

**GULF BREEZE CITY COUNCIL  
EXECUTIVE SESSION**

APRIL 11, 2012  
WEDNESDAY 6:30 P.M.  
COUNCIL CHAMBERS

**SPECIAL MEETING: PUBLIC HEARING REGARDING CHICK-FIL-A  
VARIANCE REQUEST**

**ACTION AGENDA ITEMS:**

- A. Discussion and Action Regarding Proclamation from Mothers Against Drunk Driving (MADD) Proclaiming April 21, 2012 as PowerTalk 21 Day
- B. Discussion and Action Regarding Ordinance 02-12: Codification of Chapter 26, Development standards for Community Redevelopment District
- C. Discussion and Action Regarding Contract Renewal - City of Gulf Breeze and Florida Department of Transportation - Maintenance of U.S. Highway 98
- D. Discussion and Action Regarding Sale of Police Department Surplus/Salvage Items on Govdeals.com
- E. Discussion and Action Regarding Sculpture Project
- F. Discussion and Action Regarding Invoice for Master Planning, VHB Miller-Sellen
- G. Discussion and Action Regarding Appointment to Fill City Council Seat A
- H. Discussion and Action Regarding Presentation of Historical Video
- I. Discussion and Action Regarding Variance Expiration
- J. Information Items

**If any person decides to appeal any decisions made with respect to any matter considered at this meeting or public hearing, such person may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and any evidence upon which the appeal is to be based.**

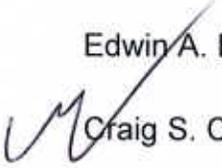
**The public is invited to comment on matters before the City Council upon seeking and receiving recognition from the Chair.**



# City of Gulf Breeze

## MEMORANDUM

TO: Edwin A. Eddy, City Manager

FROM:  Craig S. Carmichael, Director of Community Services

DATE: April 4, 2012

**SUBJECT: CHICK-FIL-A VARIANCE REQUEST**

As you are aware, Chick-fil-A has submitted an Architectural Review Board application for a proposed restaurant at 310 Gulf Breeze Parkway. The proposed project would raze the existing building (former Burger King) and replace it with a new 4,701 square foot building.



When Walmart subdivided the shopping center for the new Neighborhood Market, it created a parking shortage on several of the newly created parcels. While there is not a shortage of parking center wide, when you evaluate each parcel independently, some of the parcels are short on the required number of parking spaces. The proposed Chick-fil-A is one of these parcels. Therefore, Chick-fil-A is seeking a variance from Chapter 24, Article II, Division 3, Section 24-51.

### **Sec. 24-51. Off-street automobile parking and storage.**

Off-street automobile storage or parking space shall be provided on every improved lot. Or, where no space is available on the lot, space shall be provided within 500 feet of such uses and such space shall be provided with vehicular access to a street or alley and shall be equal in area to at least the minimum requirements for the specific use as set forth below. For the purpose of this section, a parking or storage space shall not be less than nine feet in width and 18 feet in length (9' × 18'), excluding all driveways, entrances and exits.

- (1) Single-family dwellings and duplexes: Two spaces for each family dwelling unit; driveway, carport or garage area may be included in computing required parking space.
- (2) Multifamily dwellings: Two and one-half spaces for each family dwelling unit.
- (3) Hotels, motels: One space per guest unit plus one additional space for each five employees.
- (4) Churches, theaters, other places of public assemblage: One space for each four seats.
- (5) Restaurants and other eating places: One space for each 100 square feet of area devoted to patron use plus one space for every four employees. The term "area devoted to patron use" as used in this subsection (5) shall mean the area available for use as patron seating and shall not include kitchens, lobbies, waiting areas, restrooms and parking.
- (6) Commercial and professional buildings: One space for each 300 square feet of usable floor area except grocery stores which will provide two spaces for each 300 square feet of usable floor area. The term "usable floor area" as used in this subsection (6) shall mean the floor area within the inside perimeter of the outside walls of the building under consideration and shall not include restrooms, areas used principally for the storage of supplies or inventories, areas used principally for the storage of mechanical systems, and common hallways in multi-tenant structures used by multiple tenants for ingress and egress.

(Ord. No. 3-97, § 1, 3-17-97; Ord. No. 08-01, § 1, 9-4-01)

According to the plans and documentation submitted by Chick-fil-A's architectural/engineering firm, the new restaurant will require 25 parking spaces. 10 parking spaces will be provided onsite and 15 spaces will be provided offsite. With this in mind, the Chick-fil-A will be 15 spaces short of the required onsite parking space requirement of 25 spaces stipulated in Section 24-51(5).

Looking at the entire shopping center, including the proposed Chick-fil-A, 383 parking spaces are required per the City's LDC. When the Chick-fil-A project is

complete, the shopping center and restaurant will have a combined total of 402 parking spaces.

**RECOMMENDATION: THAT THE CITY COUNCIL APPROVE CHICK-FIL-A'S VARIANCE REQUEST OF DECREASING THE REQUIRED AMOUNT OF ONSITE PARKING FROM 25 SPACES TO 10 SPACES WITH THE 15 SPACE DEFICIT BEING MADE UP FROM OFFSITE PARKING FROM GULF BREEZE SHOPPING CENTER.**

CSC



# City of Gulf Breeze

BOARD OF ADJUSTMENT  
APPLICATION

PROPERTY OWNER INFORMATION:		PROJECT LOCATION INFORMATION:						
NAME: East End CO. LLC/Gulf Breeze SC LLC & Jenkins GBSC LLC c/o Engel Realty Company		PHYSICAL ADDRESS: 300 Gulf Breeze Parkway						
ADDRESS: 951 Eighteenth Street South, Suite 200		SUBDIVISION NAME: Gulf Breeze Shopping Center						
ADDRESS 2: P. O. Box 187		PARCEL ID #:	04	3S	29	1572	00000	0040
CITY: Birmingham		ZONING DESIGNATION: C-1 Commercial						
STATE: AL		IS THE PROPERTY A CORNER LOT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO						
PHONE #: 205.939.8217	ZIP: 35201	DRIVING DIRECTIONS: See attached.						
FAX:	CELL #: 205.960.2521	See attached.						
E-MAIL: sbutler@engelrealty.com								

**DESCRIPTION OF PROJECT:**

TYPE OF PROJECT:  RENOVATION  NEW CONSTRUCTION  POOL  MARINE  DEMO  
 OTHER: \_\_\_\_\_

**SCOPE OF WORK:**

Demolition of existing vacant restaurant (formerly Burger King) to construct a new 4,701sf Chick-fil-A restaurant with drive-through and associated site work (i.e. parking, landscaping etc.).

OCCUPANCY CLASSIFICATION:  RESIDENTIAL  ASSEMBLY  BUSINESS  MERCANTILE  
 STORAGE  OTHER: \_\_\_\_\_

INTENDED USE: Chick-fil-A restaurant with drive-through.

DIMENSION:	99'-7"	55'-5"	25'-0"	1	4,701sf
	LENGTH	WIDTH	HEIGHT	STORES	SQUARE FEET

ESTIMATED COST OF CONSTRUCTION: \$760,000.00      ESTIMATED COMPLETION DATE: Estimated 2/21/13

**VARIANCE INFORMATION:**

PLEASE DESCRIBE THE REQUESTED VARIANCE (EXAMPLE: REAR SETBACK VARIANCE FROM 30' TO 20'): \_\_\_\_\_

Requesting Parking Variance from 25 required parking spaces per code to 10 parking spaces provided on-site and utilizing cross parking/access easements within the Shopping Center.

APPLICABLE CODE SECTION FOR WHICH THE VARIANCE IS REQUESTED:	24	II	3	24-51
	CHAPTER	ARTICLE	DIVISION	SECTION

**VARIANCE INFORMATION:**

PLEASE ADDRESS HOW THE VARIANCE REQUEST ADDRESS THE AFOREMENTIONED CRITERIA:

1. SPECIAL CONDITIONS EXIST WHICH ARE PECULIAR TO THE LAND, STRUCTURE OR BUILDING.

See attached Narrative.

2. THE SPECIAL CONDITIONS ARE NOT THE RESULT OF ACTIONS BY THE APPLICANT.

See attached Narrative.

3. THE GRANTING OF THE VARIANCE WILL NOT CONFER ON THE APPLICANT ANY SPECIAL PRIVILEGE.

See attached Narrative

4. THE LITERAL INTERPRETATION OF THE CODE WOULD DEPRIVE THE APPLICANT OF RIGHTS COMMONLY ENJOYED AND WORK UNDOE HARDSHIP.

See attached Narrative

5. THE VARIANCE, IF GRANTED, IS THE MINIMUM THAT WOULD MAKE REASONABLE USE OF THE LAND.

See attached Narrative

6. THE VARIANCE, IF GRANTED, WILL BE IN HARMONY WITH THE GENERAL INTENT AND PURPOSE OF THE CODE AND THAT SUCH VARIANCE WILL NOT BE DETERMINABLE TO THE PUBLIC WELFARE.

See attached Narrative

**MEETING DATES** (PLEASE PICK MEETING DATE BASED ON DUE DATE):

PACKET DUE DATE	MEETING DATE	PACKET DUE DATE	MEETING DATE
<input type="checkbox"/> JAN. 5, 2010	JAN. 26 2010	<input type="checkbox"/> JUL. 6, 2010	JUL. 27, 2010
<input type="checkbox"/> FEB. 2, 2010	FEB. 23, 2010	<input type="checkbox"/> AUG. 3, 2010	AUG. 24, 2010
<input type="checkbox"/> MAR. 2, 2010	MAR. 23, 2010	<input type="checkbox"/> SEP. 7, 2010	SEP. 28, 2010
<input type="checkbox"/> APR. 6, 2010	APR. 27, 2010	<input type="checkbox"/> OCT. 5, 2010	OCT. 26, 2010
<input type="checkbox"/> MAY 4, 2010	MAY 25, 2010	<input type="checkbox"/> NOV. 2, 2010	NOV. 23, 2010
<input type="checkbox"/> JUN. 1, 2010	JUNE 22, 2010	<input type="checkbox"/> DEC. 7, 2010	DEC. 28, 2010

ALL MEETINGS ARE AT 6:30 PM AT GULF BREEZE CITY HALL UNLESS OTHERWISE NOTICED.

**PLEASE LIST PROPERTIES WITH 150 FEET OF THE SUBJECT PARCEL:**

NAME: See attached list of property owners within 150' of subject parcel provided  
ADDRESS: by the Santa Rosa County Property Appraiser.

PARCEL ID: \_\_\_\_\_

NAME: See attached list.

ADDRESS: \_\_\_\_\_

PARCEL ID: \_\_\_\_\_

NAME: See attached list.

ADDRESS: \_\_\_\_\_

PARCEL ID: \_\_\_\_\_

NAME: See attached list.

ADDRESS: \_\_\_\_\_

PARCEL ID: \_\_\_\_\_

NAME: See attached list.

ADDRESS: \_\_\_\_\_

PARCEL ID: \_\_\_\_\_

NAME: See attached list.

ADDRESS: \_\_\_\_\_

PARCEL ID: \_\_\_\_\_

NAME: See attached list.

