



CITY OF AVON PARK

Highlands County, Florida

110 East Main Street

Avon Park, Florida 33825

October 21, 2015

Avon Park City Council
110 East Main Street
Avon Park, Florida 33825

Dear Council Members:

Pursuant to City Ordinance No. 874, you are hereby notified of a Regular Meeting of the City Council on Monday, October 26, 2015, at 6:00 PM in the City Council Chambers located at 123 East Pine Street, Avon Park, Florida. If you are unable to attend, please contact me at 452-4403 or email the City Clerk: Sutherland@avonpark.cc

Sincerely,

A handwritten signature in blue ink, appearing to read "Julian Deleon", is written over a horizontal line.

Julian Deleon
City Manager



CITY OF AVON PARK
Highlands County, Florida

CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS
123 E. Pine St., Avon Park, FL
October 26, 2015 6:00 PM

A. OPENING

1. Invocation
2. Pledge of Allegiance
3. Roll Call

B. CITIZENS/OUTSIDE AGENCIES

4. Thanksgiving Proclamation/ Avon Park Ministerial Assoc.

C. CONSENT AGENDA:

5. Approve Regular Minutes, October 12, 2015
6. Approve Special Meeting Minutes, October 14, 2015

D. COMMITTEE REPORTS/ ATTY UPDATES/ ANNOUNCEMENTS/ PRESENTATIONS:

7. Term of Office ending for Councilman Anderson

E. ADMINISTRATIVE:

8. Resolution 15-23 JPA for T-Hangar demo and construction
9. CDBG for Southside CRA district denial of submitted plans
10. Ordinance 25-15 Amending FLU of Approx 134 Acres
 - First Reading
11. Ordinance 26-15 Amending Zoning of Approx 134 Acres
 - First Reading
12. Ordinance 23-15 Annex Approximately 39 Acres of land Owned by Crews Groves.
 - 2nd and final reading.

G. CITIZENS PARTICIPATION

H. ADJOURN

Any person who might wish to appeal any decision made by the City Council of the City of Avon Park, Highlands County, Florida, in public hearing or meeting is hereby advised that he/she will need a record of

the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made which will include the testimony and evidence upon which such appeal is to be based. Any person with disabilities requiring accommodations in order to participate should contact the City Manager prior to the meeting.

B-4

1001 Locke Street
Avon Park, Florida 33825
October 9, 2015

Mayor Schuler,

I am enclosing a Thanksgiving Proclamation adapted from a draft written by the American Family Association with their permission and encouragement to use. As we discussed, the Avon Park Ministerial Association would like for you make a Proclamation for our city that would be printed in the local newspapers and hope you will find this Proclamation helpful to use or adapt.

We would also invite you to read the Proclamation at our Community Thanksgiving Service Sunday, November 22, 2015, at 6 pm. The Avon Park Lakes Baptist Church is hosting this community event this year.

Each U.S. president since Abraham Lincoln in 1863 has issued a national Thanksgiving Proclamation. In these days when there is an attempt to remove all recognition of God from public life, the Thanksgiving Proclamation is an opportunity to remember that the United States of America has always acknowledged that our nation is dependent on God's grace and providence.

We thank you for your service to our city and pray for God to give you guidance and wisdom.

If you have any questions or I can be of help, please contact me by phone at 863-453-3280 or email at garypendrak@gmail.com.

Sincerely,



Gary Pendrak
Avon Park Ministerial Association

Thanksgiving Proclamation

Thursday, November 26, 2015

AS our Founding Fathers recognized their dependence on God and the work of His hand in their lives and this nation, let us again humbly acknowledge God and His protection and provision for us today, across the nation and in our community. In the midst of all the chaotic events in our nation and around the world, we are reminded that security and liberty continue in our nation only because of God's loving care. We are able to wake each morning and exercise the right to life, liberty, and the pursuit of happiness; to worship freely and openly; and to go through each day without fear for our lives. For those, and countless other blessings, we thank Him.

Furthermore, we bend our knees to ask Him to revive and uphold godliness in the lives of the men and women in our nation and our community.

With freedom comes the responsibility for obedience to God and His commands, and so we confess our sins as a nation and ask His forgiveness as we pursue peace, justice, righteousness, and His favor. With grateful hearts, we praise God for His longsuffering, kindness, mercy, and goodness.

Signed _____

Mayor of the City of Avon Park, Florida

Date _____

C-5

CITY COUNCIL REGULAR MEETING MINUTES
Council Chambers – 123 E. Pine St., Avon Park, FL
October 12, 2015
6:00 PM

Members Present: Mayor Sharon Schuler, Deputy Mayor Brenda Giles Councilman Parke Sutherland Councilman Terry Heston, Councilman Garrett Anderson

Members Absent: None

Others Present: City Manager Julian Deleon, Administrative Services Director/City Clerk Maria Sutherland, Attorney Gerald T. Buhr, Members of Press and Audience.

Mayor Sharon Schuler called the meeting to order at 6:00 P.M. The invocation was given and the Pledge of Allegiance was recited. The roll was called and a quorum was present.

CITIZENS/OUTSIDE AGENCIES

Chamber of Commerce requests for Street closures for Special events:

Four (4) separate events need street closure (HWY 64/Main Street):

- A. Fifth Annual Harvest Festival 10/17/15
- B. Annual Christmas Parade 11/30/15
- C. Christmas on Main Street 12/7/15
- D. Springtime on the Mall (a Fri and Sat in March not to conflict with Race Week)

Motion by Deputy Mayor Brenda Giles to allow **A, B,** and **C** above events and street closures. Seconded by Councilman Terry Heston. Motion passed unanimously.

Motion by Deputy Mayor Brenda Giles to allow **D** above with a date to be open-ended. Seconded by Councilman Terry Heston. Motion passed unanimously.

CONSENT AGENDA

Approve Special Meeting Minutes, September 25, 2015 and Special Meeting Minutes, October 2, 2015

Motion by Councilman Parke Sutherland, Seconded by Councilman Terry Heston to approve consent agenda as presented. Motion passed 4 to 1 with Councilman Garrett Anderson voting no.

ADMINISTRATIVE:

Motion by Councilman Parke Sutherland to approve the continuing contract with Central Florida Regional Planning Council for planning services for the 2015-2016 fiscal year with a contract amount of \$ 20,000. Seconded by Councilman Terry Heston. Motion passed 4-1 with Councilman Anderson voting no.

Motion by Councilman Sutherland to approve the transfer of ownership of the Brickell Building from the City to the Main Street CRA. Motion passed 4-1 with Councilman Anderson voting no.

Motion made by Deputy Mayor Giles, Seconded by Councilman Terry Heston to award Bid 101-15 to Orlando Freightliner for the purchase of a new Knuckle boom truck in the amount of \$136,967. Motion passed unanimously.

