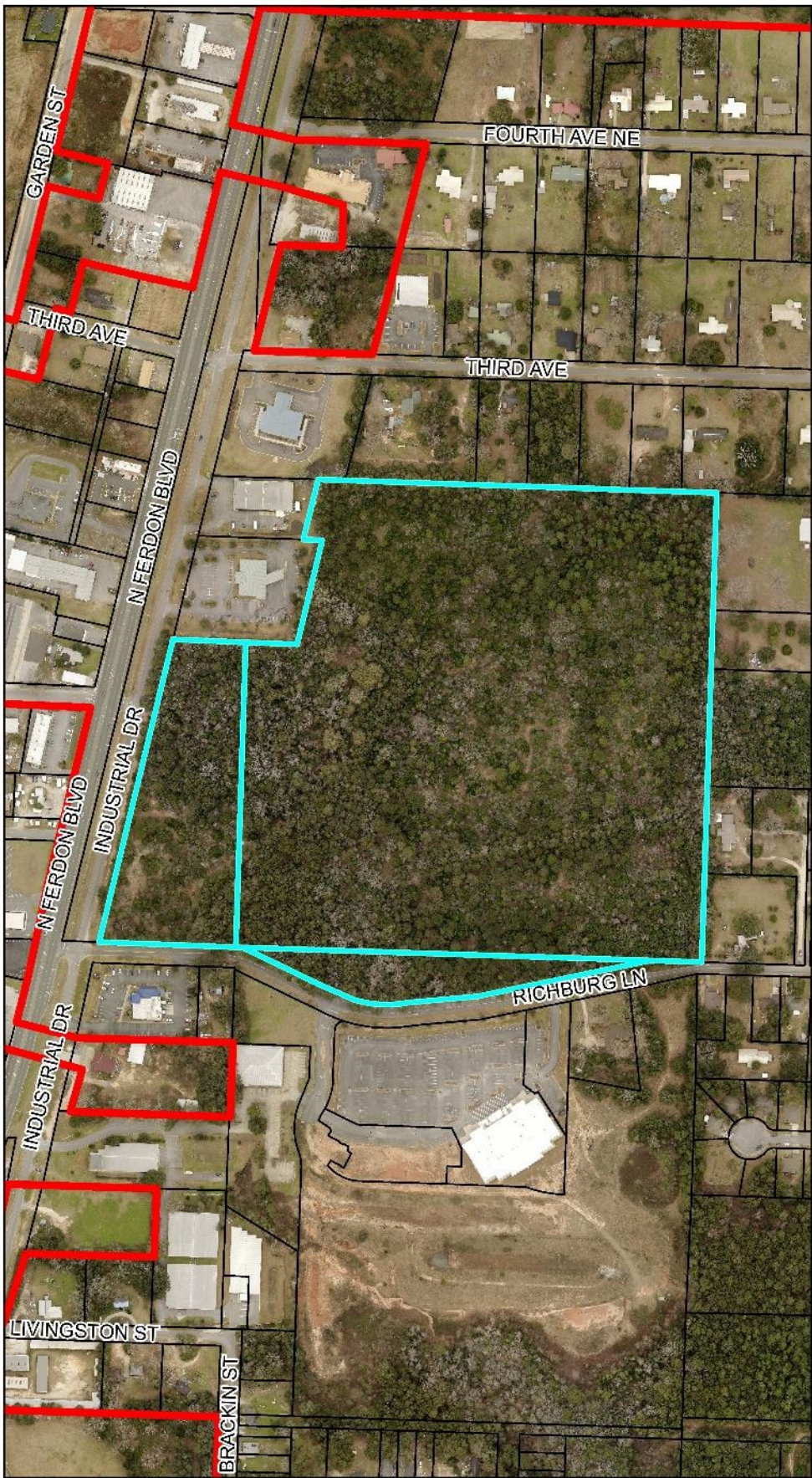
Staff respectfully requests adoption of Ordinance 1802 and move to second reading.

**Subject Parcel
Aerial Exhibit**



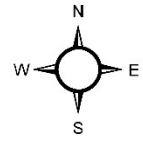
Legend

-  Subject Parcels
-  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 Parcels Existing Use



0 200 400
Feet

Legend

- Subject Parcels
- City Limits
- COUNTY
- FINANCIAL
- GYM/FITNES
- LIGHT MANU
- MOBILE HOM
- MUNICIPAL
- NO AG ACRE
- OFFICE BUI
- PRVT SCHL/
- RESTAURANT
- SERVICE SH
- SINGLE FAM
- STORES, 1
- SUPERMARKE
- THEATER/AU
- VAC INSTIT
- VACANT
- VACANT COM
- VACANT/COM
- VEH SALE/R
- WAREHOUSE-

46.38 Acres

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:

AN ORDINANCE ANNEXING TO THE CITY OF CRESTVIEW, FLORIDA, ± 46.38 ACRES OF CONTIGUOUS LANDS LOCATED IN SECTIONS 04, 05 & 09, RESPECTIVELY, TOWNSHIP 3 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 # 04-3N-23-0000-0029-0000, 05-3N-23-0000-0005-0000, & 09-3N-23-0000-0011-0000
(Deed recorded in Book 3423, page 4052, dated October 4, 2019)

BEGIN AT THE SOUTHWEST CORNER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA; THENCE PROCEED NORTH 90 DEGREES 00'00" WEST, ALONG THE SOUTH LINE OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, A DISTANCE OF 387.79 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE OLD L&N RAILROAD RIGHT OF WAY; THENCE DEPARTING THE SOUTH LINE OF SAID SECTION 5, PROCEED NORTH 11 DEGREES 51'22" EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 700.11 FEET; THENCE PROCEED NORTH 78 DEGREES 05'40" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 17.95 FEET; THENCE PROCEED NORTH 12 DEGREES 02'11 EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 521.04 FEET; THENCE PROCEED SOUTH 78 DEGREES 09'44" EAST ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 15.92 FEET; THENCE PROCEED NORTH 11 DEGREES 50'16" EAST ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 136.21 FEET; THENCE DEPARTING THE EASTERLY RIGHT OF WAY LINE OF SAID OLD L & N RAILROAD, PROCEED SOUTH 89

DEGREES 52'37" EAST A DISTANCE OF 111.94 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4; THENCE PROCEED SOUTH 89 DEGREES 52'37" EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4 A DISTANCE OF 1311.03 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, THENCE PROCEED SOUTH 00 DEGREES 03'55" WEST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 1325.45 FEET; THENCE DEPARTING THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4; PROCEED SOUTH 80 DEGREES 01'40" WEST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF RICHBOURG LANE (50.00 FOOT RIGHT OF WAY), AND AN EXTENSION THEREOF, A DISTANCE OF 275.22 FEET; THENCE PROCEED SOUTH 78 DEGREES 51'40" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE A DISTANCE OF 350.87 FEET; THENCE PROCEED SOUTH 83 DEGREES 17'40" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 189.92 FEET; THENCE PROCEED SOUTH 78 DEGREES 05'20" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 11.05 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 323.45 FEET; THENCE PROCEED ALONG THE ARC OF SAID CURVED NORTHERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 36 DEGREES 00'20", AN ARC DISTANCE OF 203.26 FEET (CHORD BEARING AND DISTANCE - NORTH 83 DEGREES 54'30" WEST 199.93 FEET) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE PROCEED NORTH 65 DEGREES 54'20" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 306.81 FEET; THENCE PROCEED SOUTH 24 DEGREES 05'40" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE; A DISTANCE OF 5.29 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 4; THENCE DEPARTING THE NORTHERLY RIGHT OF WAY LINE OF SAID RICHBOURG LANE; PROCEED NORTH 90 DEGREES 00'00" WEST, ALONG SOUTH LINE OF SAID SECTION 4, A DISTANCE OF 7.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

LESS AND EXCEPT THE FOLLOWING:

PARCEL AS DEEDED TO JOHN R. MAHONE, JR. AND JUDITH B. MAHONE, HUSBAND AND WIFE, IN O.R. BOOK 2084, PAGE 2147, RECORDS OF OKALOOSA COUNTY, FLORIDA.

PARCEL AS DEEDED TO JOHN R. MAHONE, JR AND JUDITH B. MAHONE IN O.R. BOOK 2490, PAGE 2059, RECORDS OF OKALOOSA COUNTY, FLORIDA.

PARCEL AS DEEDED TO EGLIN FEDERAL CREDIT UNION IN O.R. BOOK 2518, PAGE 568; RECORDS OF OKALOOSA COUNTY, FLORIDA.

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-2) 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.