ADDRESS: \_\_\_\_\_

PARCEL ID: \_\_\_\_\_

**AGENT INFORMATION:**

AGENT'S NAME: Interplan LLC

ADDRESS: 604 Courtland Street, Suite 100

ADDRESS 2:

CITY: Orlando

STATE: Florida

PHONE #: 407.645.5008

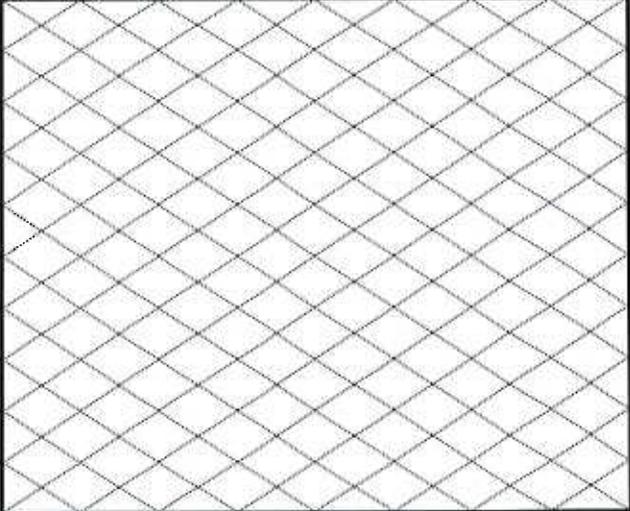
ZIP: 32804

FAX: 407.629.9124

CELL #:

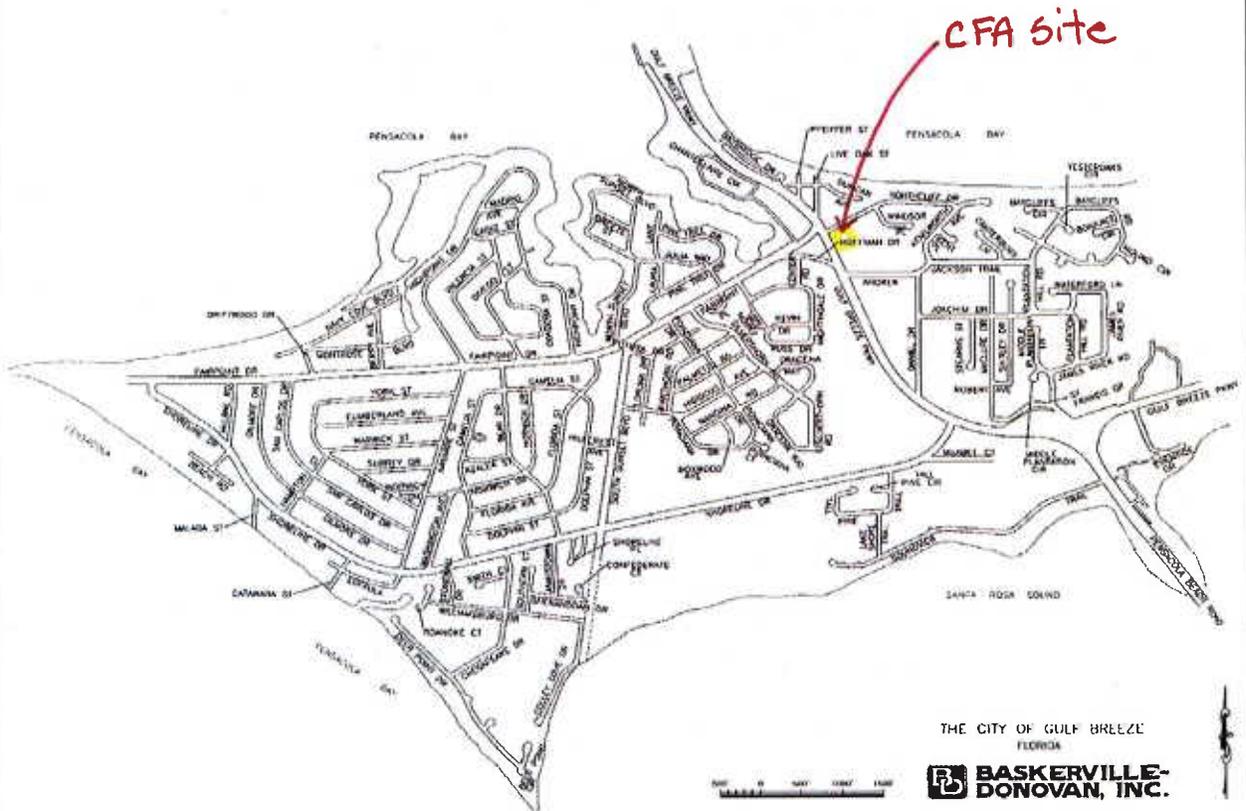
E-MAIL: egraf@interplanllc.com

STATE LICENSE #:



**LOCATION MAP:**

PLEASE MARK THE PROJECT LOCATION ON THE MAP.



**AUTHORIZATION:**

APPLICATION IS HEREBY MADE TO OBTAIN A VARIANCE TO THE WORK AS INDICATED IN THE ATTACHED PLANS AND SPECIFICATIONS.

Interplan LLC

Engel Realty Company

AGENT'S SIGNATURE

*Eileen Graf*

OWNER'S SIGNATURE

*Steve Butler*

PRINTED NAME

Eileen Graf

PRINTED NAME

Steve Butler

DATE 1-31-12

DATE 1/25/12

**RULES AND PROCEDURES:**

PURSUANT TO SECTION 101.3 OF THE CODE OF ORDINANCES OF THE CITY OF GULF BREEZE, THE BOARD OF ADJUSTMENT HAS ADOPTED (JULY 28,1992) THE RULES SET FORTH BELOW FOR PURPOSE OF TRANSACTION OF ITS BUSINESS AND TO ASSIST IN THE ORDERLY AND EFFICIENT ADMINISTRATION OF ITS POWERS AND DUTIES. (PASSED AUGUST 25, 1992).

1. THE BOARD OF ADJUSTMENT SHALL MEET ON THE FOURTH TUESDAY OF EACH MONTH, AT 3:30 PM, PROVIDED THERE EXISTS FOR ITS CONSIDERATION OR OFFICIAL ACTION TO BE TAKEN. IN THE ABSENCE OF SUCH MATTERS OF OFFICIAL ACTION, THE BOARD NEED NOT MEET. IN THE EVENT THAT THE REGULARLY SCHEDULED BURDENSOME OF THE BOARD TO HOLD ITS REGULAR MONTHLY MEETING, A SPECIAL SUBSTITUTE MEETING MAY BE CALLED IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN RULE NO. 2 BELOW.
2. SPECIAL MEETINGS OF THE BOARD OF ADJUSTMENT MAY BE HELD AT THE CALL OF THE CHAIRMAN OR FOUR (4) MEMBERS OF THE BOARD. NO SPECIAL MEETING SHALL BE HELD WITHIN ONE (1) WEEK OF A REGULAR MONTHLY MEETING.
3. EACH APPLICATION, PETITION, OR REQUEST FOR THE BOARD'S CONSIDERATION SHALL BE PRESENTED BY CITY STAFF. CITY STAFF SHALL EXPLAIN THE NATURE OF THE CASE, (SPECIAL EXCEPTION OR VARIANCE REQUEST), THE FACTUAL BACKGROUND, THE PROVISIONS OF THE ZONING ORDINANCE WHICH ARE INVOLVED. THE APPLICANT OR A DESIGNATED REPRESENTATIVE MUST BE AT THE BOARD OF ADJUSTMENT MEETING TO PRESENT THE APPLICANT'S CASE TO THE BOARD AND ANSWER ANY QUESTIONS THE BOARD MAY HAVE. IF THE APPLICANT OR THE APPLICANTS DESIGNATED REPRESENTATIVE IS NOT PRESENT AT THE MEETING THE CASE WILL NOT BE HEARD.
4. ANY PERSON OR ENTITY SUBMITTING AN APPLICATION FOR CONSIDERATION BY THE BOARD OF ADJUSTMENT MUST INCLUDE AS PART OF AND ATTACHED TO THE APPLICATION A DIAGRAM OF THE PROPERTY WHICH IS THE SUBJECT OF THE APPLICATION. THE DIAGRAM MUST BE TO SCALE AND MUST SUFFICIENTLY IDENTIFY THE REQUESTED VARIANCE, SPECIAL EXCEPTION OR OTHER ACTION WHICH IS REQUESTED AND SHALL INCLUDE APPROPRIATE NOTATIONS AS TO MEASUREMENTS AND DISTANCES.
5. IN ADDITION TO ANY OTHER NOTICE REQUIREMENTS, THE CITY SHALL ENDEAVOR TO NOTIFY ALL OWNERS OF PROPERTY WITHIN 150 FEET OF THE SUBJECT PARCEL. IT SHALL THE RESPONSIBILITY OF THE APPLICANT TO IDENTIFY ALL OF THE PROPERTY OWNERS WITHIN 150 FEET OF THE SUBJECT PARCEL. THE APPLICANT MUST PROVIDE TWO SETS OF MAILING LABELS, WHICH INCLUDE THE NAMES AND ADDRESSES OF PROPERTY OWNERS, FROM THE SANTA ROSA COUNTY PROPERTY APPRAISERS OFFICE LOCATED AT 6459 CAROLINE STREET, MILTON, FLORIDA.
6. FOR PURPOSE OF CONSIDERING ANY APPLICATION FOR A VARIANCE, THE BOARD SHALL CONSIDER EACH OF THE SIX (6) CRITERIA SET FORTH IN SECTION 102.3 (A) OF THE ZONING ORDINANCE, THE BOARD MUST SPECIFICALLY FIND THAT EACH OF THE SAID SIX (6) CONDITIONS EXIST WITH RESPECT TO THE PROPERTY IN QUESTION.
7. ALL DOCUMENTS SUBMITTED IN RELATION TO THE VARIANCE REQUEST WILL BECOME PUBLIC RECORD AND WILL NOT BE RETURNED.
8. THE FEE FOR PROCESSING THE APPLICATION IS BASED ON THE LEVEL OF DEVELOPMENT AS DEFINED IN SECTION 20-41 OF THE LAND DEVELOPMENT CODE AND IS NON REFUNDABLE. THE FEE IS DUE WHEN THE APPLICATION IS SUBMITTED.
9. FEE SCHEDULE:           LEVEL I \$200.00                   LEVEL II \$300.00                   LEVEL III \$500.00 \*\*\*

\*\*\* - WITH THE EXCEPTION OF SINGLE FAMILY RESIDENTIAL DOCKS, PIERS, BOATHOUSES, SEAWALLS AND RETAINING WALLS WHICH SHALL BE ASSESSED AT THE

I HEREBY AFFIRM THAT I HAVE READ AND FULLY UNDERSTAND THE RULES AND PROCEDURES OF THE BOARD OF ADJUSTMENT HERE MENTIONED.

Interplan LLC

Engel Realty Company

AGENT'S SIGNATURE

*Eileen Graf*

OWNER'S SIGNATURE

*Steve Butler*

PRINTED NAME

Eileen Graf

PRINTED NAME

Steve Butler

DATE 1-31-12

DATE 1/25/12

January 31, 2012

**Craig S. Carmichael**  
**City of Gulf Breeze Community Services**

1070 Shoreline Drive  
Gulf Breeze, FL 32561  
(850) 934-5109

**Reference:** Parking Variance Justification  
IP # 2011.0275  
Parcel ID 04-3S-29-1572-00000-0040  
Chick-fil A, Gulf Breeze

Dear Mr. Carmichael:

The Gulf Breeze Shopping Center is located at the northeast corner of Gulf Breeze Parkway (US Hwy 98) and Andrew Jackson Trail. The center is anchored by a Wal-Mart with retail bays on either side. Burger King and Starbucks occupy free standing buildings at the front of the shopping center. Chick-fil-A is proposing to demolish the existing 3,407 sf Burger King and construct a new 4,701 sf building. Both, the existing Burger King and the new Chick-fil-A have drive thru windows. Also, both restaurants are ground leases of the shopping center.

The parking requirements for a fast food restaurant are 1 space per 100 sf of patron floor area plus 1 space for every 4 employees. The existing vacant restaurant (formerly Burger King) has 1,502 sf of patron floor area and 8 employees. Therefore, 17 spaces are required for the previous Burger King use. The proposed Chick-fil-A has 2,242 sf of patron area and 12 employees. Therefore, 25 spaces are required for the new construction of the Chick-fil-A restaurant, requiring 8 additional spaces per code.