Crews property annexation/ Ordinance 23-15. City Attorney Buhr read the title of Ordinance 23-15 into the record. **Motion** made by Councilman Sutherland and Seconded by Councilman Terry Heston to approve the first reading of Ordinance 23-15. Motion passed unanimously.

Motion made by Deputy Mayor Giles to terminate the airport drainage construction contract between the City and LSF. Seconded by Councilman Terry Heston. Motion passed unanimously.

Meeting adjourned at 6:16 PM

Attest:

Maria Sutherland, City Clerk

Sharon Schuler, Mayor

C-6

CITY COUNCIL SPECIAL MEETING MINUTES
Community Center, Avon Park, Fl.
October 14, 2015
6:00 P.M.

Council members Present: Mayor Sharon Schuler, Deputy Mayor Brenda Giles, Councilman Parke Sutherland, Councilman Terry Heston, Councilman Garrett Anderson

Members Absent: None

Others Present: City Manager Julian Deleon, Administrative Services Director /City Clerk Maria Sutherland, City Attorney Gerald Buhr, Chris Roe, staff, audience and press.

Mayor Sharon Schuler called the meeting to order at 6:00P.M. The invocation was given and the Pledge of Allegiance was recited. The roll was called and a quorum was present.

Resolution: 15-20 Final Fire Assessment: City Manager Julian Deleon read Resolution 15-20 into the record. Mayor Sharon Schuler stated that before she opened the Public Hearing, the Fire Assessment was the only thing to be discussed during this public hearing. Mayor Sharon Schuler then opened the Public Hearing. Several members from the audience approached the podium to speak regarding the Fire Assessment. Seeing no more hands Mayor Sharon Schuler then closed the Public Hearing and turned it back to the City Council to address any questions and any issues they had. After each member of the Council addressed the Fire Assessment, **Motion** made by Mayor Sharon Schuler, Seconded by Councilman Garrett Anderson to accept Resolution 15-20, for the Fire Assessment to fund \$666,713.00 for the Fire Department. Motion passed 4 to 1 with Deputy Mayor Brenda Giles voting no.

Approval of Settlement Agreement with Berkley Insurance Co.: **Motion** made by Councilman Terry Heston, Seconded by Deputy Mayor Brenda Giles to approve the Settlement Agreement with Berkley Insurance Co. as presented. Motion passed unanimously.

Approval of Construction Agreement with Excavation Point Inc. for Airport Drainage Project: **Motion** made by Councilman Terry Heston, Seconded by Deputy Mayor Brenda Giles to approve agreement with Excavation Point Inc as presented. Motion passed unanimously.

Duke Energy Easement of Airport Fuel Farm: **Motion** made by Deputy Mayor Brenda Giles, Seconded by Councilman Terry Heston to approve Duke Energy Easement as presented, Motion passed unanimously.

Meeting adjourned at 7:25 PM

Attest:

Maria Sutherland, City Clerk

Sharon Schuler, Mayor

E-8

FM# 433636-1-94-01

**RESOLUTION 15-23
FOR JOINT PARTICIPATION AGREEMENT
FOR AVIATION PROJECTS**

A RESOLUTION of the City of Avon Park Authorizing the execution of that certain Joint Participation Agreement (JPA) with the Florida Department of Transportation.

WHEREAS the City of Avon Park has the Authority to enter into a JPA with the Florida Department of Transportation to undertake a project as authorized by Florida Statue 332, and Florida Administrative Code 14-60:

NOW, THEREFORE BE IT RESOLVED BY THE CITY OF AVON PARK, FLORIDA:

1. That the JPA for Item-Segment-Phase-Sequence (Financial Management Number) 433636-1-94-01 is approved.
2. That Mayor Sharon Schuler is authorized to enter into, modify or terminate the JPA with the Florida Department of Transportation, unless specifically rescinded.

DULY PASSED AND ADOPTED THIS October 26, 2015

BY: _____
Sharon Schuler, Mayor

ATTEST

_____(Seal)
Maria Sutherland, City Clerk

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT

Number Two

Financial Project No.: <u>433636-1-94-01</u> (Item-segment-phase-sequence)	Fund: <u>010</u> Function: <u>215</u> Federal No.: <u>N/A</u> DUNS No.: <u>80-939-7102</u>	FLAIR Category: <u>088719</u> Object Code: <u>751000</u> Org. Code: <u>55012020129</u> Vendor No.: <u>F596000269001</u>
Catalog of Federal Domestic Assistance Number: <u>N/A</u>		Catalog of State Financial Assistance Number: <u>55.004</u>

THIS AGREEMENT, made and entered into this _____ day of _____, _____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida, hereinafter referred to as the Department, and City of Avon Park
at 110 E. Main Street, Avon Park, FL 33825
hereinafter referred to as Agency.

W T N E S S E T H:

WHEREAS, the Department and the Agency heretofore on the 18th day of June, 2014, entered into a Joint Participation Agreement; and

WHEREAS, the Agency desires to accomplish certain project items as outlined in the Attachment "A" appended hereto; and

WHEREAS, the Department desires to participate in all eligible items for this project as outlined in Attachment "A" for a total Department Share of 137,072.00.

NOW, THEREFORE THIS INDENTURE WITNESSETH: that for and in consideration of the mutual benefits to flow from each to the other, the parties hereto agree that the above described Joint Participation Agreement is to be amended and supplemented as follows:

1.00 Project Description:

There are no changes to the original project description, or if subsequently amended, to the last amended project description.

2.00 Project Cost:

Paragraph 3.00 of said Agreement is increased / decreased by \$0.00
bringing the revised total cost of the project to \$762,500.00

Paragraph 4.00 of said Agreement is increased / decreased by \$127,072.00
bringing the Department's revised total cost of the project to \$137,072.00

3.00 Amended Exhibits:

Exhibit(s) B and D are amended, attached and incorporated by reference.

4.00 Contract Time:

Paragraph 18.00 of said Agreement: "Expiration of Agreement" shall reflect an expiration date of July 1, 2019.

5.00 E-Verify:

Vendors/Contractors:

1. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Vendor/Contractor during the term of the contract; and
2. shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

Financial Project No. 433636-1-94-01

Contract No. ARB96

Agreement Date _____

Except as hereby modified, amended or changed, all other terms of said Agreement dated 6/18/2014 and any subsequent supplements shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed, the day and year first above written.