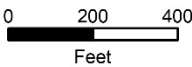
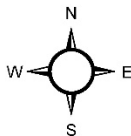
ATTEST:

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

CITY COUNCIL MEETING DATE: January 1, 1900

TYPE OF AGENDA ITEM: 2nd Reading

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Trae Duley, Planning Administrator
DATE: 2/12/2021
SUBJECT: Ordinance 1803 - Industrial Drive @ Richburg Lane Comprehensive Plan Amendment

BACKGROUND:

On January 11, 2021 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at Industrial Drive and Richburg Lane.

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 Okaloosa County Mixed Use.

The Planning and Development Board recommended approval of the request on February 1, 2021.

DISCUSSION:

The property description is as follows:

Property Owner: Dewrell J Ladon & Carol A
04-3N-23-0000-0029-0000
Parcel ID: 05-3N-23-0000-0005-0000
09-3N-23-0000-0011-0000
Site Size: 46.38 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	County MU, LDR	County MU, R-1	Commercial, Residential
East	County LDR	County R-1	Residential, Vacant
South	County MU	County MU	Commercial, Residential
West	Commercial	Currently C-1, Proposed C-2	Commercial

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 commercially.

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

- The proposed future land use map designation is compatible with the surrounding area.
- The proposed future land use map designation 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 January 11, 2021. The property was posted on January 20, 2021. An advertisement ran in the Crestview News Bulletin on January 20, 2021.

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.

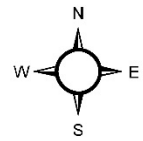
FINANCIAL IMPACT

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 adoption of Ordinance 1803 and move to second reading.

Current Future Land Use



0 200 400
Feet

Legend

Subject Parcels

City Limits

City Future Land Use

Commercial (C)

Industrial (IN)

Low Density Residential (LDR)

Medium Density Limited Residential (MDLR)

Medium Density Residential (MDR)

High Density Residential (HDR)

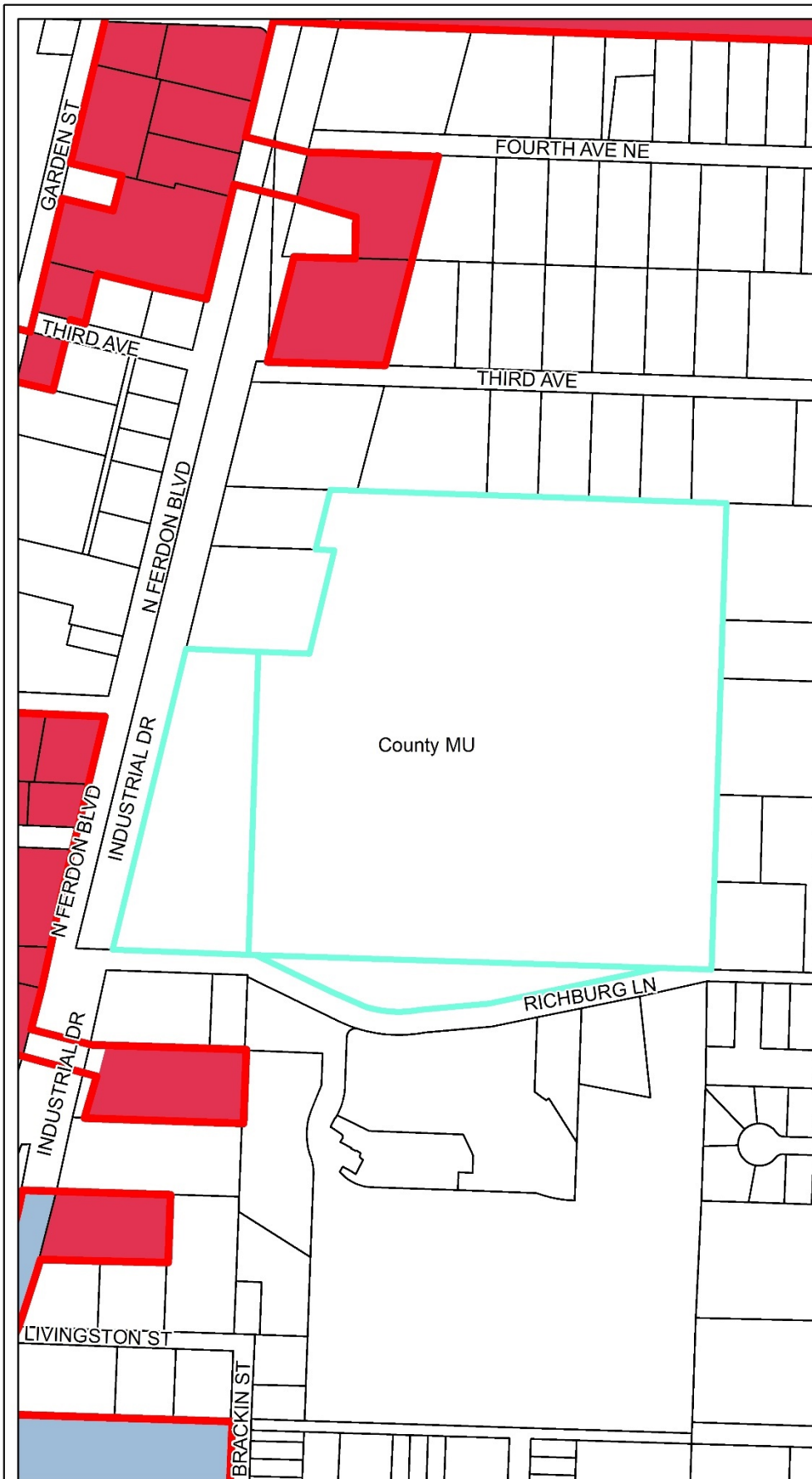
Mixed Use (MU)

Downtown Mixed Use

Public Lands (PL)

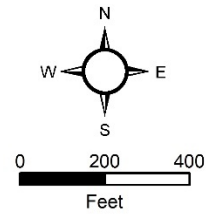
Conservation (CON)

Pending Comp Plan Amendment



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

Subject Parcels

City Limits

City Future Land Use

Commercial (C)

Industrial (IN)

Low Density Residential (LDR)

Medium Density Limited Residential (MDLR)

Medium Density Residential (MDR)

High Density Residential (HDR)

Mixed Use (MU)

Downtown Mixed Use

Public Lands (PL)

Conservation (CON)

Pending Comp Plan Amendment

46.38+/- acres of land
Ex FLU = County MU
Prop 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

Attachments

None

ORDINANCE:

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 (C) ON APPROXIMATELY 46.38 ACRES, MORE OR LESS, IN SECTIONS 04, 05 & 09, RESPECTIVELY, 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 Okaloosa County Mixed Use to Commercial on a parcel of land containing 46.38 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 46.38 acres of land, more or less, from Okaloosa County Mixed Use to Commercial. For the purposes of this Ordinance and Comprehensive Plan Amendment, the 46.38 acres, more or less, is known as Parcel 04-3N-23-0000-0029-0000, 05-3N-23-0000-0005-0000, & 09-3N-23-0000-0011-0000 and commonly described as:

BEGIN AT THE SOUTHWEST CORNER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE

23 WEST, OKALOOSA COUNTY, FLORIDA; THENCE PROCEED NORTH 90 DEGREES 00'00" WEST, ALONG THE SOUTH LINE OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, A DISTANCE OF 387.79 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE OLD L&N RAILROAD RIGHT OF WAY; THENCE DEPARTING THE SOUTH LINE OF SAID SECTION 5, PROCEED NORTH 11 DEGREES 51'22" EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 700.11 FEET; THENCE PROCEED NORTH 78 DEGREES 05'40" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 17.95 FEET; THENCE PROCEED NORTH 12 DEGREES 02'11 EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 521.04 FEET; THENCE PROCEED SOUTH 78 DEGREES 09'44" EAST ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 15.92 FEET; THENCE PROCEED NORTH 11 DEGREES 50'16" EAST ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 136.21 FEET; THENCE DEPARTING THE EASTERLY RIGHT OF WAY LINE OF SAID OLD L & N RAILROAD, PROCEED SOUTH 89 DEGREES 52'37" EAST A DISTANCE OF 111.94 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4; THENCE PROCEED SOUTH 89 DEGREES 52'37" EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4 A DISTANCE OF 1311.03 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, THENCE PROCEED SOUTH 00 DEGREES 03'55" WEST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 1325.45 FEET; THENCE DEPARTING THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4; PROCEED SOUTH 80 DEGREES 01'40" WEST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF RICHBOURG LANE (50.00 FOOT RIGHT OF WAY), AND AN EXTENSION THEREOF, A DISTANCE OF 275.22 FEET; THENCE PROCEED SOUTH 78 DEGREES 51'40" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE A DISTANCE OF 350.87 FEET; THENCE PROCEED SOUTH 83 DEGREES 17'40" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 189.92 FEET; THENCE PROCEED SOUTH 78 DEGREES 05'20" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 11.05 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 323.45 FEET; THENCE PROCEED ALONG THE ARC OF SAID CURVED NORTHERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 36 DEGREES 00'20", AN ARC DISTANCE OF 203.26 FEET (CHORD BEARING AND DISTANCE - NORTH 83 DEGREES 54'30" WEST 199.93 FEET) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE PROCEED NORTH 65 DEGREES 54'20" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 306.81 FEET; THENCE PROCEED SOUTH 24 DEGREES 05'40" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE; A DISTANCE OF 5.29 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 4; THENCE DEPARTING THE NORTHERLY RIGHT OF WAY LINE OF SAID RICHBOURG LANE; PROCEED NORTH 90 DEGREES 00'00" WEST, ALONG SOUTH LINE OF SAID SECTION 4, A DISTANCE OF 7.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