The demolition of the Burger King site will include the removal of 24 parking spaces. The proposed Chick-fil-A site will replace 10 spaces with the new site plan. Therefore there will be a net loss of 14 spaces due to the new site layout. There is not enough area within the Chick-fil-A lease property to construct the required parking spaces. However, the shopping center has agreed to allow Chick-fil-A to utilize parking spaces outside of the lease area to satisfy the parking requirements. Looking at the entire shopping center uses, currently including Burger King, 375 parking spaces are required to meet code requirements.

See attached existing parking summary table. When the Chick-fil-A is constructed, an additional 8 spaces are required so the total shopping center would require 383 parking spaces to meet code. Currently there are 416 parking spaces in the shopping center including 58 spaces that are on an adjacent lot behind Wal-Mart. There is an existing easement over these spaces for cross parking. When the Chick-fil-A is constructed, 14 spaces will be removed so the net shopping center parking count will be 402 spaces, which is more than the 383 parking spaces required to meet code.

Please consider this request for a parking variance for Chick-fil-A based on the fact that after the restaurant is constructed there will still be enough parking spaces in the shopping center to meet the parking code requirements for the shopping center uses.

Respectfully,  
**INTERPLAN LLC**



Stuart Anderson, PE #60848  
Director of Civil Engineering

enclosures

cc: G. Thomason; R. Krietemeyer/J. Razon; E. Graf; IP File



# *City of Gulf Breeze*

April 3, 2012

TO: Edwin A. Eddy, City Manager 

FROM: Marita Rhodes, City Clerk

SUBJ: **PROCLAMATION FROM MOTHERS AGAINST DRUNK DRIVING  
(MADD) PROCLAIMING APRIL 21, 2012 AS POWERTALK 21 DAY**

We received an e-mail from Ms. Marylin Dorsey asking that the City prepare a proclamation proclaiming Saturday, April 21, 2012 as PowerTalk 21 Day. Ms. Dorsey would like to attend the regular meeting to be held on Monday, April 16, 2012 to receive the proclamation.

 **MADD proclamation**

**Dorsey, Marylin** <Marylin.Dorsey@madd.org>  
To: "mrhodes@gulfbreezefl.gov" <mrhodes@gulfbreezefl.gov>

Thu, Mar 22, 2012 at 2:08 PM

Thanks so much for your help today Marita! I look forward to meeting the Mayor at the City Council meeting on April 2. Can you please let me know the time and place for that meeting?

I'm attaching a template for the proclamation. Please change anything you think is necessary. Mothers Against Drunk Driving are thrilled to have you partner with us to help stop underage drinking!

Marylin\*

Marylin Dorsey  
Project Specialist

MADD  
3 West Garden Street  
Suite #349  
Pensacola, Florida 32502  
850.983.6775 x 8

Make a difference today and help protect Florida's roadways by texting MADDFL to 90999 to donate \$10 or by clicking on the logo to donate online

<<http://www.madd.org/ChapterDonations/?id=1200>>

You can also learn more by visiting our website at [www.madd.org](http://www.madd.org)<<https://mail.madd.org/owa/UrlBlockedError.aspx>>

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**MAYORAL PROCLAMATION for PowerTalk 2012.doc**

32K



# *City of Gulf Breeze*

## PROCLAMATION

WHEREAS the City of Gulf Breeze recognizes the importance of parents talking with their teens about alcohol; and

WHEREAS, high school students who use alcohol or other substances are five times more likely to drop out of school or believe good grades are not important; and

WHEREAS, teen alcohol use kills about 6,000 people each year, more than all other illegal drugs combined; and

WHEREAS, the majority of kids say their parents are their primary influence when it comes to decisions about drinking alcohol; and

WHEREAS, PowerTalk 21™ Day is established on April 21, 2012 to encourage parents and caregivers to embrace their important role in influencing America's youth and their decisions about drinking alcohol; and

WHEREAS, to equip parents to talk with their teens about alcohol, MADD Northwest Florida on April 21, 2012 will offer a free community parent workshop to give parents the tools in a parent handbook to effectively talk to their teens about alcohol; and

WHEREAS, these local parent workshops, also replicated across the country, will offer parents a research-based parent handbook to help them talk with their teens about alcohol and encourage adults to consider creating a safer community by becoming involved in reducing underage drinking; and

WHEREAS, I urge all citizens to join in the local and national efforts to raise awareness of the importance of parents and teens talking together about alcohol in order to reduce the risks and dangers posed to teens and communities; and

**NOW, THEREFORE, BE IT PROCLAIMED** I, Beverly H. Zimmern, Mayor of The City of Gulf Breeze, do hereby proclaim Saturday, April 21<sup>st</sup> to be the first annual

## **PowerTalk 21™ Day**

Throughout the City of Gulf Breeze, Florida.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Gulf Breeze, Santa Rosa County, Florida, to be affixed this \_\_\_\_\_ day of **April, 2012**.

\_\_\_\_\_  
Marita Rhodes, City Clerk

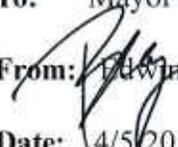
\_\_\_\_\_  
Beverly H. Zimmern, Mayor



# *City of Gulf Breeze*

## Memorandum

**To:** Mayor and City Council

**From:**  Edwin A. Eddy, City Manager

**Date:** 4/5/2012

**Subject: Ordinance 02-12, Codification of Chapter 26, Development Standards for Community Redevelopment District.**

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The City Council opened a Public Hearing on this Ordinance during the April 2<sup>nd</sup> Council meeting. A problem relative to the variances was discovered that required some minor changes.

Attached is a black-lined version of Ordinance 02-12 for review at the April 11<sup>th</sup> Executive Session. Please refer to Section 26-2 (B) which has been deleted. This Section required variances from this Chapter to be heard by the Board of Adjustment. We added a new Section 2 to the Ordinance which clearly establishes that all new development and redevelopment activities in the CRA, except for single family residential structures is considered Level Three development. All variances for Level Three development are heard by the City Council.

### RECOMMENDATION:

THAT THE CITY COUNCIL REOPEN A PUBLIC HEARING ON THIS ORDINANCE ON APRIL 16, 2012 AND APPROVE ORDINANCE 02-12 ON SECOND AND FINAL READING.

## ORDINANCE NO. 02-12

**AN ORDINANCE OF THE CITY OF GULF BREEZE FLORIDA, PERTAINING TO DEVELOPMENT STANDARDS AND REQUIREMENTS AND DESIGN GUIDELINES FOR USE IN THE COMMUNITY REDEVELOPMENT DISTRICT; AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 166, Florida Statutes, empowers the City Council of the City of Gulf Breeze to prepare and enforce a comprehensive plan for the development of the City; and,

**WHEREAS**, Section 163.3202, Florida Statutes, and Chapter 91-24, Florida Administrative Code, provides that design and development standards based on the Comprehensive Plan be included in land development regulations; and,

**WHEREAS**, the City Council for the City of Gulf Breeze has the responsibility to provide specific design and development guidelines for all development and redevelopment within the City; and,

**WHEREAS**, Chapter 26 contains the regulations for any development within the Community Redevelopment Agency (CRA) district; and,

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Gulf Breeze, Florida, as follows:

**SECTION 1 – CHAPTER 26** is hereby replaced in its entirety and to read as follows:

### **CHAPTER 26 COMMUNITY REDEVELOPMENT AREA DESIGN STANDARDS**

#### **ARTICLE I. GENERAL.**

##### **Sec. 26-1. Purpose and Intent.**

###### **26-1.1. Purpose.**

The purpose of these design standards established in this chapter is to:

1. Guide the development within the Community Redevelopment Area (CRA) as referenced in Chapter 14, Article IV of the City of Gulf Breeze Code of Ordinances , toward creating a cohesive urban pattern of buildings and streetscapes that balance the pedestrian and traffic needs of residents;
2. Encourage protection and buffering of residential uses and environmental resources from the impacts of non-residential development;

3. Maintain and improve the image and appearance of development by encouraging visually sensitive designs, which will result in quality development; and
4. Preserve health, safety and welfare by promoting and requiring structures that maintain a high residual value.

**26-1.2. Intent.**

The design standards in this chapter are intended to encourage design diversity and variation. Special attention has been placed on the creation of standards that ensure a quality, safe and functional urban environment. The integration of effective vehicular and pedestrian standards as well as pedestrian accessibility is of primary concern for new development and redevelopment. For more detailed explanation of the standards and graphic examples of recommended, acceptable, and prohibited scenarios refer to the "City of Gulf Breeze Community Redevelopment Agency and Central Business District Design Guidelines" (CRA Design Guidelines) adopted June 2006, as amended.

**Sec. 26-2. Applicability.**

- A. The design standards contained in this chapter are applicable to all new development and redevelopment activities within the CRA, except for single-family residential structures, notwithstanding any provision of the Land Development Code (LDC) to the contrary, including sections 21-31 and 21-32 (non-conforming uses). Unless otherwise noted, where LDC provisions from other chapters conflict with the standards established in this chapter, the more restrictive standards of this chapter shall apply.
- ~~B. In the event the City makes a finding that the literal enforcement of the standards of this article would result in an unnecessary or undue hardship, the board of adjustment may grant a special exception or variances pursuant to Chapter 20, Division 5 of the LDC.~~
- B. In the case of redevelopment, the standards set forth in this chapter shall apply if:
  1. The building floor area is being increased by more than 30%;
  2. More than 50% of the building area is being replaced; and/or,
  3. The existing building is being redeveloped and the cost of redevelopment is greater than 50% of the assessed value of the building.
  4. Section 26-11 shall apply in the case of replacement or repair of an existing sign when:
    - a. A sign at an existing business is replaced, even when no changes or only minor changes are contemplated to the existing structure or structures on a site;
    - b. A sign is deemed to be damaged to the point where repairs are equal to or more than 50% of the replacement value of the sign;
    - c. Improvements or modifications to a sign are contemplated that are equal to or more

than 50% of the replacement value of the sign; and/or

d. A sign, the sign, the sign logo, reader board, or copy area of a sign is increased by 25% or more.

5. Section 26-11 shall apply in the installation of a new sign at an existing business.

C. Because the character of the land within the CRA differs from one location to another, this chapter establishes general standards that are applicable to the entire CRA District, as well as specific standards that apply to all land located within the Central Business District (CBD) and the Gulf Breeze Parkway (US 98) District, as identified in the CRA Design Guidelines.

**Sec. 26-3. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

*Alley* means a permanent service-way providing a secondary means of public access to abutting property and not intended for general traffic circulation.

*Arcade* means a series of arches supported by columns or pillars, a covered passageway, or recessed galleries with columns or piers open to the street.

*Arcade Hanging Sign* means a sign attached to the underside of a canopy, awning, lintel, arch, or other overhead spanning member of a porch or walkway, and which is hung either perpendicular or parallel to the building façade, but not intended to be read from the street.

*Architectural Style*

*Italianate* means a style characterized by a rectangular shape, gently sloping roofs, tall, rounded windows, columned entryways, square towers or cupolas, and low-pitched or flat roofs, frequently hipped..

*Mediterranean* means a style characterized by asymmetrical facades, arched openings, masonry or stucco/textured walls, corner towers, balconies, and, gabled, hipped, shed, or combination roofs.

*Neo-classical* means a style characterized by symmetry in building form and windows, rounded entryways, columns, and elaborate doorways with decorative surrounds and pediments, cupolas, and side-gabled or hipped, medium pitched roofs.

*Awning* means a sheltering screen, usually of canvas fabric, supported and stiffened by a rigid frame, extending over or before any place which has windows, doors, outside walks or the like, and providing shelter or protection against the weather.

*Block Face* means that portion of a block that abuts an individual street.

*Block Layout* means the arrangement of lots and alleys contained within a city block.

*Building Site* means any group of one or more lot(s) or parcel(s) occupied or intended for development as a unit, whether or not as part of a larger *Development Site*.