AGENCY

FDOT

City of Avon Park
AGENCY NAME

See attached Encumbrance Form for date of Funding Approval by Comptroller

08/18/10

SIGNATORY (PRINTED OR TYPED)

LEGAL REVIEW
DEPARTMENT OF TRANSPORTATION

SIGNATURE

CHRIS SMITH
DEPARTMENT OF TRANSPORTATION

TITLE

Director of Transportation Development
TITLE

Financial Project No. 433636-1-94-01

Contract No. ARB96

Agreement Date _____

**ATTACHMENT "A"
 SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT**

This Attachment forms an integral part of that certain Supplemental Joint Participation Agreement between the State of Florida, Department of Transportation and City of Avon Park
at 110 E. Main Street, Avon Park, FL 33825
 dated _____.

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):
 Adding Fiscal Year 2016 funding for eligible design costs. Local share is offset by the same.

I. Project Cost:	As Approved	As Amended	Net Change
	\$762,500.00	\$762,500.00	\$0.00
Total Project Cost	\$762,500.00	\$762,500.00	\$0.00
II. Fund Participation:	As Approved	As Amended	Net Change
Department:	\$10,000.00	\$137,072.00	\$127,072.00
Agency:	\$752,500.00	\$625,428.00	(\$127,072.00)
Other:	\$0.00	\$0.00	\$0.00
Total Project Cost	\$762,500.00	\$762,500.00	\$0.00

Comments:
 Phased Airport Project

III. MULTI-YEAR OR DEFERRED REIMBURSEMENT PROJECT FUNDING

If a project is a multi-year or prequalified project subject to paragraphs 4.10 and 17.20 of this agreement, funds are programmed in the Department's Work program in the following fiscal year(s):

FY	2014	\$10,000.00	FY
FY	2016	\$127,072.00	FY
FY			FY

Project years may be advanced or deferred subject to Legislative appropriation or availability of funds.

EXHIBIT "B"
PROJECT BUDGET
(Phased Airport Project)

This exhibit forms an integral part of that certain Joint Participation Agreement between the State of Florida, Department of Transportation and the City of Avon Park, 110 E. Main Street, Avon Park, Florida 33825 dated _____ and referenced by the above Financial Project Number.

Expiration Date: July 1, 2019

Project funds are programmed in the Department's Work Program in the following fiscal year(s):

	FY 2014
State Funding (DPTO)	\$ 10,000.00
	FY 2016
State Funding (DPTO)	\$ 127,072.00
	FY 2017
Local Funding (LF)	\$ 300,000.00
	FY 2018
Local Funding (LF)	\$ 325,428.00
Total	\$ 762,500.00

Project years may be advanced or deferred funds.

State funds programmed on this project must be expended and an invoice for their reimbursement to the agency submitted to the Department by the following date(s):

by May 1, 2019

Such funds, which are not expended and invoiced by the dates indicated, shall be forfeited by the agency. Invoices shall be submitted at a minimum of every 24 months or the project funds are subject to deletion.

EXHIBIT "D"
PROJECT COMPLIANCES

This exhibit forms an integral part of that certain Joint Participation Agreement between the State of Florida, Department of Transportation and the City of Avon Park, 110 E. Main Street, Avon Park, Florida 33825 dated _____ and referenced by the above Financial Project Number.

State Agency: Florida Department of Transportation
CSFA Number & Title: 55.004, Aviation Development Grants
Amount: \$137,072.00

COMPLIANCES

ACTIVITIES ALLOWED

Airport Planning

Airport Planning Grants are to study options for airport development and operations. The Department funds airport master plans, airport layout plans (ALP), noise and environmental studies, economical impact, services development, and airport promotion. Examples of projects are:

- Master Plans and Airport Layout Plans (ALP);
- Master Drainage Plans;
- Environmental Assessments (EA);
- Development of Regional Impact (DRI);
- Operations and Emergency Response Plans (ERP);
- Federal Aviation Regulations (FAR) Part 150 noise studies;
- Environmental Impact Studies (EIS);
- Wildlife Hazard Studies;
- Feasibility and Site Selection Studies;
- Business plans;
- Airport management studies and training;
- Air services studies and related promotional materials.

Airport Improvement

These grants are to provide capital facilities and equipment for airports. Examples of projects are:

Air-side capital improvement projects

- Runways
- Taxiways
- Aprons
- T-hangers
- Fuel farms
- Maintenance Hangers
- Lighting
 - Air Traffic Control Towers
 - Instrument Approach Aids
 - Automatic Weather Observation Stations

Land-side capital improvement projects

- Terminal Buildings
- Parking lots and structures
- Road and other access projects

Presentation projects

- Overlays
- Crack sealing
- Marking
- Painting buildings
- Roofing buildings
- Other approved projects

Safety equipment

- Airfield Rescue and Fire Fighting Vehicle (ARFF)
- Lighted Xs

Safety projects

- Tree clearing
- ing on overrun areas
- wering, moving, and marking, lighting hazards

Information technology equipment (used to inventory and plan airport facility needs)

Drainage improvements

Land Acquisition

This grant program protects Florida's citizens from airport noise and protects airport clear zones and runway approach areas from encroachment. Administrative Costs, appraisals, legal fees, surveys, closing costs and preliminary engineering fees are eligible costs. In the event the negotiation for a fair market value is unsuccessful, the court will be petitioned for "an Order of Taking" under the eminent domain laws of Florida. Examples of projects are:

- Land acquisition (for land in an approved Master Plan or ALP)
- Mitigation land (on or off airport)
- Aviation easements
- Right of way
- Approach clear zones

Airport Economic Development

This grant program is to encourage airport revenue. Examples of projects are:

Any airport improvement and land purchase that will enhance economic impact
Building for lease
Industrial park infrastructure and buildings
General aviation terminals that will be 100 percent leased out
Industrial park marketing programs

Aviation Land Acquisition Loan Program

The Department provides interest free loans for 75 percent of the cost of airport land purchases for both commercial service and general aviation airports.

This is a general description of project types. A detail list of project types approved for these grant programs can be found in the Aviation Grant Program manual which can be accessed through the internet at www.dot.state.fl.us/Aviation/Public.htm.

ALLOWABLE COSTS

Entities are prohibited from using grant funds for lobbying the legislature. (*Section 216.347, Florida Statutes*). Also, restrictions of expenditures are summarized in the Reference Guide for State Expenditures of the Department of Financial Services. Other specific requirements for allowable costs are unique to each state project and are found in the laws, rules, and the provisions of contracts or grant agreements pertaining to the project. For projects listed in the Compliance Supplement, these specific requirements are in Part Four.

Audit Objectives

Determine whether expenditures of state financial assistance were for allowable costs.

Suggested Audit Procedures

1. Identify the types of costs that are either specifically allowed or prohibited by the laws, rules, and provisions of contracts or grant agreements pertaining to the project.
2. Select a sample of transactions and perform procedures to verify that the transactions were for an allowable cost and not for lobbying the legislature or other prohibited uses.