LESS AND EXCEPT THE FOLLOWING:

PARCEL AS DEEDED TO JOHN R. MAHONE, JR. AND JUDITH B. MAHONE, HUSBAND

AND WIFE, IN O.R. BOOK 2084, PAGE 2147, RECORDS OF OKALOOSA COUNTY, FLORIDA.

PARCEL AS DEEDED TO JOHN R. MAHONE, JR AND JUDITH B. MAHONE IN O.R. BOOK 2490, PAGE 2059, RECORDS OF OKALOOSA COUNTY, FLORIDA.

PARCEL AS DEEDED TO EGLIN FEDERAL CREDIT UNION IN O.R. BOOK 2518, PAGE 568; RECORDS OF OKALOOSA COUNTY, FLORIDA.

The Commercial Future Land Use Category is hereby imposed on Parcel 04-3N-23-0000-0029-0000, 05-3N-23-0000-0005-0000, & 09-3N-23-0000-0011-0000. 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 04-3N-23-0000-0029-0000, 05-3N-23-0000-0005-0000, & 09-3N-23-0000-0011-0000 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:

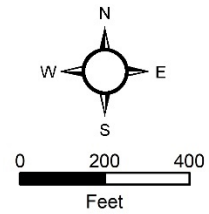
ELIZABETH M. ROY

City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN
Mayor

Adopted Future Land Use



Legend

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

46.38+/- acres of land
Ex FLU = County MU
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

CITY COUNCIL MEETING DATE: January 1, 1900

TYPE OF AGENDA ITEM: 2nd Reading

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Trae Duley, Planning Administrator
DATE: 2/12/2021
SUBJECT: Ordinance 1804 - Industrial Drive @ Richburg Lane Rezoning

BACKGROUND:

On January 11, 2021 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at Industrial Drive and Richburg Lane.

The application requests the Commercial (C-2) zoning designation for the property.

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

The Planning and Development Board recommended approval of the request on February 1, 2021.

DISCUSSION:

The property description is as follows:

Property Owner: Dewrell J Ladon & Carol A
04-3N-23-0000-0029-0000
Parcel ID: 05-3N-23-0000-0005-0000
09-3N-23-0000-0011-0000
Site Size: 46.38 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	County MU, LDR	County MU, R-1	Commercial, Residential
East	County LDR	County R-1	Residential, Vacant
South	County MU	County MU	Commercial, Residential
West	Commercial	Currently C-1, Proposed C-2	Commercial

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 commercially.

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 January 11, 2021. The property was posted on January 20, 2021. An advertisement ran in the Crestview News Bulletin on January 20, 2021.

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.

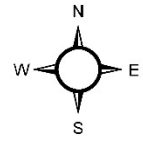
FINANCIAL IMPACT

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 adoption of Ordinance 1804 and move to second reading.

Current Zoning



0 200 400
Feet

Legend

Subject Parcels

City Limits

Zoning

Commercial (C-1)

Commercial (C-2)

Industrial (M-1)

Single Family Dwelling District (R-1)

Single Family Dwelling District (R-1A)

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

Multi-Family Dwelling District (R-3)

Downtown Mixed Use (DMU)

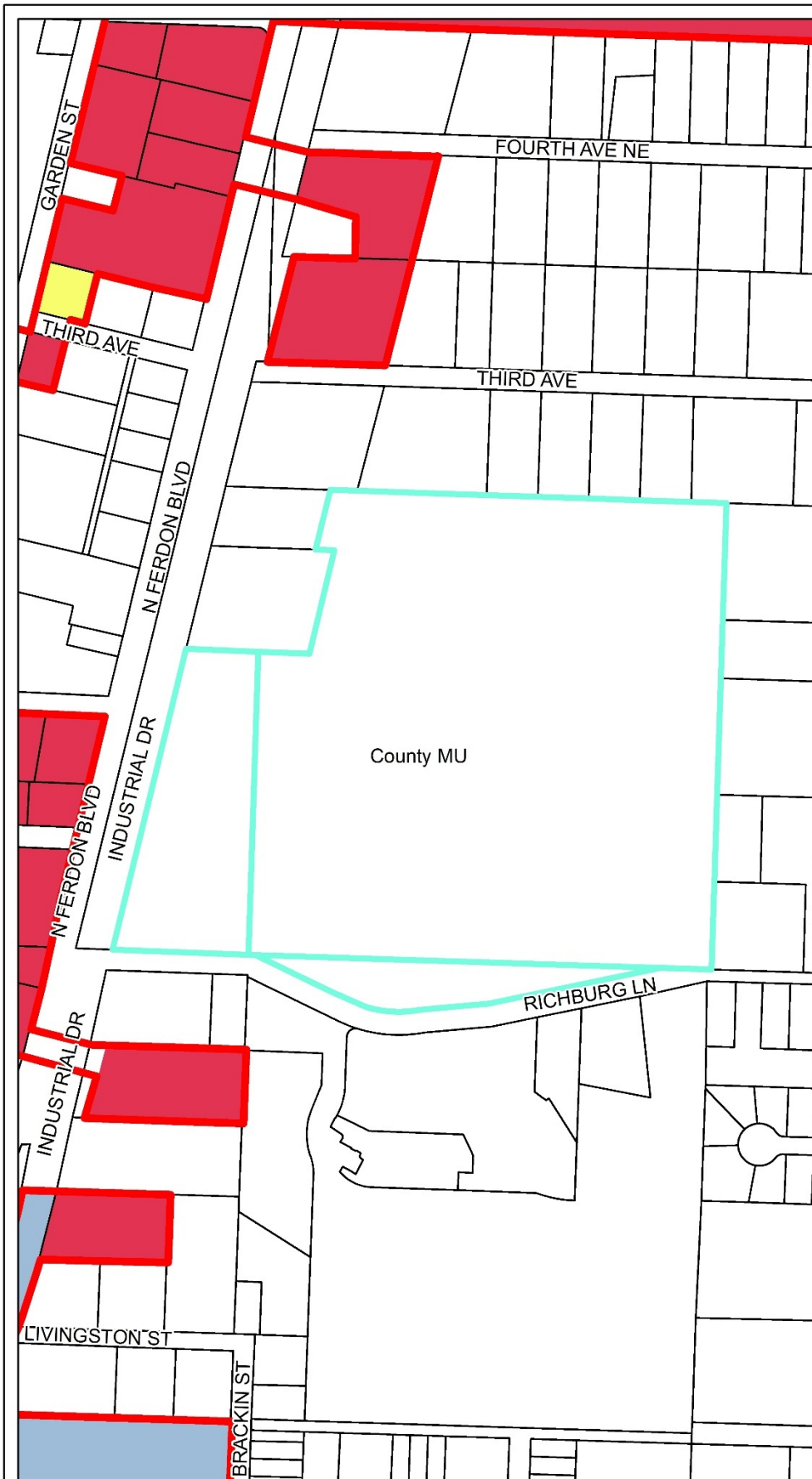
Planned Unit Development (PUD)

Agricultural (A)