*Commercial/Main Street Building* means the type of building typically found along main street settings. Commercial/Main Street buildings are normally organized into distinct sections or zones, commonly containing one or two parts.

- a. One-part (generally a one-story building) formed by a storefront and a cornice topped by a parapet. Large show windows are generally placed within this framework to display merchandise and light the interior. The wall area between the windows and the cornice provide a place for advertising and made the façade appear taller.
- b. Two-part (generally a multi-story building) organized into upper and lower zones. The design of the lower zone is essentially the same as the one part façade. The building contains different uses in each zone. The lower zone generally houses public spaces (mentioned above), while the upper zone often provides space for private uses, such as apartments, offices, hotel rooms, and meeting halls.

*Development Project* means any commercial project that involves the following: 1) a new use of vacant property, or 2) new construction, rehabilitation, or remodeling of any existing building or any ancillary building. However, projects involving an interior modification to an existing building are specifically excluded as a *Development Project*.

*Development Site* means the property under consideration for a development, which may contain one or more Building Sites and shall be under single ownership at the time of application. Should the *Development Site* contain more than one *Building Site*, any applicable Development Site setback requirements shall be established from the *Development Site* perimeter.

*Facade, primary* means the side of the building facing the *Primary Lot Frontage*. *Facade, secondary* means the side of the building facing the *Secondary Lot Frontage*. *Landscaping* means all areas of the site that consist of, but are not be limited to, grass, ground covers, shrubs, vines, hedges, trees, berms, and architectural landscape features and material.

*Lot, Corner* means a lot whose lines are adjacent to two or more streets from their point of intersection.

*Lot Depth, mean* means the mean distance from the front street line of the lot to its opposite rear line, measured in the mean general direction of the side lines of the lot.

*Lot Frontage* means the linear distance measured along the narrow dimension of a lot adjoining a street right-of-way.

*Lot Frontage, Primary* means that side of the lot abutting a street along the narrow dimension of the lot.

*Lot Frontage, Secondary* means that side of the lot abutting a street which is not the primary frontage.

*Lot, Interior* means a lot other than a corner lot.

*Lot Line (or Property Line)* means any legal boundary of a lot. Where applicable, the lot line may coincide with the right-of-way line.

*Massing* means the width, volume and proportions of a building and its parts.

*Pedestrian Alleyways* means corridors or courtyards used primarily for the purpose of providing a pedestrian connection between the public sidewalks and the parking areas located behind the businesses.

*Plaza* means corridors or courtyards used primarily for the purpose of providing a pedestrian connection between the public sidewalks and the parking areas located behind the businesses.

*Right-of-Way* means the strip of land owned or controlled by the City or another governmental agency over which the public has a right of passage, including the streets, parkways, medians, sidewalks, and driveways constructed thereon. For the purpose of this chapter "right-of-way" excludes alleys.

*Storefronts* means the type of façade a commercial-style building would have at the street level. Storefronts emphasize transparency and normally include large display windows with framing; a recessed entrance; a cornice or a horizontal sign panel at the top of the storefront to separate it from the upper façade; and low bulkheads at the base to protect the windows and define the entrance.

*Street wall* means a low, solid or semi-solid wall that provides a defined urban edge along an alley or street.

*Transparent material* means a material that admits light without appreciable diffusion or distortion, so that objects beyond are entirely visible. Examples include: clear glass and Plexiglas.

*Translucent material* means a material that admits diffused light, so that objects beyond cannot be clearly distinguished. Examples include: tinted glass, smoked glass, and glass block.

## **ARTICLE II. CRA DISTRICT STANDARDS**

### **Sec. 26-4. Applicability.**

The standards in this article are applicable to the entire CRA District to address site design, building orientation, scale, and massing, with the intent to create an aesthetically cohesive character and provide for efficient vehicular and pedestrian circulation patterns throughout the entire district.

### **Sec. 26-5. Block Layout.**

- A. When developing large parcels, applicants shall create streets and/or a vehicular driveway pattern that connects to the surrounding streets and parcels in the vicinity, or allows for future connections.

*Commercial/Main Street Building* means the type of building typically found along main street existing rights-of-way to form mega/super blocks, unless street/vehicular drives are developed consistent with Paragraph A, above.

- C. Redevelopment of properties/blocks where rights-of-way were previously vacated shall be required to establish a new network of streets as well as alleys, if appropriate, consistent with Paragraph A, above.

**Sec. 26-6. Building Placement and Orientation.**

- A. Building facades shall be oriented toward the right-of-way, which, for the purpose of this chapter, includes a public street or an entrance boulevard to a private development. If there is more than one right-of-way, such as occurs on a corner or double frontage lot, every facade that faces a public right-of-way shall have architectural detail and appearance consistent with the primary facade.
- B. The minimum front yard and side-corner setback for buildings shall be zero feet.
- C. Side yard setbacks shall be a minimum of zero feet, if the adjacent property also has a zero-foot setback, and a maximum of ten feet. In the event the side yard setback is more than ten feet, due to the location of the parking area, the building frontage shall occupy a minimum of 50% of the lot frontage and a street wall shall be installed between the building and the side property line.
- D. Parking garages located adjacent to any rights-of-way must provide a primary façade or liner buildings) facing the rights-of-way.
- E. Large anchor stores may be located in the rear of a development site only if additional buildings are located along the street frontage meeting the required setbacks and standards of this section. These additional smaller buildings, which may be located within outparcels, shall be designed to frame the street, enclose parking lots, and create entrance boulevards.

**Sec. 26-7. Architectural Styles.**

- A. New buildings or redevelopment of buildings in the CRA must be built using Italianate, Neo-Classical, or Mediterranean architectural styles. The elements that comprise a building, including the building form, scale, fenestration, materials, and color, must be consistent with the style selected.
- B. Architectural style and details for accessory buildings or structures (i.e., storage buildings, canopies for gasoline pumps) shall match the style of the predominant building.
- C. If a developer/owner submits a design for a building that has an architectural style not listed in Paragraph A, above, the architecture review board shall review the compatibility of the proposed building for consistency with the required styles and adjacent architecture on a case-by case basis. The City may allow use of an alternate architectural style if:
  - 1. Use of one of the required architectural styles listed above would be inconsistent or

incompatible with the architecture in adjacent buildings; and,

2. Use of one of the required architectural styles listed above would be detrimental to the economic development of the City and the CRA..

**Sec. 26-8. Building Form, Materials, and Color.**

The elements of a new or redeveloped building located in the CRA shall meet the standards set forth in this section; provided, however, that the creative design of a building and/or creative use of building elements prohibited herein may be submitted to the City for review and approval by the architectural review board on a case-by-case basis.

**26-8.1. Building Facades.**

- A. Primary facades shall be enhanced by the use of vertical and horizontal elements. Long, windowless, uninterrupted walls shall not be permitted. Therefore, facades shall not exceed 20 horizontal feet, and ten vertical feet, without including a minimum of three of the following elements:
  1. A change in plane, such as an offset, reveal, or projecting rib with a depth of no less than six inches. Architectural details such as columns, arches, and niches are examples of acceptable variation.
  2. Awnings
  3. Arcades
  4. Changes in compatible colors, materials, and/or texture
  5. Doors
  6. Windows, storefront windows, or display cases
- B. The ground floor of the primary façade shall have at least two of the following elements for at least 60% of the width of the facade:
  1. Public entrances
  2. Arcades
  3. Windows/display windows
  4. Awnings
  5. Landscaping
- C. Secondary building facades shall provide at least two of the design elements required for primary facades, which shall be consistent with the primary facade.
- D. Facades shall not exceed a height-to-width ratio of 1:3 without including at least one of the following elements, in addition to three of the above requirements:
  1. A change in plane, such as an offset, reveal or projecting rib. Such plane projections

or recesses shall have a width of no less than three feet, and a depth of at least six inches.

2. Architecturally prominent public entrance.
  3. Tower or vertical mass, extending above the roof line of the rest of the building.
- E. All exterior facades of outparcel buildings shall be considered either primary facades or secondary facades and shall employ all architectural elements as required by paragraphs A-D, above.
- F. Buildings on corner lots shall include at least one of the following embellishments: cornice details, arches, peaked roof forms, corner towers, clocks, bells, or similar design features at the corner (hardscape design elements, such as pedestrian plazas with artwork or fountains, may substitute for building embellishments on corner lots).
- G. Drive-through windows shall not be placed facing a right-of-way. On lots with frontage on two streets, the drive-through window may be placed facing the secondary street provided that it is screened from the public right-of-way with landscaping. The window and canopy design shall match the overall design of the principal building.

**26-8.2. Building Entrances.**

A. Primary Building Facades.

Each primary building facade shall have one or more clearly defined, highly visible customer entrance(s) featuring no less than three of the following:

1. Canopies or porticos
2. Overhangs
3. Variations in building height
4. Recesses/projections (minimum three feet in depth)
5. Raised corniced parapets over the door
6. Peaked roof forms
7. Arches/Arcades
8. Columns
9. Outdoor patios
10. Architectural details such as tile work and moldings, which are integrated into the building structure and design
11. Integral planters or wing walls that incorporate landscaped areas and/ or places for sitting
12. Ornamental and structural architectural details other than cornices over or on the

sides of the door

13. Other treatment meeting the intent of this section

B. Primary Entrances to Multi-Tenant Centers.

1. The primary entrances to a multi-tenant center, and the entrances to anchor stores within such a center, shall be highlighted with tower elements, special building materials, and/ or architectural details.
2. Where two major streets intersect, primary entrances shall be provided from both streets. One corner entrance will be a permitted as an exception to this requirement.

C. Secondary Entrances.

Architectural embellishments, awnings, arcades, porches, porticos, landscaping or signs should be used to mark secondary entrances.

**26-8.3. Fenestration.**

- A. Glass shall be transparent, without color, except for appropriate stained or art glass. The use of darkly tinted or reflective glass on windows or doors is prohibited. Reflective glass will be defined as having a visible light reflectance rating of 15% or greater. Darkly tinted glass windows include glass with a visible light transmittance (VLT) rating of 30% or less. All plans submitted to the City shall include the glass manufacturer's VLR and VLT ratings for evaluation. Glass block is not considered transparent and is not permitted in store front windows.
- B. Windows shall be recessed a minimum of one-half inch and shall include visually prominent sills, shutters, stucco reliefs, or other such forms of framing.
- C. Walls that are predominantly mirrored glass or glass curtain walls are prohibited.
- D. Arcades on commercial building facades along US 98/Emerald Coast Parkway shall have a minimum depth of six feet.
- E. Awnings, canopies, and arcades are allowed to project into the building setback, but not into the right-of-way.
- F. The minimum vertical clearance of awnings and arcades shall be eight feet from the lowest point to the sidewalk
- G. Awnings should be made of fabric. High-gloss fabrics, or fabrics that resemble plastic, are not permitted.
- H. Backlit awnings used as mansard or canopy roofs are prohibited.
- I. The highest point of a first floor awning on a multi-story building shall not be higher than the midpoint between the top of the first story window and the bottom of the second-story window sill.

**26-8.4. Roofs.**

- A. Buildings shall have a rooftop consisting of (but not limited to): cornice treatments, roof overhangs with brackets, steeped parapets, richly textured materials, and/or differently colored materials.
- B. Color bands are not acceptable as the only roof treatment. Bands of color that are typically used for marketing are not allowed.
- C. Cornices are encouraged and should not exceed 24 inches in width.
- D. Mansard roofs are prohibited.
- E. Flat roofs shall be hidden from public view by a parapet of no less than three feet in height.
- F. Roofs shall have no less than two of the following features:
  - 1. Parapets concealing a flat roof and rooftop equipment. The average height of such parapet shall not exceed 15% of the height of the supporting wall. The highest point of the parapet shall not at any point exceed 30% of the height of the supporting wall.
  - 2. A three-dimensional cornice treatment, a minimum of 12 inches in height and having a minimum of three vertical changes in plane, with a variety of thickness in relief ranging from the greatest at the top to the least at the bottom.
  - 3. Overhanging eaves, extending no less than three feet past the supporting walls.
  - 4. Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one foot of vertical rise for every three feet of horizontal run and less than or equal to one foot of vertical rise for every one foot of horizontal run
  - 5. Three or more roof planes per primary facade.