Cash Management

State agencies which are expressly authorized by law to make advances for project startup or contracted services in total or periodically, shall limit such advances to other governmental entities and nonprofit entities. The amount to be advanced may not exceed the expected cash needs of the recipient within the initial 3 months. Thereafter disbursements are to be made only on a reimbursement basis. The Chief Financial Officer, after consultation with the appropriations committee, may advance funds beyond a 3-month requirement if it is determined to be consistent with the intent of the approved operating budget. Any agreement that provides for advances may contain a clause that permits the recipient to temporarily invest the proceeds, provided that any interest income either be returned to the agency or applied against the agency's obligation to the pay the contract amount. (*Section 216.181, Florida Statutes*) Specific cash management requirements unique to a state project may be found in the laws, rules, and the provisions of contracts or grant agreements pertaining to the project. For projects listed in the Compliance Supplement, these specific requirements are in Part Four.

Audit Objectives

1. Determine that cash management procedures are in accordance with Section 216.181, Florida Statutes, and other laws, rules, and the provisions of contracts or grant agreements pertaining to the state project.
2. Determine that interest income, when allowable, is correctly recorded and returned to the state agency or applied against the contract or grant agreement.

Suggested Audit Procedures

1. Review reimbursement requests and trace to supporting documentation. Ensure that costs for which reimbursement was requested were paid prior to the date of the reimbursement request.

2. Determine whether any interest income was owed to the state agency and either remitted to the agency or applied against amounts owed by the state agency.

MATCHING

Commercial Service Airports

When no federal funding is available, the Department provides up to 50 percent of the project costs. When federal funding is available, the Department can provide up to 50 percent of the non-federal share.

General Aviation Airports

When no federal funding is available, the Department provides up to 80 percent of project costs. When federal funding is available, the Department can provide up to 80 percent of the non-federal share.

Economic Development

The Department provides up to 50 percent of airport economic development funds to build on-airport revenue-producing capital improvements. This program is for local match only.

Airport Loans

The Department provides a 75 percent loan program to fund the Aviation Land Acquisition Loan Program.

TO: PT129WS@dot.state.fl.us
SUBJECT: FUNDS APPROVAL/REVIEWED FOR CONTRACT ARB96

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL

Contract #ARB96 Contract Type: Method of Procurement:
Vendor Name: CITY OF AVON PAR
Vendor ID: VF596000269001
Beginning date of this Agmt: 06/18/14
Ending date of this Agmt: 07/01/19

ORG-CODE *EO *OBJECT *AMOUNT *FIN PROJECT *FCT *CFDA
(FISCAL YEAR) *BUDGET ENTITY *CATEGORY/CAT YEAR
AMENDMENT ID *SEQ. *USER ASSIGNED ID *ENC LINE(6S)/STATUS

Action: SUPPLEMENTAL Funds have been: APPROVED

55 012020129 *A8 *751000 * 127072.00 *43363619401 *215 *
*55100100 *088719/16
*00 *ONE *0003/04

TOTAL AMOUNT: *\$ 127,072.00 *

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER
DATE: 10/06/2015

Rick Scott
GOVERNOR



Jesse Panuccio
EXECUTIVE DIRECTOR

E-9

October 19, 2015

The Honorable Sharon Schuler
Mayor, City of Avon Park
110 East Main Street
Avon Park, Florida 33825

RE: Review of Plans and Specifications – Commercial Revitalization Project
Small Cities Community Development Block Grant (CDBG) Program
Contract Number: 15DB-OJ-07-38-02-C 02

Dear Mayor Schuler:

We have reviewed the plans and specifications, including the construction bidding documents, that were received on August 18, 2015. The documents were submitted to satisfy a program condition of the above referenced subgrant agreement, which requires the City to submit the documents to the Department for review and acceptance before advertising for construction bids. The activities contained in the documents are not consistent with the activities described in the City's CDBG application, so the plans and specifications cannot be accepted.

The bid documents and plans submitted to the CDGB office on August 18, 2015 include activities and language not contained in the bid documents and plans submitted on March 12, 2014, with the City's FFY 2013 CDBG subgrant application. The City claimed 100 points for Readiness to Proceed on its FFY 2013 CDBG application. The changes included in the revised bid documents and plans would require the Department to rescore the City's application, and it would drop the City out of the fundable range. The following issues were discovered during the review:

1. Specifications

- a) The bid specifications dated March 7, 2014, and received on March 12, 2014, state, "The Project for which the Work under the Contract Documents may be the whole or only a part is generally described as follows: Project will reconstruct approximately 600 feet of South Delaney Avenue with new sidewalks and curb. It will also solve an existing drainage problem. The Project will add street lighting, new sidewalks, stamped concrete for paver looking areas and some underground utilities. The City owned lot will be used for construction of a dry retention pond to collect the runoff from the existing roadway."

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
866.FLA.2345 | 850.245.7105 | 850.921.3223 Fax
www.floridajobs.org | [www.twitter.com/FLDEO](https://twitter.com/FLDEO) | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TDD equipment via the Florida Relay Service at 711.

- b) The bid specifications dated July, 2015, and received on August 18, 2015, state “The Project for which the Work under the Contract Documents may be the whole or only a part is generally described as follows: Milling and resurfacing a portion of South Delaney Avenue, and eight-foot wide multi-use pathway, 20' x 30' shelter, parking lot, utility relocations, parking lot, street lighting and sidewalk construction.”

The shelter, parking lot and multi-use pathway were not included in the original specifications.

2. Plans

- a) Page four of the plans submitted on March 12, 2014, depicts a dry retention pond; whereas, page four of the plans submitted on August 18, 2015, now includes a parking lot, eight-foot wide multi-use pathway, and a 20' x 30' shelter.
- b) The plans submitted on March 12, 2014, have only nine pages. The plans submitted on August 18, 2015, have 10 pages. The tenth page contains drawings for the 20' x 30' shelter that was not part of the Readiness to Proceed plans submitted with the application.

DEO cannot approve these changes because the City's application would have to be rescored and the 100 points that were received for Readiness to Proceed would have to be subtracted from the City's final score. The City's revised final score would drop below the scores of two communities that applied for Commercial Revitalization funding but did not get funded in FFY 2013. DEO would be forced to terminate the City's subgrant agreement if the application was rescored.

If you have any questions related to this letter, please call Charles Wyatt, your grant manager, at (850) 717-8409 or contact him at Charles.Wyatt@deo.myflorida.com.

Sincerely,



Paula Lemmo, Chief
Division of Community Development

PL/rjd/cw

cc: ✓ Ms. Maria Sutherland, City Clerk, City of Avon Park
Mrs. Christine Alday, President, Guardian CRM, Inc.