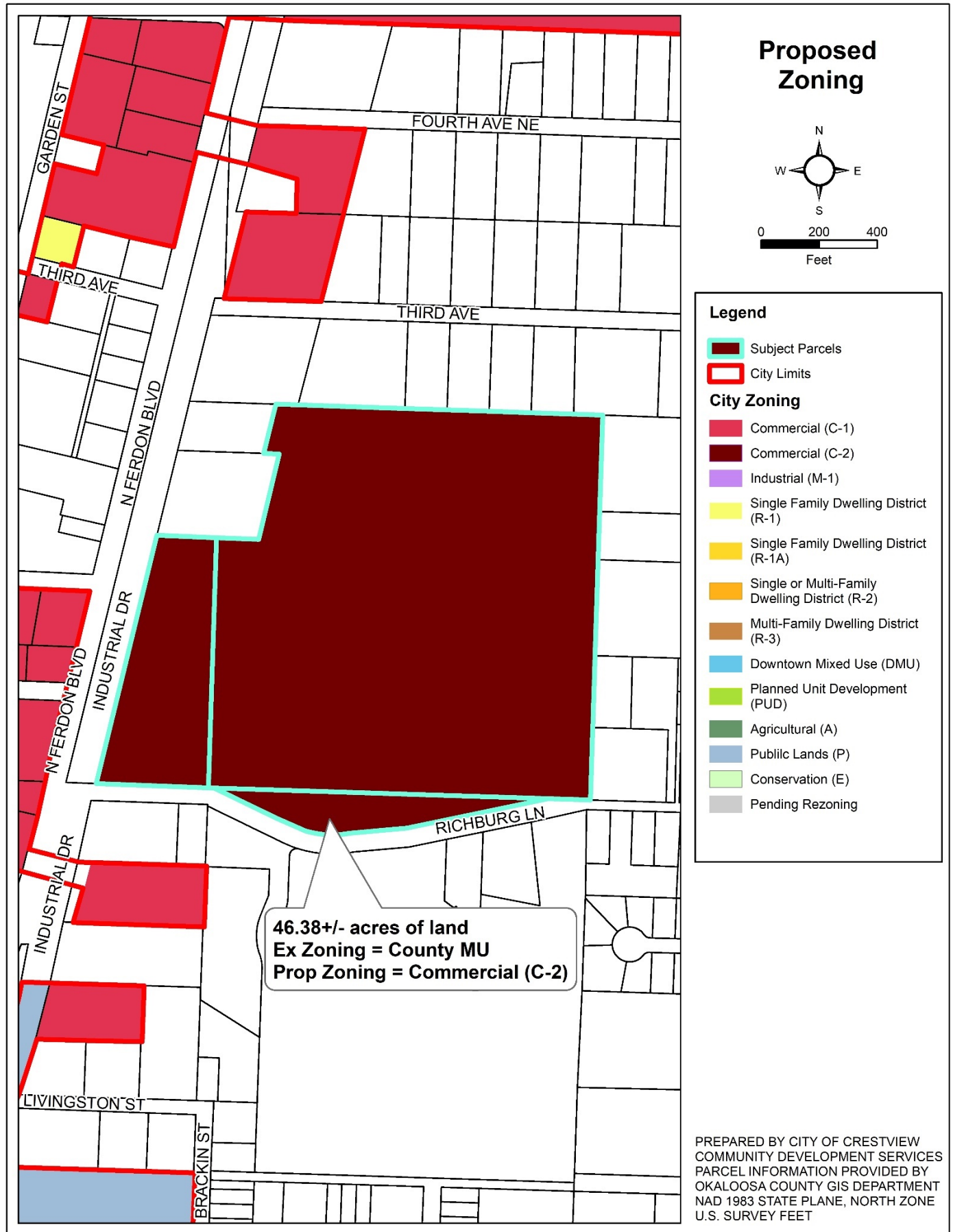
Public Lands (P)

Conservation (E)

Pending Rezoning



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



Attachments

None

ORDINANCE:

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE REZONING OF 46.38 ACRES, MORE OR LESS, OF REAL PROPERTY, LOCATED IN SECTIONS 04, 05 & 09, RESPECTIVELY, TOWNSHIP 3 NORTH, RANGE 23 WEST, FROM THE OKALOOSA COUNTY MIXED USE ZONING DISTRICT TO THE COMMERCIAL (C-2) 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 46.38 acres, more or less, of real property lying within the corporate limits of Crestview, Florida, with 46.38 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 1803, is hereby rezoned to Commercial (C-2) to wit:

PIN # 04-3N-23-0000-0029-0000, 05-3N-23-0000-0005-0000, & 09-3N-23-0000-0011-0000

BEGIN AT THE SOUTHWEST CORNER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA; THENCE PROCEED NORTH 90 DEGREES 00'00" WEST, ALONG THE SOUTH LINE OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, A DISTANCE OF 387.79 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE OLD L&N RAILROAD RIGHT OF WAY; THENCE DEPARTING THE SOUTH LINE OF SAID SECTION 5, PROCEED NORTH 11 DEGREES 51'22" EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 700.11 FEET; THENCE PROCEED NORTH 78 DEGREES 05'40" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 17.95 FEET; THENCE PROCEED NORTH 12 DEGREES 02'11 EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 521.04 FEET; THENCE PROCEED SOUTH 78 DEGREES 09'44" EAST ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 15.92 FEET; THENCE PROCEED NORTH 11 DEGREES 50'16" EAST ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 136.21 FEET; THENCE DEPARTING THE EASTERLY RIGHT OF WAY LINE OF SAID OLD L & N RAILROAD, PROCEED SOUTH 89 DEGREES 52'37" EAST A DISTANCE OF 111.94 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4; THENCE PROCEED SOUTH 89 DEGREES 52'37" EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4 A

DISTANCE OF 1311.03 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, THENCE PROCEED SOUTH 00 DEGREES 03'55" WEST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 1325.45 FEET; THENCE DEPARTING THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4; PROCEED SOUTH 80 DEGREES 01'40" WEST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF RICHBOURG LANE (50.00 FOOT RIGHT OF WAY), AND AN EXTENSION THEREOF, A DISTANCE OF 275.22 FEET; THENCE PROCEED SOUTH 78 DEGREES 51'40" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE A DISTANCE OF 350.87 FEET; THENCE PROCEED SOUTH 83 DEGREES 17'40" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 189.92 FEET; THENCE PROCEED SOUTH 78 DEGREES 05'20" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 11.05 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 323.45 FEET; THENCE PROCEED ALONG THE ARC OF SAID CURVED NORTHERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 36 DEGREES 00'20", AN ARC DISTANCE OF 203.26 FEET (CHORD BEARING AND DISTANCE - NORTH 83 DEGREES 54'30" WEST 199.93 FEET) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE PROCEED NORTH 65 DEGREES 54'20" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 306.81 FEET; THENCE PROCEED SOUTH 24 DEGREES 05'40" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE; A DISTANCE OF 5.29 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 4; THENCE DEPARTING THE NORTHERLY RIGHT OF WAY LINE OF SAID RICHBOURG LANE; PROCEED NORTH 90 DEGREES 00'00" WEST, ALONG SOUTH LINE OF SAID SECTION 4, A DISTANCE OF 7.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

LESS AND EXCEPT THE FOLLOWING:

PARCEL AS DEEDED TO JOHN R. MAHONE, JR. AND JUDITH B. MAHONE, HUSBAND AND WIFE, IN O.R. BOOK 2084, PAGE 2147, RECORDS OF OKALOOSA COUNTY, FLORIDA.

PARCEL AS DEEDED TO JOHN R. MAHONE, JR AND JUDITH B. MAHONE IN O.R. BOOK 2490, PAGE 2059, RECORDS OF OKALOOSA COUNTY, FLORIDA.

PARCEL AS DEEDED TO EGLIN FEDERAL CREDIT UNION IN O.R. BOOK 2518, PAGE 568; RECORDS OF 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 # 1803 and becomes legally effective.