**26-8.5. Building Material.**

- A. Cedar shakes, metal or steel walls, unfinished block, textured plywood, plastic siding; corrugated or reflective metal panels, and smooth or rib-faced concrete block are prohibited materials.
- B. Encouraged exterior building materials include stucco over masonry, brick, stone, and concrete masonry units. Masonry unit exteriors shall be textured and tinted and shall not create a smooth monotonous wall.
- C. Encouraged materials for sloping roofs include standing seam metal, terracotta tiles, and architectural dimensional asphalt shingles.
- D. Whenever trellises are used, the support columns shall be brick or stone in keeping with the architectural character of the building.

**26-8.6. Building Color.**

- A. Colors that are garish, gaudy, loud, excessive, or otherwise constitute a glaring and invasive contrast to surrounding buildings, shall be prohibited. Black, as the predominant exterior

building color, and similar monochromatic (all one paint color) schemes are prohibited.

- B. Building colors shall be selected based on the architectural style of the building and compatibility with the colors of adjacent buildings. The architectural styles required by this chapter are characterized by earth based pigments and natural stone colors. Shutters and window sashes are usually painted dark colors, primarily green or black.
- C. Building, trim and detail colors must be complementary.
- D. Paint colors shall be selected from the shades recommended by the National Trust for Historic Preservation.
- E. No more than three different colors or color shades (one primary/body color and no more than two accent/trim colors) should typically be used on a single building.

**Sec. 26-9. Civic and Institutional Buildings.**

- A. Civic and institutional buildings shall not be located within storefronts, shopping centers or malls, without special exception review and approval by the board of adjustment, and shall be designed in a way that stands out from adjacent developments, rather than blending in.
- B. The setbacks for civic and institutional buildings may be modified to accommodate public gathering space in front of the buildings.

**Sec. 26-10. Access, Circulation and Parking.**

**26-10.1 Access.**

- A. The use of shared access driveways is required between adjacent sites. Joint access easements will be required between property owners.
- B. Adjacent parking lots shall be connected to consolidate parking and allow for future shared parking arrangements.
- C. When it is feasible to provide vehicular access to a commercial site from a secondary street, service street or frontage road, without negatively impacting single-family residential uses, it shall be required.

**26-10.2. Pedestrian Circulation.**

**A. Sidewalks.**

- 1. A minimum six-foot wide sidewalk shall be required along all public rights-of-way adjacent to a development site.
- 2. Sidewalks located internally within private developments shall be a minimum four feet wide; however, five feet wide sidewalks are encouraged.
- 3. All sidewalks shall be constructed of concrete, concrete pavers, bricks, or a combination (i.e., concrete sidewalk with concrete paver or brick edging and/or expansion joints) and shall meet City specifications.

4. Internal sidewalks that cross vehicular driveways shall be slightly raised at a different grade than the driveway, incorporated into a speed hump.
5. Sidewalks shall be provided to connect the primary building entrance to public streets, external sidewalks, and outparcels. Whenever feasible, these sidewalks shall be covered or semi-covered (i.e. trellis, canopy, vines).
6. Internal sidewalks shall be provided every 200 feet, at a maximum, to connect rear parking lots to public sidewalks.
7. Covered visitor drop-off areas shall be provided at entrances to institutional and civic buildings.

B. Crosswalks.

1. All street crossings will have six-foot crosswalks of patterned, textured concrete, design and color as specified by the CRA Design Guidelines, edged with transverse white reflective lines.
2. A custom Oak Medallion (stamped asphalt), as specified in the CRA Design Guidelines shall be placed on the pavement in the center of key intersections, other than US 98, as funding allows.

**26-10.3. Vehicular Circulation and Parking.**

A. Parking Areas.

1. Parking areas shall be located to the rear or side of the primary building face . Parking areas located to the side of a building shall not extend more than 50% of the lot width and a street wall shall be constructed that visually extends the building frontage.
2. Where a commercial use abuts a residential zoning district, the parking area shall not be located within the required building setback abutting the residential area.
3. Parking areas shall be placed and designed to avoid conflicts between vehicular and pedestrian activities to the maximum extent possible.
4. As an incentive to reduce impervious paving and encourage landscaping, the required parking space length in commercial developments may be reduced by two feet if abutting a landscape area. Wheel stops or curbs shall be required to prevent encroachment into the required planting area.
5. Large parking lots shall be visually and functionally segmented into smaller lots with landscaped areas (i.e., landscape strips and/or islands meeting the requirements of Section 26-13).
  - a. No single parking area shall exceed 120 spaces without a landscaped strip that includes a sidewalk connected to the commercial building(s). The width of the landscaped strip shall vary depending on whether vehicles are allowed

a two-foot overhang and/or whether a sidewalk is included in the landscaped strip.

- b. A continuous landscaped strip shall be provided every other double row of parking and shall extend for the entire length of the row. The width of the landscaped strip shall vary depending on whether vehicles are allowed a two-foot overhang and/or whether a sidewalk is included in the landscaped strip.
6. Parked cars shall be screened from public rights-of-way.
7. Consolidated/shared parking with outparcels is encouraged to reduce the amount of asphalt.
8. Where a mix of uses creates staggered peak periods of parking demand, shared parking may be utilized to reduce the total amount of required parking. The applicant shall demonstrate that the parking supplied will be adequate to meet the needs of the various uses on the site.

**B. Drive-through Facilities.**

1. A pass-through lane shall be required for all drive-through facilities.
2. The pass-through lane shall be constructed adjacent to the stacking lane(s) in order to provide a way out of, or around, the stacking lane(s).

**C. Transit, Pedestrian and Bicycle Facilities.**

1. Mixed-use, large-scale developments and shopping centers shall incorporate bicycle parking/storage in their design.
2. Large-scale retail developments (one or more retail tenants providing 50,000 gross square feet or more) located on an existing transit route shall provide on-site accommodations for public transit access, including a bus pullout and shelter. If located on a possible future transit route, the development shall reserve an area of sufficient size to provide these accommodations in the future.

**Sec. 26-11. Fences/Walls.**

**26-11.1. In General.**

- A. Fences and walls between commercial uses are discouraged, unless they are necessary to screen a service area from public view.
- B. Large fenced areas such as garden centers and home improvement supply yards visible from the public right-of-way shall be screened with vinyl-coated chain link or other decorative fencing material. The area shall be landscaped and designed to be compatible with the design of the building facade.

**26-11.2. Fence/Wall Height.**

- A. Screen walls shall not exceed six feet in height measured from the lowest grade at the base.

- B. Street walls shall be a minimum of three feet and a maximum of five feet in height measured from the lowest grade at the base. Walls greater than three feet in height shall be no more than 50% solid.

**26-11.3. Fence/Wall Design and Materials.**

- A. Chain link fences shall not be permitted within the CRA, except as noted specifically in this section.
- B. Screen walls and street walls shall be constructed using brick with a limestone (real or dry-cast) or stucco cap. All street walls shall be finished on both sides of the wall. Street walls may also be made of metal fencing between brick piers as long as ornamental vines are planted at 30 feet on-center. The vines shall be a three gallon minimum at planting.
- C. Corner and gate columns must include a cap piece, which may extend up to 12 inches above the allowable wall/fence height.
- D. Cast stone medallion accents are encouraged for brick piers, particularly at entrances and corners. A cast stone frieze may also be used to accent a brick street wall. The design of the medallion and frieze shall be consistent with the style of the building.
- E. Living walls of plant material shall screen electric transformers, back flow preventers, air conditioning units, and other unsightly utilities, to the extent that the operation and maintenance of these items are not jeopardized.
- F. Where slopes for a stormwater management pond are such that fencing is required, only ornamental metal fences shall be allowed. Landscaping shall be required that meets the standards established for parking lot perimeter landscaped areas (see Section 24-?).

**Sec. 26-12. Pedestrian Amenities.**

At least one pedestrian amenity, such as public art, decorative fountains, gazebos or trellises, outdoor seating area, play area for children, or courtyard shall be provided for every 45,000 gross square feet of development.

**Sec. 26-13. Landscaping and Buffering.**

- A. Existing native trees shall be maintained to the extent possible and protected during construction.
- B. Where landscape strips are located between the public sidewalk and travel lanes a minimum of one-third of the strip shall be sodded with turf grass, another one-third with a vegetative ground cover other than sod turf/grass, and the rest with shrubs.
  - 1. Sod/turf grass shall be installed in solid, staggered panels. Solid coverage of grass areas shall be required at the time of planting.
  - 2. Living groundcover shall be installed at a spacing so as to achieve solid cover within one year of planting under normal conditions.

3. Ornamental shrubs shall be a three-gallon to five-gallon minimum, depending on the species.
- C. A shade tree planted every 40 feet on center or a canopy tree planted every 20 feet on center, depending on the location of overhead utility lines, is required in the landscape strip.
- D. Evergreen shrubs used for screening utilities (AC units, transformers, etc.) within the site shall be five-gallon size, with a four-foot height minimum at planting. The number of shrubs placed along a buffer shall equal one-third of the buffer frontage in feet.
- E. Drive-through lanes shall be screened from the right-of-way as follows:
  1. Shrubs at least 30 inches in height at the time of installation shall be planted 36 inches or less on center.
  2. Within one year of initial installation, shrubs shall have attained a minimum height of four feet to provide an opaque vegetative screen between the street and the drive-through. The shrubs must be maintained at that height and shall continue for the entire length of the drive-through cueing or stacking area. In lieu of a vegetative screen, the use of vegetated berms, with appropriate landscape materials, may be used in a manner that results in the visual separation of street right-of-way and the drive-through.

**Sec. 26-14. Irrigation.**

- A. All landscape and grassed areas shall be irrigated by an automatic, underground irrigation system. Heads for grass areas shall be on a separate zone from landscape beds.
- B. All plant containers will be irrigated by drip tubes on zones of the irrigation systems that are dedicated to drip lines.
- C. All irrigation systems shall meet the State of Florida rain sensor requirements.

**Sec. 26-15. Decorative Street Lighting.**

- A. General
  1. The City shall provide specifications for the design, installation, and technical specifications for the decorative street lighting system for the CRA.
  2. All decorative street lights shall be placed within landscape strips.
  3. If bollards are desired in addition to streetlamps, they shall be lighted bollards that match the streetlamp poles.
  4. Alternating street lights shall feature twin banner arms.
- B. Two- to Three-Lane Streets.
  1. Decorative street lamps are to line both sides of the street at a spacing to achieve the City's lighting specifications.

2. Every other light will feature twin-hanging baskets planted with seasonal color and vines alternating with banners. Drip tube for irrigating the baskets will be routed through the pole and planter arms.

C. Four- to Six-Lane Streets.

1. Decorative street lamps are to line both sides of the street at a spacing to achieve the City's lighting specifications.
2. Double head streetlights that meet the City's specifications may be placed in a landscaped median.