ORDINANCE 25-15

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE CITY OF AVON PARK, FLORIDA, AMENDING FIVE (5) PARCELS CONSISTING OF APPROXIMATELY 134.0-ACRES GENERALLY LOCATED SOUTH OF LAKE LOTELA BETWEEN LAKE DENTON AND LITTLE BONNET LAKE ON THE WEST SIDE OF CSX RAIL LINE FROM COUNTY MEDIUM DENSITY RESIDENTIAL (RM) AND COUNTY AGRICULTURE (AG) TO CITY MEDIUM DENSITY RESIDENTIAL (MDR); TRANSMITTING SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR FINDING OF COMPLIANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act, empowers and mandates the City of Avon Park, Florida, to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the City Council held meetings and hearings on Future Land Use Map Amendment as shown in Exhibit "A", with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

WHEREAS, the parcels, as marked on Exhibit "A", consist of approximately 134.0-acres and are the subject of this ordinance and represent a change to the Future Land Use Map by changing the Future Land Use designation from County Medium Density Residential (RM) and County Agriculture (AG) to City Medium Density Residential (MDR); and

WHEREAS, at the time of development, coordination with Highlands County will be provided to consider potential right-of-way if there is an East/West collector road at that time; and

WHEREAS, at the time of development, coordination with Highlands County will be provided regarding access to the Sebring Parkway; and

WHEREAS, in exercise of its authority the City Council has determined it necessary to adopt this Map Amendment to the Comprehensive Plan, which is marked as Exhibit "A" and attached and made a part hereof, including the special conditions which are attached hereto as Exhibit "B" and made a part hereof., to ensure that the Plan is in full compliance with the Laws of the State of Florida; to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City of Avon Park.

NOW, THEREFORE, be it enacted by the City Council of the City of Avon Park, Florida, as follows:

Section 1. The Future Land Use Map is hereby amended to include the map amendment set forth in Exhibit “A,” attached hereto and incorporated herein by reference, which applies the Future Land Use designation of “City Medium Density Residential” to the parcel designated on such Exhibit and shall respect the special conditions which are attached hereto as Exhibit “B” and made a part hereof.

Section 2. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. A certified copy of this enacting ordinance and certified copy of the City of Avon Park Comprehensive Plan shall be located in the Office of the City Clerk of Avon Park. The City Clerk shall also make copies available to the public for a reasonable publication charge.

Section 4. Within ten (10) days of final passage and adoption of this Ordinance, the City of Avon Park shall forward a copy hereof, and all supporting data and analysis, to the Florida Department of Economic Opportunity and any other agency or local government that provided timely comments to the City, as required by Section 163.3184(3)(c)2, *Florida Statutes*.

Section 5. The effective date of the plan amendment adopted by this Ordinance shall be thirty-one (31) days after the Florida Department of Economic Opportunity notifies the City of Avon Park that the plan amendment package is complete, or, if the plan amendment is timely challenged, the date on which the Florida Department of Economic Opportunity or the Administration Commission, whichever is applicable, enters a final order finding the amendment to be in compliance in accordance with Section 163.3184(3)(c)4, *Florida Statutes*.

INTRODUCED AND PASSED on First Reading at the regular meeting of the Avon Park City Council held on the 26th day of October, 2015.

PASSED AND DULY ADOPTED, on second reading at the meeting of the Avon Park City Council duly assembled on the _____ day of _____, 2015.

CITY OF AVON PARK, FLORIDA

Sharon Schuler, Mayor

ATTEST:

Maria Sutherland, City Clerk

Approved as to form:

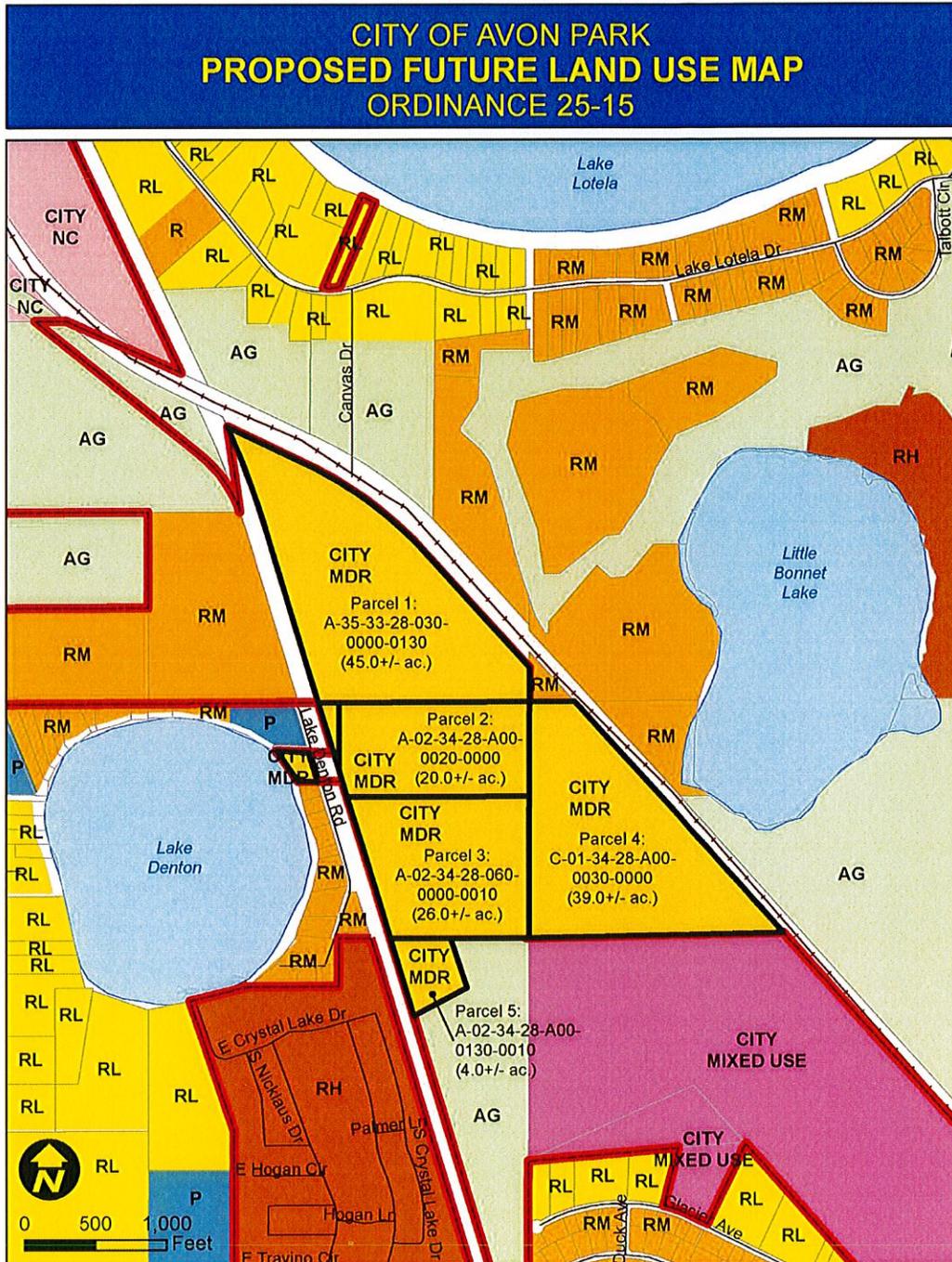
Gerald T. Buhr, City Attorney

Motion made by _____ seconded by _____.