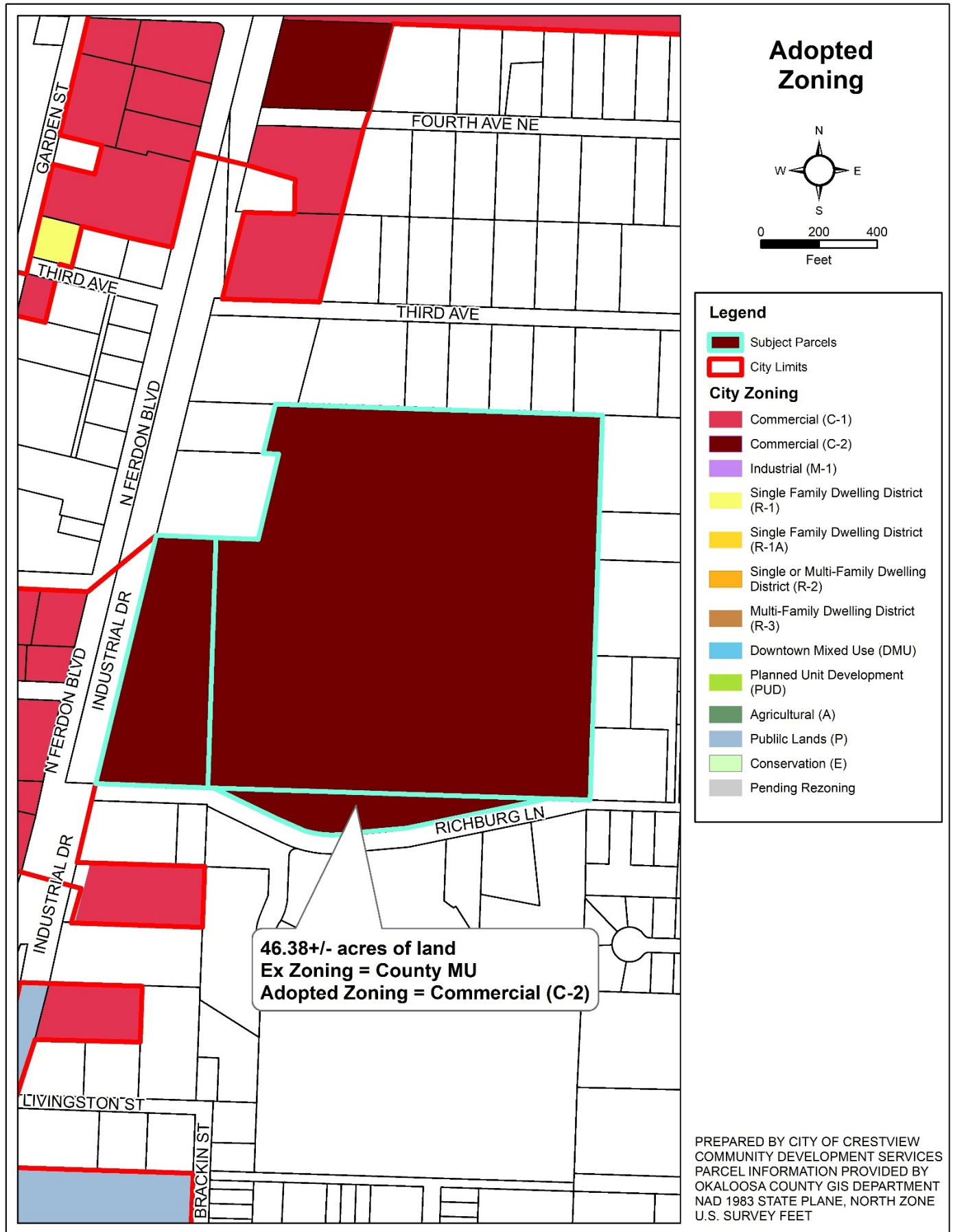
**PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW,
FLORIDA ON THE _____ DAY OF _____, 2020.**

ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2020.

J. B. WHITTEN
Mayor





Staff Report

CITY COUNCIL MEETING DATE: January 1, 1900

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Kyle Lusk
DATE: 2/18/2021
SUBJECT: Resolution 2021-07 FDOT Off System Project Maintenance Agreement for Hwy 85 and Antioch Rd

BACKGROUND:

The Florida Department of Transportation has two road projects (441548-1-52-01 & 443672-1-52-01) that extend from Hwy123 to Hospital Dr along Hwy 85. For these two projects the City has utilities that must be relocated north of Shoal River which extends north on SR 85 to Hospital Dr.

DISCUSSION:

The intersection of Live Oak Church Rd, Antioch Rd, and Hwy 85 will be improved. This will cause the grade to be adjusted at the intersection. This agreement is for the regrading of the water fire hydrant on Antioch Rd north of Shoal River Bridge. This hydrant is outside the right-of-way (R/W) of Hwy85. This means that FDOT needs access to the City's R/W in order to alter and maintain the water service during construction.

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.

Infrastructure- Satisfy current and future infrastructure needs

Mobility- Provide safe, efficient and accessible means for mobility

FINANCIAL IMPACT

There is no cost incurred to the city in regard to this agreement. The FDOT only needs access to regrade the road and raise the fire hydrant.

RECOMMENDED ACTION

Staff respectfully requests the City Council adopt Resolution 2021-07. This will ensure that the FDOT project stays on schedule.

Attachments

1. CR 4 Antioch_441548-1_Off System Project Maintenance Agreement (Minor Improvements)

RESOLUTION: 2021-7

**A RESOLUTION OF THE CITY OF CRESTVIEW, FLORIDA,
CREATING AN UNDERSTANDING BETWEEN THE CITY OF
CRESTVIEW AND THE FLORIDA DEPARTMENT OF
TRANSPORTATION DIVISION OF MAINTENANCE ESTABLISHING
RESPONSIBILITIES FOR DESIGN AND CONSTRUCTION OF
SECTIONS OF CR 4 (OLD ANTIOCH ROAD) DURING THE
HIGHWAY 85 PROJECT, PROVIDING FOR A NOTICE OF FINAL
ACCEPTANCE AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, The Florida Department of Transportation shall be responsible for the design and construction of the project, which consists of widening CR 4 (Antioch Road) to accommodate an eastbound left turn lane and an eastbound right turn lane along CR 4 (Antioch Road) at the intersection of State Road 85 (South Ferdon Boulevard). The FDOT shall have final decision authority with respect to the design, design review process and construction of the project. The City shall cooperate with and shall support the FDOT 's work efforts in these regards.

WHEREAS, Upon completion of the project, the FDOT shall issue a Notice of Final Acceptance to the contractor with a copy of said notice being provided to the City. Upon issuance of the Notice of Final Acceptance, the City shall be immediately responsible for the perpetual maintenance of the project or the portion of the project that is located on the City's right-of-way. The FDOT shall also have the right to assign interim maintenance responsibility to the City for specified portions of the project before the issuance of the Notice of Final Acceptance. Said assignment of maintenance responsibility shall be sent by the FDOT to the City in writing with sufficient description to place the City on notice of the interim maintenance responsibility. Notwithstanding the issuance of the Notice of Final Acceptance, the FDOT shall have the right to assure completion of any punch list by the contractor. Additionally, the City understands and agrees that the FDOT shall transfer all permits to the City as the operational maintenance entity and the City agrees to accept said transfer and to become fully responsible to comply with all operational and maintenance conditions of the permits.

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

Section 1. AUTHORITY. The authority for enactment of this resolution is Article I, Section 1 of the City Charter.

Section 2. The Mayor of the City of Crestview is authorized to enter into the Off-System Project Maintenance Agreement for FDOT Project No. 441548-1-52-01.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Crestview of Okaloosa County, Florida, that this Resolution is hereby

PASSED AND ADOPTED IN REGULAR SESSION BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA ON THE _____ DAY OF _____, 2021.

APPROVED BY ME THIS _____ DAY OF _____, 2021.

J. B. WHITTEN

Mayor

ATTEST:

ELIZABETH M. ROY

City Clerk

**STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
OFF SYSTEM PROJECT MAINTENANCE AGREEMENT**

This Off System Project Maintenance Agreement (“Agreement”) is between the State of Florida Department of Transportation (“DEPARTMENT”), and the City of Crestview, a political subdivision of the State of Florida (“LOCAL AGENCY”). The DEPARTMENT and the LOCAL AGENCY are sometimes referred to in this Agreement as a “Party” and collectively as the “Parties.”

RECITALS

1. Federal funding is available for the costs of resurfacing, roadway widening, shoulder construction and other minor related improvements on CR 4 (Antioch Road) pursuant to Title 23, United States Code; and

2. The DEPARTMENT is preparing to undertake a project within the LOCAL AGENCY identified and known to the Parties by Financial Project I.D. 441548-1-52-01 which will be of benefit to the LOCAL AGENCY (“PROJECT”); and

3. The PROJECT, or a portion of the PROJECT, is being performed on CR 4 (Antioch Road) in Crestview, Florida, to accommodate an eastbound left turn lane and an eastbound right turn lane, a road not on the State Highway System but located within the City Limits of and maintained by the City of Crestview; and

4. The PROJECT requires agreement by the LOCAL AGENCY to maintain the PROJECT, or the portion of the PROJECT, that is located on the LOCAL AGENCY’S right-of-way; and

5. The LOCAL AGENCY, by resolution No. _____, dated _____, 201_, a copy of which is attached hereto and made a part hereof, has authorized the _____ to execute this Agreement.

NOW THEREFORE, in consideration of the mutual benefits to be derived by the terms of this Agreement, the Parties hereby agree as follows:

6. The recitals in paragraphs 1-5 above are true and correct and are made a part of this Agreement.

7. The DEPARTMENT shall be responsible for the design and construction of the PROJECT, which consists of widening CR 4 (Antioch Road) to accommodate an eastbound left turn lane and an eastbound right turn lane along CR 4 (Antioch Road) at the intersection of State Road 85 (South Ferdon Boulevard). The DEPARTMENT shall have final decision authority with respect to the design, design review process and construction of the PROJECT. The LOCAL AGENCY shall cooperate with and shall support the DEPARTMENT ‘s work efforts in these regards.