**Sec. 26-16. Underground Utilities, Mechanical Equipment, Outdoor Storage.**

- A. Utilities shall be placed underground to reduce damage and danger during strong storms. Underground utilities also improve the overall aesthetics of the streetscape.
- B. Loading areas or docks, outdoor storage, waste disposal, mechanical equipment, satellite dishes, truck parking, and other service support equipment shall be located behind the building line and shall be fully screened from the view of adjacent properties.
- C. Areas for outdoor storage, trash collection, and loading shall be incorporated into the primary building design and construction for these areas shall be of materials of comparable quality and appearance as that of the primary building. To the extent possible, areas for outdoor storage, trash collection, and loading shall not be located adjacent to residential areas. However, if necessary to locate adjacent to residential lots, they shall include a visual and solid acoustic buffer. When the loading and/or refuse collection area is adjacent to a residential district, deliveries and collections shall not occur between 10:00 pm and 7:00 am. To the extent possible, commercial vehicular idling shall not be allowed in areas adjacent to residential lots. Signage shall be installed prohibiting vehicular idling in areas adjacent to residential lots.
- D. Shopping cart storage shall be located inside the building or shall be screened by a four-foot high wall consistent with the building architecture and materials.

**Sec. 26-17. Stormwater Management Ponds.**

- A. Stormwater areas shall be designed as amenities if visible from the public right-of-way.
- B. Native landscaping is required to soften the visual appearance of the ponds edges. No exotic invasive plants are permitted.
- C. The pond edges should be sloped so as to avoid the necessity of fencing. Where slopes require fencing, only ornamental metal fencing will be allowed.
- D. To reduce the size of stormwater ponds that are not designed as amenities, porous concrete, underground storage and exfiltration are encouraged for paved areas.

**Sec. 26-18. Signs.**

**26-18.1. Monument Signs.**

- A. The only type of freestanding sign to be allowed is a monument sign.
- B. Monument signs shall only be allowed if the building is setback more than 15 feet from the front property line. Where allowed, the signs shall identify the business (where there is only one business on the site) or the complex (multi-tenant development).
- C. Monument signs may be displayed only if they pertain exclusively to the business carried on within the building or on the premises of the business which designates a business area or section.
- D. All components of the sign shall be architecturally compatible with the style, composition, materials, color and level of detail of the principal structure.
- E. Monument signs shall be limited to eight feet in height.
- F. Monument signs shall have 60 percent or more of the base in contact with the ground.
- G. Each individual business establishment shall have no more than 50 square feet of total sign area (100 square feet including both sides of sign), with an additional 25 square feet (50 square feet including both sides) for use by that business for a sign of the readerboard type. If a readerboard is utilized, the readerboard sign shall be a part of and shall be incorporated within the same assembly as the principal sign. If the readerboard sign is placed parallel or at an angle of not more than 45 degrees to the street, a maximum of two signs, each of not more than 25 square feet, may be utilized as readerboard signs, and the reverse side facing the business shall be blank.
- H. Each unified group of stores may have one monument sign of an area equal to ten square feet per 20 linear feet of building frontage up to a maximum sign area of 200 square feet (400 square feet including both sides).

**26-18.2. Application of Chapter 23.**

The provisions of Chapter 23 of the Land Development Code apply to all signs within the CRA: provided, however, in the event of conflict between the provisions of this Article and those set forth in Chapter 23, the provisions of this Article shall control and be adhered to.

**Sec. 26-19. Reserved.**

**ARTICLE III. CENTRAL BUSINESS DISTRICT (CBD) STANDARDS.**

**Sec. 26-20. General.**

**26-20.1. Intent.**

The aesthetic character for the CBD is that of a continuous building facade along the right-of-way

that identifies this area as the City's center of commerce and activity. In the CBD, visitors are anticipated to park in convenient locations and walk from one establishment to another, therefore the focus in the CBD District is to accommodate pedestrians.

**26-20.2. Applicability.**

The design standards in this article are applicable to all development and redevelopment, except for single-family residential dwellings, within the Central Business District (CBD). The CBD District standards shall be applied in addition to the standards contained in Article II, CRA District Standards and, if located abutting US 98, the standards contained in Article IV, Gulf Coast Parkway (US 98) district. Whenever there is a conflict between Article II or Article IV and this article, the most restrictive shall apply.

**Sec. 26-21. Building Placement.**

- A. New buildings in the CBD District shall be located a minimum two and one half feet (2.5') from the front and side corner property lines. Major renovations and redevelopment of existing projects shall be required to meet this standard to the maximum extent feasible.
- B. Any building set back 20 feet or more from the front and side property lines, for up to 50% of the building frontage, shall provide urban landscaped sidewalks and/or pedestrian courtyards, plazas, cafes, fountains, or other public gathering places within that setback.
- C. A street wall shall be required along those portions of the street frontage where the building is recessed or there is no building, except for openings for pedestrian and vehicular entrances. A street wall shall not be required along the recessed part of a building that has at least 70% of the front building wall meeting the required maximum setback
- D. Minimum side yard setbacks for development in the CBD District shall be zero feet, except:
  - 1. If the adjacent development has a side yard setback of five feet or less, the proposed development shall allow for a ten-foot separation between buildings.
  - 2. If the adjacent development was built to the side property line, the development on the proposed development site shall also be built to the property line.
- E. In no event shall the side setbacks (both sides of the site combined) exceed 50 percent of the street frontage. The area between the building and the side property line shall include a street wall to ensure facade continuity.

**Sec. 26-22. Facade Continuity.**

- A. The number of gaps between buildings along the block face shall be limited. Street walls are required in the CBD to maintain this continuity (see Section 26-11).
- B. When a gap occurs between two buildings, the following alternatives shall be considered to avoid breaking the facade continuity:
  - 1. Pedestrian passageways/courtyards maybe provided to connect the street front and

the rear parking areas, especially throughout the center of a large block.

2. A street wall or low decorative façade connecting the two buildings may be provided along the entire portion of the street frontage not devoted to pedestrian or vehicular access. The street wall shall meet the design requirements as stated in Article II of this Chapter.
3. When vehicular access is necessary to provide access to side or rear parking, a gateway, arch or similar feature may be provided. The width of the driveway shall not exceed 24 feet.
4. Lots that have been vacant for a period of more than six months and are located between development sites that meet the standards of this article shall install a street wall or hedge along the property line/public sidewalk.

**Sec. 26-23. Outparcels/Drive-Through Facilities.**

- A. Outparcels are not appropriate within the CBD, unless the sites are designed to comply with the standards of this Chapter.
- B. Drive-through facilities are discouraged in the CBD, unless they can be accommodated within the parameters of the CBD urban form. The lanes and windows must be screened entirely from the public right-of-way.

**Sec. 26-24. Parking.**

**26-24.1. Shared/joint Parking Facilities.**

Shared/joint parking facilities are encouraged within the CBD. New development or redevelopment projects shall be required to design a vehicular circulation plan that will allow for immediate or future linkage between adjacent properties' parking lots, when feasible. The owners/developers of the new development/redevelopment project shall contact the adjacent property owners and try to negotiate an agreement for shared/joint parking facilities.

**26-24.2. Use of Public Parking Facilities.**

Use of public parking lots within 200 feet from a development site, and on-street parking spaces adjacent to the site, may be acceptable to meet parking space requirements. The owner/developer would be required to enter into an agreement with the City to use public parking spaces.

**26-24.3. Parking Lot Landscaping.**

Each landscape island within a parking lot shall contain at least one canopy tree or two understory trees (four inch caliper minimum each at planting). Landscape islands adjacent to a head-to-head parking row will contain at least two canopy trees or four understory trees (four inch caliper minimum each at planting). These trees may be planted in clusters or spaced in formal rows. A palette of approved trees is included in the appendix of the CRA Design Guidelines.

**Sec. 26-25. Building Perimeter Planting.**

- A. There shall be a perimeter landscape strip between the public sidewalk and the building. This area shall be landscaped with accent shrubs, ground covers, vines and seasonal color. This area may be paved if containers and/ or planter boxes are used to accent the windows and doors.
- B. All plant containers and the landscape strips shall be irrigated with drip tubes on irrigation zones dedicated to drip systems.

**Sec. 26-26. Right-of-Way Design.**

**26-26.1. Intent and Applicability.**

- A. Intent. The intent of the standards in this section is to provide private developers a framework in which to provide formal, on-street parking (parallel or angled) within the right-of-way of two-lane streets located within the CBD District, which accomplishes three purposes:
  - 1. Vehicular traffic is slowed down so that is safer for pedestrians and parking maneuvers;
  - 2. Convenient parking is available close to buildings; and
  - 3. Provides a better design alternative to the typical surface parking lots that can be unsightly from the street.
- B. Applicability. The standards in this section shall apply to all streets located within the CBD except for Gulf Breeze Parkway/US 98 (See Article IV of this chapter). The City shall coordinate with the developer during the development review process to decide whether, and what type of, on-street parking facilities, as described below, are required.

**26-26.2. On-Street Parking Requirements.**

- A. Parallel and angled parking spaces shall meet the dimensions specified in Section 24-39(10). Landscape islands ("bump outs") as wide as the parking area will be required at the end of each parking row and at street intersections.
- B. Construction of a two-foot wide, Type "F" curb and gutter section is required.
- C. A minimum six-foot to maximum eight-foot wide sidewalk shall be constructed adjacent to the parking spaces comprised of materials and of a construction that meet the City's specifications.
- D. A minimum five-foot to maximum ten-foot wide landscape strip separating the sidewalk from the building or street wall is required.
- E. A shade tree planted every 40 feet on center or a canopy tree planted every 20 feet on center, depending on the location of overhead utility lines, is required in the landscape strip.

**Sec. 26-27. Streetscape Furnishings.**

- A. Developers within the CBD District are encouraged, and may be required, to provide certain streetscape furnishings as described in this subsection, within the public right-of-way in front of the development site. The location of these furnishings requires coordination with and approval from the City and the FDOT if applicable. The CRA Design Guidelines includes vendors and required streetscape furnishings' styles. A. Sculptures and decorative fountains, if proposed in common areas within the CBD, shall be selected to complement the approved architectural styles.
- B. Newspaper stands, if any are proposed within the development or within the public right-of-way, shall be grouped together in a custom made black metal enclosure in keeping with the Italianate and Neo-classical st approved architectural styles.
- C. Information kiosks, if used within the development or the public right-of-way, shall be designed to coordinate with the newspaper stands.
- D. A water fountain and a bike rack shall be installed within the landscape strip adjacent to the sidewalk, spaced every 1,000 feet minimum along local interior streets.
  - 1. An additional water fountain/bike rack combination shall be installed at each public open space or plaza if not within 50 feet of the one on the public right-of- way.
  - 2. Bike racks shall be constructed of black metal and shall be set perpendicular to the street so that parked bicycles do not impede pedestrian circulation.
- E. Waste receptacles grouped with plant containers shall be installed at each street intersection on opposite corners.
  - 1. Additional waste receptacles shall be spaced every 600 feet at a maximum.
  - 2. All waste receptacles shall be grouped with one or two plant containers of staggered heights.
  - 3. Each plant container shall be planted with a feature plant of colorful foliage or flowers. The remainder of the container shall be planted with seasonal color to be replanted three times per year.
  - 4. All plant containers shall be irrigated by drip tubes on their own zone of an automatic irrigation system or on other zones dedicated to drip systems.
- F. Benches shall be located to one side of the public sidewalk spaced every 300 feet at a maximum. Benches may be located adjacent to the waste receptacle/ planter groupings.

**Sec. 26-28. Traffic and Wayfinding Signs.**

**26-28.1. Traffic and Street Signs.**

Fluted aluminum poles shall be used for traffic and street signs to match the style of the street lamp poles. The CRA Design Guidelines includes vendors and required styles. The signage shall meet

FDOT requirements.

**26-28.2. Wayfinding Signs.**

Wayfinding signs may be installed by the City within the public right-of-way. The location and business names to be displayed will be determined on a case by-case basis.

**Sec. 26-29. Reserved**

**ARTICLE IV. GULF BREEZE PARKWAY (US 98) STANDARDS.**

**Sec. 26-30. Parking.**

- A. Due to the speed and volume of traffic, no on-street parking will be permitted on US 98.
- B. Parking lots along US 98 shall be accessed through secondary streets, service roads, or entrance drives perpendicular to US 98.
- C. The use of joint access driveways is required between sites to reduce the number of access points on US 98. Appropriate cross-access easements will be required.
- D. One bay of parking is the maximum amount of parking permitted in front of buildings facing US 98. Additional parking must be located to the rear or side of the building, in shared parking lots, and/or on adjacent local roads.