The vote was ___ for ___ against with ___ abstentions and ___ absent

EXHIBIT "A"

Proposed Future Land Use Map



Community News



Jeanne Kirkham has been named November's Crafter of the Month at the Caladium Arts and Crafts Co-op.

LP Rotary awards Teacher of the Month

LAKE PLACID — The Lake Placid Noon Rotary had the privilege to honor Whitney McGee as Teacher of the Month at the Lake Placid Chamber of Commerce luncheon Oct. 14 at the Lake Placid Camp and Conference Center.

McGee is a fourth grade language arts teacher at Lake Country Elementary School and she has been teaching there for four years with a total of six years of teaching.

"She takes on many leadership roles here at Lake Country Elementary," said Principal Erica Ashley. "She is the fourth grade Team Leader, the leader of our Student Lighthouse Team, member of our Staff Lighthouse Team, member of PTO and SAC, and conducts service projects for our community with our students.

"She loves what she does and it shows through her teaching and leadership. We are very blessed to have her at Lake Country Elementary. We could nominate every teacher at Lake

Country Elementary because they all work hard."

The Lake Placid Noon Rotary presented her with a certificate and \$50 from proceeds that were raised from last year's Wild Game Dinner, which is coming up again Dec. 5.

For information, or to get tickets, call 465-4834.

Caladium Co-op names Crafter of the Month

LAKE PLACID — The Caladium Arts and Crafts Co-op's Crafter of the Month for November is Jeanne Kirkham who has been a member since 2010 and serves on the Caladium Board.

She is married and has four daughters and seven grandchildren. Her craft specialty is knitting, crocheting and sewing. Kirkham's current crafts are potholders, tote bags, knit scarves, fabric bowls, baby items and signs.

Kirkham sewed as a young teenager and later made clothing for her children. She will take requests for special orders.

Her crafts are on display at the Co-op, 132 E. Interlake Blvd.



Sebring's newest Elks

Sebring Elks #1529 welcomed nine new members in September. In front, from left: Betty Kane, Mary Wall, Terry Daisey, Dolly Blonde and Kimberlie Oppold. In back, from left: Fred Shilfarth, Bill Rosenberger, Vern Gates and Thomas Hanson.



From left: Sarah Brookner, assistant principal at Lake Country Elementary School, presents the Teacher of the Month Award to Whitney McGee along with Lorraine Hutchins, president-elect of the Lake Placid Noon Rotary.

Travel

Book explains why Halloween attractions make us 'Scream'

The Associated Press

Margee Kerr says she has the best job in the world: She studies fear for a living, and loves to scare herself as part of her research.

Kerr is a sociologist with a Ph.D. from the University of Pittsburgh, and just in time for Halloween, she's written a book called "Scream: Chilling Adventures in the Science of Fear."

The book documents Kerr's adventures around the world experiencing extreme attractions, ranging from the tallest roller coasters in Japan to the CN Tower's EdgeWalk in Toronto, where participants are tethered to the skyscraper for an outdoor walk 116 stories off the ground.

Kerr also works at a haunted attraction in Pittsburgh called ScareHouse, analyzing customer responses to help keep the fright levels just right. "We're trying to scare people in a way that's going to make them feel good," she said.

Kerr is interested in the notion that society usually regards "fear as a negative force. But there's another side to fear that's fun and fulfilling," and that's the sweet spot sought by recreational activities — whether skydiving, zip lining, roller coasters or haunted houses.

"When we know we're not really in any physical danger, we can enjoy the endorphins and the dopamine. That response is similar to being really excited and happy," she said.

Her quest for the "Scream" book took her on "many, many adventures across the world, doing as many scary and thrilling things as I could," she explained. "I look at it from the cultural perspective, the physiological per-



Margee Kerr, author of the new book "Scream: Chilling Adventures in the Science of Fear," is a sociologist who studies fear.

specative and the psychological perspective: Why do we engage with this type of material? Part of it is the natural high we get from activating the fight-or-flight response in a safe environment."

Kerr says the trick is to figure out what types of situations "trigger our fight-or-flight response. What are people afraid of, what's going to tap into the fear?"

For example, "we know from science that seeing the whites of people's eyes will activate the amygdala — the emotional processing center of our brain." That intense response to another being's eyes explains why scary attractions often have "dolls with big eyes or animatronics with wide-open eyes." Startling sounds, fast-moving props and other sudden visual effects also trigger instinctive responses, upping the fear factor without putting people in real danger.

Part of the draw for an extreme adventure or attraction is that "you are

testing your own resilience," she said. "When you come out the other side of a scary movie or haunted house, you have accomplished something. You've tested your will. Even though we know nothing will hurt us, the self-esteem boost is real."

As for her own responses, she found the CN Tower's EdgeWalk to be "way more terrifying than I thought it would be." Skydiving, on the other hand, was pure pleasure for Kerr.

Kerr says her research can have implications beyond theme parks and haunted houses by helping people understand how to tolerate stress. "We're trying to find the best ways to teach people how to experience their emotions in ways that are healthy and not debilitating," she said. "When people lean into the experience and test themselves in an environment that is safe, they come to learn they can handle stress and they are stronger than they thought they were."

LEGAL INSTRUMENT

NOTICE OF PUBLIC HEARING FOR THE CITY OF AVON PARK, FLORIDA

The City of Avon Park will hold a Public Hearing on the following item on Monday, October 26, 2015, at 6:00 pm or as soon thereafter as possible. The hearing shall be held at the Avon Park City Council Chambers, 123 E. Pine Street, Avon Park, Florida.

ORDINANCE NO. 25-15

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE CITY OF AVON PARK, FLORIDA, AMENDING FIVE (5) PARCELS CONSISTING OF APPROXIMATELY 134.0-ACRES GENERALLY LOCATED SOUTH OF LAKE LOTELA BETWEEN LAKE DENTON AND LITTLE BONNET LAKE ON THE WEST SIDE OF CSX RAIL LINE FROM COUNTY MEDIUM DENSITY RESIDENTIAL (RM) AND COUNTY AGRICULTURE (AG) TO CITY MEDIUM DENSITY RESIDENTIAL (MDR); TRANSMITTING SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR FINDING OF COMPLIANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The map below pertains to Ordinance No. 25-15.