8. The LOCAL AGENCY hereby appoints the DEPARTMENT as its agent for purposes of the notification, construction, reconstruction and relocation of utilities under Sections 337.401, 337.402, 337.403, and 337.404, Florida Statutes. The LOCAL AGENCY agrees to fully cooperate with the DEPARTMENT in the construction, reconstruction and relocation of utilities that may be located within the existing or acquired right-of-way. The Parties agree to meet on a periodic basis, as determined to be necessary by the DEPARTMENT, during the planning, design, construction and post-construction phase to identify, plan and to relocate utilities. The responsibility for the costs associated with the relocation of utilities shall be based on Florida law as it relates to said matters. The Parties agree that if existing utilities owned by the LOCAL AGENCY are required to be reconstructed or relocated as a result of the PROJECT that the costs associated therewith shall be deemed to be a cost of the PROJECT to be paid for the by the LOCAL AGENCY.

9. The LOCAL AGENCY acknowledges that the DEPARTMENT will be utilizing federal funds on the PROJECT and as a result thereof the LOCAL AGENCY agrees to maintain the PROJECT in perpetuity according to DEPARTMENT standards. The LOCAL AGENCY further recognizes and acknowledges that if the DEPARTMENT will be utilizing federal funds on the PROJECT, the National Environmental Policy Act ("NEPA") process will need to be completed and the DEPARTMENT reserves the right to adjust the plans and or design of the PROJECT to meet the needs of the permits. The LOCAL AGENCY agrees to fully cooperate in the provision of any and all studies and or data that may be necessary for the NEPA process and for all other permit matters.

10. The LOCAL AGENCY acknowledges and agrees that LOCAL AGENCY'S right-of-way, and the improvements located within the LOCAL AGENCY right-of-way, are and will remain under the ownership of the LOCAL AGENCY and that the DEPARTMENT will not have any ownership interest in the right-of-way, improvements located thereon. Additionally, the DEPARTMENT'S right-of-way, and the improvements located within the DEPARTMENT'S right-of-way, are and will remain under the ownership of the DEPARTMENT and the LOCAL AGENCY will not have any maintenance responsibilities nor ownership interest in the right-of-way, improvements located thereon. Notwithstanding the requirements hereof, maintenance during construction shall be the responsibility of the DEPARTMENT and its contractor.

11. Upon completion of the PROJECT, the DEPARTMENT shall issue a Notice of Final Acceptance to the contractor with a copy of said notice being provided to the LOCAL AGENCY. Upon issuance of the Notice of Final Acceptance, the LOCAL AGENCY shall be immediately responsible for the perpetual maintenance of the PROJECT or the portion of the PROJECT that is located on the LOCAL AGENCY'S right-of-way. The DEPARTMENT shall also have the right to assign interim maintenance responsibility to the LOCAL AGENCY for specified portions of the PROJECT before the issuance of the Notice of Final Acceptance. Said assignment of maintenance responsibility shall be sent by the DEPARTMENT to the LOCAL AGENCY in writing with sufficient description to place the LOCAL AGENCY on notice of the interim maintenance responsibility. Notwithstanding the issuance of the Notice of Final Acceptance, the DEPARTMENT shall have the right to assure completion of any punch list by the contractor. Additionally, the LOCAL AGENCY understands and agrees that the

DEPARTMENT shall transfer all permits to the LOCAL AGENCY as the operational maintenance entity and the LOCAL AGENCY agrees to accept said transfer and to become fully responsible to comply with all operational and maintenance conditions of the permits.

12. This Agreement shall become effective as of the date both Parties hereto have executed the Agreement and shall continue in full force and effect until the PROJECT is completed by the DEPARTMENT and the improvements have been turned over to the LOCAL AGENCY by the DEPARTMENT by formal notice from the DEPARTMENT. The DEPARTMENT reserves the right to unilaterally cancel its performance hereunder if it determines that it is in the best interest of the public to do so. This discretion shall include, but shall not be limited to budgetary and bid cost considerations.

13. The DEPARTMENT may unilaterally cancel this Agreement for refusal by the LOCAL AGENCY to allow public access to all documents, papers, letters or other material subject to the provisions of Chapter 119, Florida Statutes and made or received by the LOCAL AGENCY in conjunction with this Agreement.

14. It is understood that the DEPARTMENT's participation in said PROJECT is subject to Legislative approval of the DEPARTMENT's appropriation request in the work program year that the PROJECT is scheduled.

15. The DEPARTMENT's performance and obligations to pay under this Agreement is contingent upon an annual appropriation by the Legislature. If the DEPARTMENT's funding for this PROJECT is in multiple years, funds approved from the DEPARTMENT'S Comptroller must be received every year prior to costs being incurred.

16. In the event this Agreement is in excess of \$25,000.00 and has a term for a period of more than one year, the provisions of Section 339.135(6)(a), Florida Statutes are hereby incorporated:

"The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The department shall require a statement from the comptroller of the Department that funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding 1 year but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid in succeeding fiscal years, and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of \$25,000.00 and which have a term for a period of more than 1 year."

17. This Agreement shall be governed by the laws of the State of Florida. Any provision hereof found to be unlawful or unenforceable shall be severable and shall not affect the validity of the remaining portions hereof.

18. To the extent permitted by law, LOCAL AGENCY shall indemnify, defend, and hold harmless the DEPARTMENT and all of its officers, agents, and employees from any claim, loss, damage, cost, charge, or expense arising out of any act, error, omission or negligent act by LOCAL AGENCY, its agents, or employees, during the performance of the Agreement, except that neither LOCAL AGENCY, its agents, or its employees will be liable under this paragraph for any claim, loss, damage, cost, charge, or expense arising out of any act, error, omission, or negligent act by the DEPARTMENT or any of its officers, agents, or employees during the performance of the Agreement. Nothing herein shall be deemed a waiver of the rights of sovereign immunity of either Party.

19. In the event there are cost overruns, supplemental agreements (specifically incurred in the areas located off the State Highway System), and or liquidated damages not eligible to be paid for by federal funds due to the Federal Highway Administration determining that said costs are non-participating costs, the LOCAL AGENCY shall be responsible for one-hundred percent (100%) of the funds required to make up the shortfall not paid by federal funds. The PROJECT is off of the "State Highway System," therefore, in accordance with Section 339.08(1), F.S., State funding cannot be used for payments of non-participating costs on this PROJECT. (Examples of non-participating items could be fishing piers; premium costs due to design or CEI errors or omissions; material or equipment called for in the plans but not used in the construction, as referenced in the Federal Aid Policy Guide 23, CFR Section 635.120).

- a. Should such shortfalls occur due to a determination that said costs are non-participating, the LOCAL AGENCY agrees to provide, without delay, a deposit within fourteen (14) calendar days of notification from the DEPARTMENT, to ensure that cash on deposit with the DEPARTMENT is sufficient to fully fund the shortfall. The DEPARTMENT shall notify the LOCAL AGENCY as soon as it becomes apparent there is a shortfall; however, failure of the DEPARTMENT to so notify the LOCAL AGENCY shall not relieve the LOCAL AGENCY of its obligation to pay for its full participation of non-participating costs during the PROJECT and on final accounting, as provided herein below. If the LOCAL AGENCY cannot provide the deposit within fourteen (14) days, a letter must be submitted to and approved by the DEPARTMENT'S contract manager indicating when the deposit will be made. The LOCAL AGENCY understands the request and approval of the additional time could delay the PROJECT, and additional non-participating costs may be incurred due to the delay of the PROJECT.

The DEPARTMENT intends to have its final and complete accounting of all costs incurred in connection with the work performed hereunder within three hundred sixty days (360) of final payment to the Contractor. The DEPARTMENT considers the PROJECT complete when the final payment has been made to the Contractor, not when the construction work is complete. All non-participating Project cost records and

accounts shall be subject to audit by a representative of the LOCAL AGENCY for a period of three (3) years after final close out of the PROJECT. The LOCAL AGENCY will be notified of the final non-participating cost of the PROJECT. Both Parties agree that in the event the final accounting of total non-participating costs pursuant to the terms of this Agreement is less than the total deposits to date, a refund of the excess will be made by the DEPARTMENT to the LOCAL AGENCY. If the final accounting is not performed within three hundred and sixty (360) days, the LOCAL AGENCY is not relieved from its obligation to pay.