**Sec. 26-31. Streetscape Elements.**

- A. The developer shall be responsible for improving existing sidewalks adjacent to the site to include a minimum six-foot wide sidewalk and a minimum five-foot to maximum ten-foot landscape strip separating the building/street wall from the sidewalk.
- B. Depending on the existence of overhead utility lines, a canopy street tree shall be planted every 40 feet on center, or an understory street tree shall be planted every 20 feet on center, in the landscape strip or within tree grates in the sidewalk.
- C. Improvements on US 98 require approval by FDOT.

**Sec. 26-32. Fences and Walls.**

- A. Street walls are the only types of fences/walls allowed along US 98.
- B. Any parking between the building and US 98 will be screened by a street wall. The street wall will be set in the landscape area adjacent to the public sidewalk.

**Sec 2.**

**Sec 20-41 (C) (2) is hereby amended to read as follows:**

- 2. All subdivision platting, non residential development activity involving the addition of 1,000 or more gross square feet of floor area; and all new development within the CRA, except for single – family residential structures.

**SECTION 3 - SEVERABILITY**

If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by any court to be unconstitutional, inoperative, invalid or void, such holding shall not in any manner affect the validity of the remaining portions of this Ordinance.

**SECTION 4 - CONFLICT**

The provisions of this Ordinance shall be deemed to control and prevail over any ordinance or portion thereof in conflict with the terms hereof.

**SECTION 5 - EFFECTIVE DATE**

This Ordinance shall become effective upon its adoption by the City Council.

PASSED ON THE FIRST READING ON THE 19<sup>th</sup> DAY OF MARCH, 2012.

ADVERTISED ON THE ON THE 22<sup>ND</sup> DAY OF MARCH, 2012.

PASSED ON THE SECOND READING ON THE \_\_\_\_ DAY OF APRIL, 2012.

By: \_\_\_\_\_  
Beverly Zimmern, Mayor

ATTESTED TO BY:

\_\_\_\_\_  
Marita Rhodes, City Clerk



# City of Gulf Breeze

April 3, 2012

TO: Edwin A. Eddy, City Manager

FROM: Marita Rhodes, City Clerk *MR*

SUBJ: **CONTRACT RENEWAL - CITY OF GULF AND FLORIDA  
DEPARTMENT OF TRANSPORTATION - MAINTENANCE  
OF U.S. HIGHWAY 98**

In preparing paperwork to renew the contract for the City to maintain U.S. Highway 98 from the Pensacola Bay Bridge to the City limits at the east end of the Live Oak National Seashore Park, between the City of Gulf Breeze and Florida Department of Transportation, we found Resolution No. 08-11 was for a period of July, 2011 through June 2012. We have prepared Resolution No. 07-12 to cover the new renewal contract period from July 2012 through June 2013.

**RECOMMENDATION:**

**That the City Council adopt Resolution 07-12 to approve the Contract Renewal with the Florida Department of Transportation on April 16, 2012.**

**RESOLUTION 07-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA AUTHORIZING THE CITY MANAGER TO ENTER INTO A HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION.**

**WHEREAS**, many roadside areas and median strips abutting Department of Transportation rights-of-way areas must be maintained and attractively landscaped; and,

**WHEREAS**, the Mayor and City Council desire that the City of Gulf Breeze beautify and improve various rights-of-way areas within the City of Gulf Breeze by landscaping; and,

**WHEREAS**, the Mayor and City Council of the City of Gulf Breeze wish to authorize the City Manager to enter into a Maintenance Memorandum of Agreement between the City of Gulf Breeze and the Florida Department of Transportation.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA IN REGULAR SESSION AS FOLLOWS:**

**SECTION 1:** The City Council of the City of Gulf Breeze hereby authorize the City Manager to enter into a Maintenance Memorandum of Agreement for the period July, 2012 through June, 2013, between the City of Gulf Breeze and the State of Florida Department of Transportation.

**SECTION 2:** The City Clerk of the City of Gulf Breeze is hereby directed to send copies of this Resolution to the Department of Transportation and all other persons as directed.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF  
GULF BREEZE, SANTA ROSA COUNTY, FLORIDA** on this \_\_\_\_ day of  
\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

ATTEST

\_\_\_\_\_  
City Clerk



## Florida Department of Transportation

RICK SCOTT  
GOVERNOR

1074 Highway 90  
Chipley, Florida 32428

ANANTH PRASAD, P.E.  
SECRETARY

March 1, 2012

Mr. Ron Pulley, Director of Parks and Recreation  
City of Gulf Breeze  
800 Shoreline Drive  
Gulf Breeze, Florida 32561

**RE: Memorandum of Agreement with City of Gulf Breeze  
Financial Project Identification Number: 42378217819; Contract Number AQA40**

Dear Mr. Pulley:

The subject agreement will end June 30, 2012. Enclosed are four (4) original copies of Renewal No. 1 of the Memorandum of Agreement between the City of Gulf Breeze and the Florida Department of Transportation. If your city desires to continue this agreement with the Department, please execute and seal each copy and return all copies to this office along with the Resolution covering this work. Final execution of this agreement is contingent upon funding.

Please return your executed agreements to our office by April 30, 2012. If circumstances will not allow you to return these documents by this date, please notify our office as soon as possible.

We appreciate your assistance in preparation of this agreement. When final execution is accomplished, a copy will be forwarded to you for your records. If you have any questions, please feel free to call Thalon Hobbs, District Maintenance Contracts Administrator toll-free at 1-888-638-0250, extension 727 or via e-mail at [thalon.hobbs@dot.myflorida.com](mailto:thalon.hobbs@dot.myflorida.com).

Sincerely,

Thalon P. Hobbs  
District Maintenance  
Contracts Administrator

Enclosure

cc: Mr. Steve Hunt, Ms. Meshelle England, Ms. Dustie Moss

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**CONTRACT RENEWAL**

375-020-23  
CONTRACTS ADMINISTRATION  
OGC - 04/06

Contract No.: AQA40 Renewal: (1st, 2nd, etc.) 1st  
Financial Project No(s): 42378217819  
County(ies): Santa Rosa

This Agreement made and entered into this        day of July, 2012, by and between the State of  
(This date to be entered by DOT only.)  
Florida Department of Transportation, hereinafter called "Department", and City of Gulf Breeze  
hereinafter called "Contractor".

**WITNESSETH:**

WHEREAS, the Department and the Contractor heretofore on this 1st day of July 2011  
(This date to be entered by DOT only)  
entered into an Agreement whereby the Department retained the Contractor to perform roadside areas shall be  
attractively maintained by mowing, mechanical sweeping, edging and sweeping and litter removal  
; and

WHEREAS, said Agreement has a renewal option which provides for a renewal if mutually agreed to by both parties and subject to the same terms and conditions of the original Agreement;

NOW, THEREFORE, this Agreement witnesseth that for and in consideration of the mutual benefits to flow each to the other, the parties agree to a renewal of said original Agreement for a period beginning the 1st day of July, 2012 and ending the 30th day of June, 2013 at a cost of \$ 38,790.56

All terms and conditions of said original Agreement shall remain in force and effect for this renewal.

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized officers on the day, month, and year set forth above.

City of Gulf Breeze Beverly H. Zimmerman  
Name of Contractor  
Beverly H. Zimmerman, Mayor  
Contractor Name and Title  
BY: Beverly H. Zimmerman  
Authorized Signature

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION

BY: \_\_\_\_\_  
District Secretary or Designee (Signature)

Title: \_\_\_\_\_

\_\_\_\_\_  
Name of Surety (SEAL)

Legal: \_\_\_\_\_

\_\_\_\_\_  
City State

Fiscal: \_\_\_\_\_  
Approval as to Availability of Funds

By: \_\_\_\_\_  
Florida Licensed Insurance Agent or Date  
Attorney-In-Fact (Signature)

Countersigned: \_\_\_\_\_  
Florida Licensed Insurance Agent Date



# *City of Gulf Breeze*

## Police Department

Robert C. Randle  
*Chief of Police*

Richard Hawthorne  
*Deputy Chief of Police*

March 27, 2012

To: Edwin Eddy, City Manager

From: Robert Randle, Chief

Re: Govdeals.com

I have attached a list of police department property that Sgt. Neff is requesting to be deemed as surplus/salvage. This property is of minimal value to us and has not been used in a long time. Sgt. Neff has taken it upon himself to prepare these items to be placed on the Govdeals.com auction web site. The proceeds from any item we sell on this auction web site will be deposited directly into the City General Fund, minus a 7.5% transaction fee.

**RECOMMENDATION:** That the City Council allow us to proceed with selling this surplus property on the Govdeals.com auction site with the proceeds being deposited into the City General Fund.





## ***Gulf Breeze Police Department***

To: Chief Randle  
From: Sgt. Neff  
Re: Surplus Equipment  
Date: 03-14-2012

I have indicated a list of property below that I wish for the city council to deem surplus property in accordance with ordinance # 2-126. These items are of no use to the city any longer and need to be disposed of in accordance with Article 5, Gulf Breeze City Ordinance. As per our code enforcement officer, I would like to use these items as a "test run" in the new "Govdeals" auction site.

### **Lot #1**

- (7) Computer Monitors
    - s/n: mx04512r4780107kb10c
    - 19cmf580608863
    - 8324u002u00569
    - canku670022s
    - 1780ra6bu0
    - canku6700709
    - cakku6s41232
- 

### **Lot #2**

- (2) VHS Panasonic VHS trunk-mount video recorders
    - s/n: f7tb00087, h6ta00030
  - (1) IBM Typewriter s/n 032685020209
  - (3) APC Battery Backup
- 

### **Lot #3**

- (5) Intoxilyzer 400 Portable Breath Testers
    - s/n: 600119, 058190D, 042904D, 061166D, 076083D
  - (2) Intoxilyzer 300 Portable Breath Testers
    - s/n: 038641D, 033773D
- 

### **Lot #4**

- (4) Partition cages for Ford Crown Victoria



# *City of Gulf Breeze*

## Memorandum

**To:** Mayor and City Council

**From:**  Edwin A. Eddy, City Manager

**Date:** 4/5/2012

**Subject: Sculpture Project**

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At the April 2, 2012 Council meeting, payment was authorized for a sculpture by Peter King. Current plans call for the King sculpture to be installed in Shoreline Park South just south of Shoreline Drive. The Council previously approved payment for the sculpture at Wayside Park East (major donor – Michael and Jo Ann Price) and a sculpture donated by Fred Levin to be placed in the 9/11 park just east of the overpass to the beach.

A sculpture is planned for Woodland Park to be built by Lou Courtney. The donor is Michael and Lynn Murdoch. In order to proceed with this sculpture, the Council needs to authorize payment to the artist Lou Courtney in the amount of \$20,000.

### **RECOMMENDATION:**

**THAT THE CITY COUNCIL APPROVE PAYMENT OF \$20,000 TO LOU COURTNEY FOR A SCULPTURE TO BE PLACED IN WOODLAND PARK.**



# *City of Gulf Breeze*

## MEMORANDUM

**TO:** Edwin A. Eddy, City Manager  
**FROM:**  David J. Szymanski, Assistant City Manager  
**DATE:** April 4, 2012  
**SUBJECT:** City of Gulf Breeze Master Planning Invoice

On May 9, 2011, the City Council directed staff to draft a Request for Proposal for a Master Planning consultant for the City and Hwy 98. The RFP stated that the City of Gulf Breeze was interested in the creation of a master plan to guide the short, intermediate and long-term development of the downtown commercial corridor. The proposed plan was to address the operating efficiency of the Gulf Breeze Parkway transportation corridor within the City of Gulf Breeze. Staff added a reference to assistance with planning an underground wiring project on U.S. 98 to the project at Council direction. The impetus for this project was the pending replacement of the Pensacola Bridge by the Florida Department.