The City of Avon Park City Council will consider this Ordinance on Monday, October 26, 2015, at 6:00 pm or as soon thereafter as possible. The hearing shall be held at the Avon Park City Council Chambers, 123 E. Pine Street, Avon Park, Florida. At the meeting, interested parties may appear and be heard with respect to the proposed ordinance. The hearing may be continued from time to time by the City Council.

Copies of the proposed Ordinance are available for review at the Avon Park City Hall with the City Clerk at 100 East Main Street, Avon Park, Florida. City Hall is open between 8 am and 5 pm, Monday through Friday, excluding holidays. Comments may also be submitted in writing to the City Clerk prior to or during the meeting.

Persons are advised that if they decide to appeal any decision made at these meetings/hearings, they will need a record of these proceedings and for such purpose, they may need to insure that a verbatim record of the proceedings is made at their own expense and effort, which record includes the testimony and evidence upon which the appeal is to be based per Section 288.0105, Florida Statutes.

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk 48 hours in advance of the meeting at 863-452-4403.

41527 10/17/2015

ORDINANCE 26-15

AN ORDINANCE AMENDING THE ZONING OF FIVE (5) PARCELS CONSISTING OF APPROXIMATELY 134.0-ACRES GENERALLY LOCATED SOUTH OF LAKE LOTELA BETWEEN LAKE DENTON AND LITTLE BONNET LAKE ON THE WEST SIDE OF CSX RAIL LINE FROM COUNTY R-1A (RESIDENTIAL), COUNTY AU (AGRICULTURAL) AND COUNTY I-2 (INDUSTRIAL) TO CITY R-3 (HIGH DENSITY MULTI-FAMILY RESIDENTIAL – MOBILE HOME PARK); PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Avon Park held meetings and hearings regarding the parcel show on Exhibit "A", with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including supporting documents; and

WHEREAS, in exercise of its authority, the City Council of the City of Avon Park has determined it necessary to amend the Official Zoning Map to change the City zoning classification assigned to this parcel; and

WHEREAS, at the time of development, coordination with Highlands County will be provided to consider potential right-of-way if there is an East/West collector road at that time; and

WHEREAS, at the time of development, coordination with Highlands County will be provided regarding access to the Sebring Parkway.

NOW, THEREFORE BE IT ENACTED by the City Council of the City of Avon Park, Florida,

Section 1. The official zoning map of the City of Avon Park is amended so as to assign the City zoning classification of City R-3 (High Density Multi-Family Residential – Mobile Home Park), with a cumulative total of 134.0-acres, as shown in Exhibit "A".

Section 2. **Severability:** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. **Effective Date:** The effective date of this ordinance shall coincide with the effective date of the companion Future Land Use amendment Ordinance 25-15.

This Ordinance shall be codified in the Code of Ordinances of the City of Avon Park, Florida. A certified copy of this enacting ordinance shall be located in the Office of the City Clerk of Avon Park. The City Clerk shall also make copies available to the public for a reasonable publication charge.

INTRODUCED AND PASSED on First Reading at the regular meeting of the Avon Park City Council held on the 26th day of October, 2015.

PASSED AND DULY ADOPTED, on second reading at the meeting of the Avon Park City Council duly assembled on the _____ day of _____, 2015.
CITY OF AVON PARK, FLORIDA

Sharon Schuler, Mayor

ATTEST:

Maria Sutherland, City Clerk

Approved as to form:

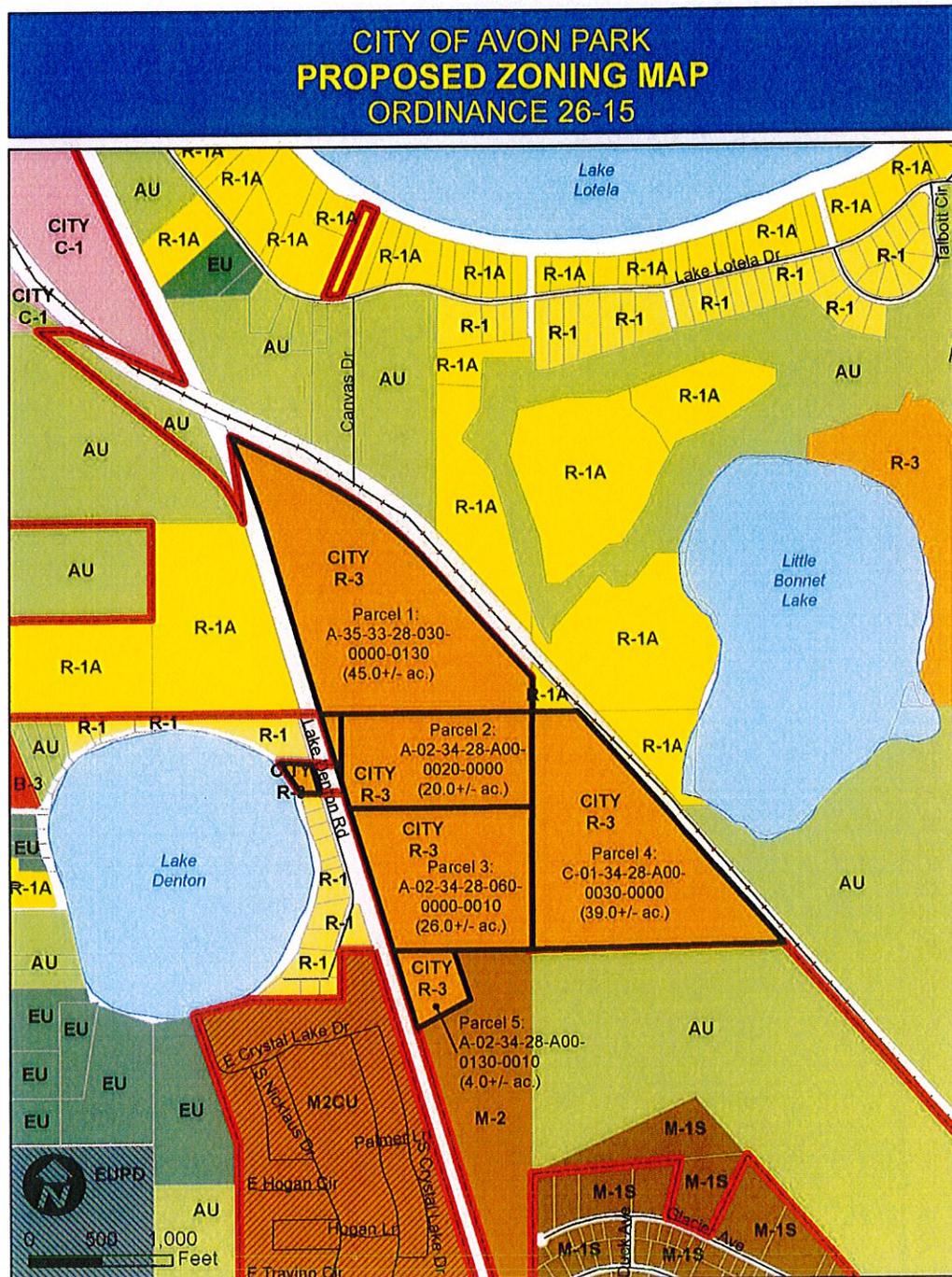
Gerald T. Buhr, City Attorney

Motion made by _____ seconded by _____.