In the event the final accounting of total non-participating costs are greater than the total deposits to date, the LOCAL AGENCY will pay the additional amount within forty (40) calendar days from the date of the invoice from the DEPARTMENT. The LOCAL AGENCY agrees to pay interest at a rate as established pursuant to Section 55.03, F.S., on any invoice not paid within forty (40) calendar days until the invoice is paid.

Any payment of funds under this Agreement provision will be made directly to the DEPARTMENT for deposit.

20. LOCAL AGENCY: City of Crestview

a) Shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the LOCAL AGENCY during the term of the contract; and

b) Shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

21. All notices required pursuant to the terms hereof may be sent by first class United States Mail, facsimile transmission, hand delivery or express mail and shall be deemed to have been received by the end of five business days from the proper sending thereof unless proof of prior actual receipt is provided. Each Party hereto shall have the continuing obligation to notify each other of the appropriate persons for notices to be sent to pursuant to the terms of this agreement. Unless otherwise notified in writing, notices shall be sent to the following:

LOCAL AGENCY: Wayne Steel
Director of Public Services
715 North Ferdon Boulevard
Crestview, FL 32836

DEPARTMENT: Rodney Chamberlain, P.E.
District Design Engineer
1074 Highway 90
Chipley, FL 32428

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the dates exhibited by the signatures below.

DEPARTMENT:

LOCAL AGENCY:

**STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION**

**City of Crestview, a political
subdivision of the State of Florida**

By:

By:

Title:

Title:

Date: _____

Date: _____

Attest: _____

Attest: _____

Legal Review:

Legal Review:

Office of the General Counsel



Staff Report

CITY COUNCIL MEETING DATE: January 1, 1900

TYPE OF AGENDA ITEM: Resolution

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Kyle Lusk
DATE: 2/18/2021
SUBJECT: Resolution 2021-8 Industrial Drive Sidewalks

BACKGROUND:

FDOT Project 443659-1-52-01 is a resurfacing and improvement project on HWY 85 from Hwy 90 to Commerce Dr. This agreement is part of that overall project.

DISCUSSION:

This FDOT project will include continuing the existing sidewalk along the east side of HWY 85. This sidewalk will be within in the Industrial Dr right-of-way.

Also the intersections of various roads between Hwy 90 and Commerce Dr will be improved. Some of these improvements will be within the Industrial Dr right-of-way.

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.

Infrastructure- Satisfy current and future infrastructure needs

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

Safety- Ensure the continuous safety of citizens and visitors

Mobility- Provide safe, efficient and accessible means for mobility

FINANCIAL IMPACT

There is no financial obligation within this agreement. This agreement is only for access to the Industrial Dr right-of-way during the project.

RECOMMENDED ACTION

Staff respectfully requests the approval of the resolution.

Attachments

1. Off System Project Maintenance Agreement Crestview

RESOLUTION: 2021-8

**RESOLUTION OF CITY COUNCIL OF THE CITY OF CRESTVIEW,
FLORIDA (LOCAL AGENCY) CONSENTING TO AND AUTHORIZING
THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
TO DO ALL ACTS NECESSARY TO COMPLETE THE PROJECT FOR
THE CONSTRUCTION OF A NEW 6 FOOT SIDEWALK ON THE EAST
SIDE OF SR 85 (NORTH FERDON BOULEVARD) BETWEEN SR85
AND INDUSTRIAL DRIVE WITHIN THE CITY'S RIGHT-OF-WAY
BETWEEN STATIONS 88+49 AND 133+53 PURSUANT TO AN OFF
SYSTEM PROJECT MAINTENANCE AGREEMENT, CONFIRMING
AND APPROVING THE AGREEMENT, PROVIDING SIGNATURE
AUTHORITY FOR THE AGREEMENT, AND PROVIDING AN
EFFECTIVE DATE**

WHEREAS, the City of Crestview (Local Agency), a political subdivision of the State of Florida, acting by and through its duly authorized City Council, approved that certain Off System Project Maintenance Agreement (Agreement) with the State of Florida Department of Transportation (Department) constructing a new 6-foot sidewalk on the east side of SR 85 (North Ferdon Boulevard) between SR 85 and Industrial Drive within the City's right-of-way between stations 88+49 and 133+53; and

WHEREAS, pursuant to Section 5 of the Agreement, the Local Agency is required to adopt a formal resolution of the City Council, consenting to and authorizing the Department for the Local Agency, to perform all efforts necessary to complete the Project in the name of the Local Agency;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Crestview of Okaloosa County, Florida that:

1. The foregoing recitals are true and correct and incorporated herein by reference.
2. The Local Agency, by this resolution, duly adopted by its City Council and executed by the Mayor, confirms the Agreement approved by the City Council concurrently with this resolution, and consents to and authorizes the Department for the Local Agency, to perform all efforts necessary to complete the Project in the name of the Local Agency, including, but not limited to, temporarily use the Local Agency right-of-way for construction of the project and maintenance during construction.
3. A certified copy of this resolution shall be forwarded to the Florida Department of Transportation at 1074 Highway 90, Chipley, Florida 32428.

4. This resolution shall be effective upon passage and adoption by the City Council of the City of Crestview. .

PASSED AND ADOPTED IN REGULAR SESSION THIS _____ OF _____, 2021

CITY OF CRESTVIEW, FLORIDA

JB Whitten, Mayor

Attest:

Elizabeth M. Roy, City Clerk

**STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
OFF SYSTEM PROJECT MAINTENANCE AGREEMENT**

This Off System Project Maintenance Agreement (“Agreement”) is between the State of Florida Department of Transportation (“DEPARTMENT”), and the City of Crestview, a political subdivision of the State of Florida (“LOCAL AGENCY”). The DEPARTMENT and the LOCAL AGENCY are sometimes referred to in this Agreement as a “Party” and collectively as the “Parties.”

RECITALS

1. Federal funding is available for the costs of resurfacing, roadway widening, shoulder construction and other minor related improvements on Industrial Drive (local name) pursuant to Title 23, United States Code; and

2. The DEPARTMENT is preparing to undertake a project within the LOCAL AGENCY identified and known to the Parties by Financial Project I.D. 443659-1-52-01, which will be of benefit to the LOCAL AGENCY (“PROJECT”); and

3. The PROJECT, or a portion of the PROJECT, is being performed on Industrial Drive in Okaloosa County, Florida, a road not on the State Highway System; and

4. The PROJECT requires agreement by the LOCAL AGENCY to maintain the PROJECT, or the portion of the PROJECT, that is located on the LOCAL AGENCY’S right-of-way; and

5. The LOCAL AGENCY, by resolution No. _____, dated _____, 201_, a copy of which is attached hereto and made a part hereof, has authorized the _____ to execute this Agreement.

NOW THEREFORE, in consideration of the mutual benefits to be derived by the terms of this Agreement, the Parties hereby agree as follows:

6. The recitals in paragraphs 1-5 above are true and correct and are made a part of this Agreement.

7. The DEPARTMENT shall be responsible for the design and construction of the PROJECT, which consists of constructing a new 6-foot sidewalk on the east side of SR 85 (North Ferdon Boulevard) between SR 85 and Industrial Drive within the City’s right-of-way between stations 88+49 and 133+53. The DEPARTMENT shall have final decision authority with respect to the design, design review process and construction of the PROJECT. The LOCAL AGENCY shall cooperate with and shall support the DEPARTMENT’s work efforts in these regards.

8. The LOCAL AGENCY hereby appoints the DEPARTMENT as its agent for purposes of the notification, construction, reconstruction and relocation of utilities under Sections 337.401, 337.402, 337.403, and 337.404, Florida Statutes. The LOCAL AGENCY

agrees to fully cooperate with the DEPARTMENT in the construction, reconstruction and relocation of utilities that may be located within the existing or acquired right-of-way. The Parties agree to meet on a periodic basis, as determined to be necessary by the DEPARTMENT, during the planning, design, construction and post-construction phase to identify, plan and to relocate utilities. The responsibility for the costs associated with the relocation of utilities shall be based on Florida law as it relates to said matters. The Parties agree that if existing utilities owned by the LOCAL AGENCY are required to be reconstructed or relocated as a result of the PROJECT that the costs associated therewith shall be deemed to be a cost of the PROJECT to be paid for the by the LOCAL AGENCY.

9. The LOCAL AGENCY acknowledges that the DEPARTMENT will be utilizing federal funds on the PROJECT and as a result thereof the LOCAL AGENCY agrees to maintain the PROJECT in perpetuity according to DEPARTMENT standards. The LOCAL AGENCY further recognizes and acknowledges that if the DEPARTMENT will be utilizing federal funds on the PROJECT, the National Environmental Policy Act ("NEPA") process will need to be completed and the DEPARTMENT reserves the right to adjust the plans and or design of the PROJECT to meet the needs of the permits. The LOCAL AGENCY agrees to fully cooperate in the provision of any and all studies and or data that may be necessary for the NEPA process and for all other permit matters.