On November 7, 2011 the City Council selected VHB MillerSellen for the Master Plan Project and directed staff to negotiate scope of work and a contract. An agreed upon contract was signed by the Mayor in February 2012.

We have received Invoice No: 0145430 for professional services from February 19, 2012 to March 17, 2012. in the amount of \$11,489.67. This is the first payment against this \$329,500 contract. It is recommended that Council approve payment. This project is funded by the Community Redevelopment Agency.

**RECOMMENDATION:** That the City Council meet as the Board of Directors of the Community Redevelopment Agency on Monday, April 16, 2012 and approve payment of Invoice No. 145430 for \$11,489.67 to VHB MillerSellen.



101 Walnut Street, PO Box 9151, Watertown, MA 02471  
617.924.1770 • FAX 617.924.2286

# Invoice

Invoice No: 0145430  
March 21, 2012

Mr. Edwin Eddy  
City Manager  
City of Gulf Breeze  
1070 Shoreline Drive  
Gulf Breeze, FL 32561

VHB Project # 61691.00

Gulf Breeze Master Plan

**Professional Services from February 19, 2012 to March 17, 2012**

Task 00000 Reimbursables  
Fee

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Context Report	25,000.00	20.00	5,000.00	0.00	5,000.00
Public Participation Process	105,000.00	1.00	1,050.00	0.00	1,050.00
Revitalization Alternatives	75,000.00	0.00	0.00	0.00	0.00
Market Analysis	54,500.00	0.00	0.00	0.00	0.00
Master Plan Preparation	55,000.00	0.00	0.00	0.00	0.00
<b>Total Fee</b>	<b>314,500.00</b>		<b>6,050.00</b>	<b>0.00</b>	<b>6,050.00</b>
<b>Total Fee</b>				<b>6,050.00</b>	

**Reimbursable Expenses**

Travel & Lodging	2,432.93
Meals	37.66
Printing	6.58
<b>Total Reimbursables</b>	<b>2,477.17</b>
<b>Total this Task</b>	<b>\$8,527.17</b>

Task 00700 Coordination with Agencies  
Professional Personnel

	Hours	Rate	Amount
Technical/Professional 12	12.50	145.00	1,812.50
Technical/Professional 09	10.00	115.00	1,150.00
Totals	22.50		2,962.50
<b>Total Labor</b>			<b>2,962.50</b>
<b>Total this Task</b>			<b>\$2,962.50</b>

**Total this Invoice \$11,489.67**

**Billings to Date**

Fee	Current	Prior	Total
	6,050.00	0.00	6,050.00

**Payment Due Upon Receipt.**

*Remittance copy*

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Project	61691.00	City of Gulf Breeze/Master Plan/Santa Ro		Invoice	0145430
Labor		2,962.50	0.00	2,962.50	
Expense		2,477.17	0.00	2,477.17	
<b>Totals</b>		<b>11,489.67</b>	<b>0.00</b>	<b>11,489.67</b>	

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**Payment Due Upon Receipt.**

*Remittance copy*



# *City of Gulf Breeze*

## Memorandum

**To:** Mayor and City Council

**From:** Edwin A. Eddy, City Manager

**Date:** 4/4/2012

**Subject:** Appointment to Fill City Council Seat A

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On April 2, 2012, nominations were made to fill City Council Seat A. No consensus was reached. The City has received resumes or letters of interest from three (3) individuals interested in filling the seat. Those letters are attached. The Council may wish to consider this matter again at your April 16<sup>th</sup> meeting.

# **Bruce W. DeMotts**

827 Bay Cliffs Road, Gulf Breeze, FL 32561

850.916.9873

## **EXPERIENCE**

*Air Traffic Controller* – 1997 to present  
Federal Aviation Administration, DOT Civil Service  
Pensacola International Airport, Pensacola, FL  
Certified OJT Instructor with over 30 years experience.

*Air Traffic Controller* – 1997-1990  
Federal Aviation Administration, DOT Civil Service  
Miami International Airport, Miami, FL

*Air Traffic Controller* – 1990-1985  
Federal Aviation Administration, DOT Civil Service  
Meridian Approach Control at Naval Air Station, Meridian, MS

*Air Traffic Assistant* – 1985-1983  
Federal Aviation Administration, DOT Civil Service  
Palm Beach International Airport, Palm Beach, FL

*Air Traffic Controller* – 1983-1981  
US Army at Bradshaw Army Airfield, Hilo, HI

*Air Traffic Controller* – 1981-1978  
US Army at Ft. Rucker, AL

## **EDUCATION**

Federal Aviation Administration Training Academy, Oklahoma City, OK – 1984 Graduate  
Dixie Hollins High School, St. Petersburg, FL – 1978 Graduate

## **COMMUNITY SERVICE**

Variance Board, City of Gulf Breeze, 2011-present  
Development Review Board, City of Gulf Breeze, 2008-2010  
Park Advisory Board, City of Gulf Breeze, 2002-2004  
Hurricane Relief Volunteer, City of Gulf Breeze, 2004  
Gulf Breeze Sports Association, Coach (Baseball, T-ball, Softball, Volleyball) 1999- 2009  
Announcer, Gulf Breeze High School Boys Varsity Soccer Games, 2010-2012  
President and VP, Gulf Coast Regional Mustang Club, 1998-2002  
Boy Scouts of America, Troop 11, Various Committee Positions, 2004-2010  
GBHS Marching Band & Indoor Percussion Volunteer, 2010-2012  
Gulf Breeze United Methodist Church, Active Member, 1998- present

Cherry Fitch  
306 Plantation Hill Rd  
Gulf Breeze, FL 32561  
850.723.9723

I would love to apply for the interim position for Gulf Breeze City Council. As a member of the community and the school system since 1971, I have had the opportunity to work with city in a variety of aspects, both school related and personally via committees. Each opportunity, I have been impressed with the professionalism and spirit of cooperation I have experienced. It would be an honor to represent our citizens and work on the city council in the continued future planning as well as on the implementation of these plans.

Educational background:

University of West Florida	BA English Ed	1970
Troy State University	MS Guidance and Counseling	1976
University of West Florida	MS Educational Leadership	1991

Work history:

Currently realtor with Levin-Rinke Resort Realty	2006-	
Principal, Gulf Breeze High School		1997-2006
Assistant Principal, GBHS		1995-1997
Director of Curriculum/Guidance		1990-1995
Guidance Counselor/English Teacher		1971-1990

Volunteer Organizations/Memberships:

Santa Rosa Education Foundation  
Gulf Breeze Rotary/Board of Directors  
Gulf Breeze United Methodist Church/Staff Parish Committee  
Gulf Breeze Chamber of Commerce  
Impact 100  
Women's Council of Realtors

Recognitions:

Florida High School Principal of the Year 2005  
Santa Rosa Principal of the Year 2005  
Santa Rosa Teacher of the Year 1993  
WCR – Top Gun Realtor 2011  
Nominated for Sacred Heart Spirit of Women Award 2006

Activities on behalf of City of Gulf Breeze:

Master Planning Steering Committee

Visioning Committee (resulted in creation of City's architectural guidelines)

Architectural Review Board

City's 50<sup>th</sup> Anniversary Planning Committee

Assisted City in facilitating Daniel Drive extension

Assisted City in possible acquisition of Live Oak shopping center

3/12/2012



Beverly Zimmern  
1070 Shoreline Dr.  
Gulf Breeze, Fl. 32561

Mayor Zimmern,

Recently I had a conversation with Dana Morris and understand he will be moving to Panama City Florida which leaves a vacant seat open on the Gulf Breeze City council.

Currently I serve as chairman of the Development Review Board for Gulf Breeze and would be interested in pursuing the vacant seat.

The Schuster's have a long history with the City of Gulf Breeze. I was born and raised here. My father Charles Schuster was one of the first members of the Gulf Breeze fire department, on the board of Gulf Breeze Hospital, was a charter member of the Gulf Breeze Presbyterian church and President of the Gulf Breeze Rotary Club. Clearly I have big shoes to fill. My wife and I are business owners of Wishee Washee Car wash on Hwy 98 and I am the General Manager of Camping World in Gulf Breeze. We have 3 children all attending the Gulf Breeze school system.

I love this city and although I want to continue to see it grow, hope it remains one of the best kept secrets in Florida. It would be an honor to serve the public interest in this new capacity along with you , Mr. Henderson, Mr. Landfair and Mr. Schluter. Thank you for the consideration. I can be reached on my cell at 850-206-6576. Or email at [jschuster08@gmail.com](mailto:jschuster08@gmail.com)

Sincerely,

A handwritten signature in black ink, appearing to read "John Schuster". The signature is written in a cursive style with a large loop at the end.

John Schuster



# *City of Gulf Breeze*

## Memorandum

**To:** Mayor and City Council

**From:**  Edwin A. Eddy, City Manager

**Date:** 4/5/2012

**Subject:** Presentation of Historical Video

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In order to celebrate the City's 50<sup>th</sup> Anniversary, a group of citizens including Sharon Sims and Martha Smith, prepared a video of remembrances from people who were part of the City's history. The City contributed to the effort.

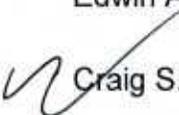
The group would like to make a presentation to the City Council relative to this matter on Monday, April 16<sup>th</sup>.



# *City of Gulf Breeze*

## **MEMORANDUM**

TO: Edwin A. Eddy, City Manager

FROM:  Craig S. Carmichael, Director of Community Services

DATE: April 4, 2012

**SUBJECT: VARIANCE EXPIRATION**

As you are aware, several weeks ago Mr. Belie Williams approached the City Council with a request to change the zoning designation on the parcel(s) of property that make up The Villas at Gulf Breeze.

The driving force behind Mr. Williams' request was his attempt to refinance the mortgage through Housing Urban Development (HUD). Because the project received several variances when originally developed, HUD wanted written confirmation that the variances would remain in force if the building were destroyed. Unfortunately, the City is unable to provide such confirmation because of the City's Land Development Code (LDC) contains a provision that if any building or structure for which a special privilege has been granted is removed, destroyed or abandoned, the variance or special exception becomes null and void.

During the City Council meeting or shortly thereafter, it was suggested that the best course of action would be to change the LDC so that there would be a two year expiration grace period for variances in those instances when a building or structure is destroyed by acts of God or other circumstances beyond the owner's control.

Staff has amended the appropriate Section of the LDC and has submitted the proposed language to the City Attorney for review.

**Sec. 20-112. Expiration of special exceptions and variances.**

If any building or structure for which a special privilege has been granted is removed, destroyed or abandoned, the variance or special exception becomes null and void.

The preceding sentence notwithstanding, if any building or structure for which a special privilege or variance has been granted is damaged or destroyed by an act or acts of God or other circumstances beyond the owner's control, the special exception or variance shall remain in force and the building or structure can be replaced provided: (i) it is rebuilt in the same location (ii) it is rebuilt with the same dimension, height and density and/or floor area, (iii) the principal use of the building(s), structure(s) and property remain the same (iv) it is rebuilt within two (2) years of the date it was damaged or destroyed.

Provided that the language is acceptable to the City Attorney, the City Council needs to approve the change. If the City Council approves the proposed language as submitted, staff will prepare the ordinance for first reading at the Regular City Council Meeting scheduled for Monday, April 16, 2012.

**RECOMMENDATION: THAT THE CITY COUNCIL APPROVE THE PROPOSED LANGUAGE AS SUBMITTED AND STAFF WILL PREPARE THE ORDINANCE FOR FIRST READING AT THE REGULAR CITY COUNCIL MEETING SCHEDULED FOR MONDAY, APRIL 16, 2012.**

CSC