10. The LOCAL AGENCY acknowledges and agrees that LOCAL AGENCY'S right-of-way, and the improvements located within the LOCAL AGENCY right-of-way, are and will remain under the ownership of the LOCAL AGENCY and that the DEPARTMENT will not have any ownership interest in the right-of-way, improvements located thereon. Additionally, the DEPARTMENT'S right-of-way, and the improvements located within the DEPARTMENT'S right-of-way, are and will remain under the ownership of the DEPARTMENT and the LOCAL AGENCY will not have any maintenance responsibilities nor ownership interest in the right-of-way, improvements located thereon. Notwithstanding the requirements hereof, the DEPARTMENT is authorized to temporarily use the LOCAL AGENCY existing right-of-way for construction of the PROJECT and maintenance during construction shall be the responsibility of the DEPARTMENT and its contractor.

11. Upon completion of the PROJECT, the DEPARTMENT shall issue a Notice of Final Acceptance to the contractor with a copy of said notice being provided to the LOCAL AGENCY. Upon issuance of the Notice of Final Acceptance, the LOCAL AGENCY shall be immediately responsible for the perpetual maintenance of the PROJECT or the portion of the PROJECT that is located on the LOCAL AGENCY'S right-of-way. The DEPARTMENT shall also have the right to assign interim maintenance responsibility to the LOCAL AGENCY for specified portions of the PROJECT before the issuance of the Notice of Final Acceptance. Said assignment of maintenance responsibility shall be sent by the DEPARTMENT to the LOCAL AGENCY in writing with sufficient description to place the LOCAL AGENCY on notice of the interim maintenance responsibility. Notwithstanding the issuance of the Notice of Final Acceptance, the DEPARTMENT shall have the right to assure completion of any punch list by the contractor. Additionally, the LOCAL AGENCY understands and agrees that the DEPARTMENT shall transfer all permits to the LOCAL AGENCY as the operational

maintenance entity and the LOCAL AGENCY agrees to accept said transfer and to become fully responsible to comply with all operational and maintenance conditions of the permits.

12. This Agreement shall become effective as of the date both Parties hereto have executed the Agreement and shall continue in full force and effect until the PROJECT is completed by the DEPARTMENT and the improvements have been turned over to the LOCAL AGENCY by the DEPARTMENT by formal notice from the DEPARTMENT. The DEPARTMENT reserves the right to unilaterally cancel its performance hereunder if it determines that it is in the best interest of the public to do so. This discretion shall include, but shall not be limited to budgetary and bid cost considerations.

13. The DEPARTMENT may unilaterally cancel this Agreement for refusal by the LOCAL AGENCY to allow public access to all documents, papers, letters or other material subject to the provisions of Chapter 119, Florida Statutes and made or received by the LOCAL AGENCY in conjunction with this Agreement.

14. It is understood that the DEPARTMENT's participation in said PROJECT is subject to Legislative approval of the DEPARTMENT's appropriation request in the work program year that the PROJECT is scheduled.

15. The DEPARTMENT's performance and obligations to pay under this Agreement is contingent upon an annual appropriation by the Legislature. If the DEPARTMENT's funding for this PROJECT is in multiple years, funds approved from the DEPARTMENT'S Comptroller must be received every year prior to costs being incurred.

16. In the event this Agreement is in excess of \$25,000.00 and has a term for a period of more than one year, the provisions of Section 339.135(6)(a), Florida Statutes are hereby incorporated:

"The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The department shall require a statement from the comptroller of the Department that funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding 1 year but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid in succeeding fiscal years, and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of \$25,000.00 and which have a term for a period of more than 1 year."

17. This Agreement shall be governed by the laws of the State of Florida. Any provision hereof found to be unlawful or unenforceable shall be severable and shall not affect the validity of the remaining portions hereof.

18. To the extent permitted by law, LOCAL AGENCY shall indemnify, defend, and hold harmless the DEPARTMENT and all of its officers, agents, and employees from any claim, loss, damage, cost, charge, or expense arising out of any act, error, omission or negligent act by LOCAL AGENCY, its agents, or employees, during the performance of the Agreement, except that neither LOCAL AGENCY, its agents, or its employees will be liable under this paragraph for any claim, loss, damage, cost, charge, or expense arising out of any act, error, omission, or negligent act by the DEPARTMENT or any of its officers, agents, or employees during the performance of the Agreement. Nothing herein shall be deemed a waiver of the rights of sovereign immunity of either Party.

19. In the event there are cost overruns, supplemental agreements (specifically incurred in the areas located off the State Highway System), and or liquidated damages not eligible to be paid for by federal funds due to the Federal Highway Administration determining that said costs are non-participating costs, the LOCAL AGENCY shall be responsible for one-hundred percent (100%) of the funds required to make up the shortfall not paid by federal funds. The PROJECT is off of the "State Highway System," therefore, in accordance with Section 339.08(1), F.S., State funding cannot be used for payments of non-participating costs on this PROJECT. (Examples of non-participating items could be fishing piers; premium costs due to design or CEI errors or omissions; material or equipment called for in the plans but not used in the construction, as referenced in the Federal Aid Policy Guide 23, CFR Section 635.120).

- a. Should such shortfalls occur due to a determination that said costs are non-participating, the LOCAL AGENCY agrees to provide, without delay, a deposit within fourteen (14) calendar days of notification from the DEPARTMENT, to ensure that cash on deposit with the DEPARTMENT is sufficient to fully fund the shortfall. The DEPARTMENT shall notify the LOCAL AGENCY as soon as it becomes apparent there is a shortfall; however, failure of the DEPARTMENT to so notify the LOCAL AGENCY shall not relieve the LOCAL AGENCY of its obligation to pay for its full participation of non-participating costs during the PROJECT and on final accounting, as provided herein below. If the LOCAL AGENCY cannot provide the deposit within fourteen (14) days, a letter must be submitted to and approved by the DEPARTMENT'S contract manager indicating when the deposit will be made. The LOCAL AGENCY understands the request and approval of the additional time could delay the PROJECT, and additional non-participating costs may be incurred due to the delay of the PROJECT.

The DEPARTMENT intends to have its final and complete accounting of all costs incurred in connection with the work performed hereunder within three hundred sixty days (360) of final payment to the Contractor. The DEPARTMENT considers the PROJECT complete when the final payment has been made to the Contractor, not when the construction work is complete. All non-participating Project cost records and accounts shall be subject to audit by a representative of the LOCAL AGENCY for a period of three (3) years after final close out of the PROJECT. The LOCAL AGENCY will be notified of the final non-participating cost of the PROJECT. Both Parties agree

that in the event the final accounting of total non-participating costs pursuant to the terms of this Agreement is less than the total deposits to date, a refund of the excess will be made by the DEPARTMENT to the LOCAL AGENCY. If the final accounting is not performed within three hundred and sixty (360) days, the LOCAL AGENCY is not relieved from its obligation to pay.

In the event the final accounting of total non-participating costs are greater than the total deposits to date, the LOCAL AGENCY will pay the additional amount within forty (40) calendar days from the date of the invoice from the DEPARTMENT. The LOCAL AGENCY agrees to pay interest at a rate as established pursuant to Section 55.03, F.S., on any invoice not paid within forty (40) calendar days until the invoice is paid.

Any payment of funds under this Agreement provision will be made directly to the DEPARTMENT for deposit.

20. LOCAL AGENCY: City of Crestview

a) Shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the LOCAL AGENCY during the term of the contract; and

b) Shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

21. All notices required pursuant to the terms hereof may be sent by first class United States Mail, facsimile transmission, hand delivery or express mail and shall be deemed to have been received by the end of five business days from the proper sending thereof unless proof of prior actual receipt is provided. Each Party hereto shall have the continuing obligation to notify each other of the appropriate persons for notices to be sent to pursuant to the terms of this agreement. Unless otherwise notified in writing, notices shall be sent to the following:

LOCAL AGENCY:

Wayne Steel
Director of Public Services
715 North Ferdon Boulevard
Crestview, FL 32836

DEPARTMENT:

John Whittington, P.E.
Project Manager
1074 Highway 90
Chipley, FL 32428

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the dates exhibited by the signatures below.

DEPARTMENT:

LOCAL AGENCY:

**STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION**

**City of Crestview, a political
subdivision of the State of Florida**

By:

By:

Title:

Title:

Date: _____

Date: _____

Attest: _____

Attest: _____

Legal Review:

Legal Review:

Office of the General Counsel