The vote was ___ for ___ against with ___ abstentions and ___ absent

EXHIBIT "A"

Proposed Zoning Map





**CITY OF AVON PARK
FUTURE LAND USE AMENDMENT AND REZONING
OVERVIEW REPORT
OCTOBER 26, 2015**

TO: CITY OF AVON PARK CITY COUNCIL

FROM: CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

SUBJECT: **Ordinance 25-15 – Future Land Use Amendment
Ordinance 26-15 – Rezoning**

Request to change the Future Land Use designation of approximately 134.0 acres of land located south of Lake Lotela between Lake Denton and Little Bonnet Lake on the west side of CSX rail line from County Medium Density Residential (RM) and County Agriculture (AG) to City Medium Density Residential (MDR) and a rezoning of said land from County R-1A (Residential), County AU (Agricultural) and County I-2 (Industrial) to City High Density Multi-Family Residential R-3 (MH Park). The proposed Future Land Use Map amendment and rezoning consists of 5 parcels identified by parcel ID numbers A-35-33-28-030-0000-0130, A-02-34-28-A00-0020-0000, A-02-34-28-060-0000-0010, C-01-34-28-A00-0030-0000 and A-02-34-28-A00-0130-0000.

AGENDA DATE:

September 8, 2015, 5:30 PM: Planning and Zoning Board Meeting (Public Hearing)
October 26, 2015, 6:00 PM: **City Council – Ordinance 25-16 (Transmittal Hearing)**
City Council – Ordinance 26-16 (First Reading)
December 14, 2015, 6:00 PM: City Council – Adoption Public Hearing

PLANNING & ZONING BOARD ACTION:

On Tuesday, September 8, 2015, the City of Avon Park Planning & Zoning Board voted unanimously to forward the proposed Future Land Use Map Amendment and rezoning to the City Council **with a recommendation of approval.**

CITY COUNCIL MOTION OPTIONS:

Options for motions are listed below.

Ordinance 25-15 – Future Land Use Map Amendment

1. I move the City Council **approve to transmit Ordinance 25-15** to the Department of Economic Opportunity for review.
2. I move the City Council **approve to transmit Ordinance 25-15 with changes** to the Department of Economic Opportunity for review.

Ordinance 26-15 – Rezoning

1. I move the City Council **approve** the First Reading of Ordinance 26-15.
2. I move the City Council **approve with changes** the First Reading of Ordinance 26-15.

ATTACHMENTS:

- Aerial Photo Map
- Existing Future Land Use Map
- Proposed Future Land Use Map
- Existing Zoning Map
- Proposed Zoning Map

OVERVIEW:

Applicant	City of Avon Park	
Property Owner	Crews Groves, Inc.	
Subject Parcels	Parcel Identifier	Parcel Address and Tax ID Number
	1	821 LAKE DENTON RD AVON PARK, FL 33825 (A-35-33-28-030-0000-0130)
	2	2471 LAKE DENTON RD AVON PARK, FL 33825 (A-02-34-28-A00-0020-0000)
	3	2458 LAKE DENTON RD AVON PARK, FL 33825 (A-02-34-28-060-0000-0010)
	4	1900 LITTLE LAKE BONNETT RD AVON PARK, FL 33825 (C-01-34-28-A00-0030-0000)
	5	2661 LAKE DENTON RD AVON PARK, FL 33825 (A-02-34-28-A00-0130-0000)
Acreage (Total)	134.0+/- acres	
Existing Future Land Use	County Medium Density Residential (RM) – (121.0+/- acres)	
	County Agriculture (AG) – (13.0+/- acres)	
Proposed Future Land Use	City Medium Density Residential – (134.0+/- acres)	
Existing Zoning	County Residential (R-1A) – (121.0+/- acres)	
	County Agricultural (AU) – (9.0+/- acres)	
	County Industrial (I-2) – (4.0+/- acres)	
Proposed Zoning	City R-3, High Density Multi-Family Residential (MH Park) – (134.0+/- acres)	
Previous Hearings	None	

The City of Avon Park (applicant) is requesting to change the Future Land Use (FLU) and zoning designations of five (5) parcels of land consisting of approximately 134.0 acres. The requested FLU change is from County Medium Density Residential (RM) and County Agriculture (AG) to City Medium Density Residential (MDR). The requested zoning change is from County R-1A (Residential), County AU (Agricultural) and County I-2 (Industrial) to City R-3, High Density Multi-Family Residential (MH Park). The subject parcels are generally located south of Lake Lotela between Lake Denton and Little Bonnet Lake on the west side of the CSX rail line (see attached Aerial Photo Map).

REASON FOR REQUEST:

The purpose of the request is to update the City’s FLU and Zoning Maps to reflect a FLU of City Medium Density Residential and zoning of City R-3, High Density Multi-Family Residential (MH Park) for properties annexed into the City to facilitate the future development of a manufactured (mobile) home park.

ANALYSIS OF PROPOSED FUTURE LAND USE AND ZONING AMENDMENTS:

Consideration of the proposed FLU and zoning changes shall be evaluated against the following:

- *Consistency with the Comprehensive Plan*
- *Land Use Analysis*
- *Public Facilities and Services Analysis*

Consistency with the Comprehensive Plan:

The request is to change the FLU designation of the subject parcels from County Medium Density Residential to City Medium Density Residential. Descriptions for both the existing and proposed FLU and zoning designations are provided as follows:

Existing – Future Land Use

County Future Land Use Element, Policy 1.2.D.1. – Agriculture (AG):

Agriculture is the predominant land use for the rural areas of Highlands County. This category encompasses those activities generally associated with rural settlements, active agriculture including bio fuel feedstock and other resource based activities, and recreation and open space.

- a. Starting Density: 0.20 or less, units per acre, or one (1) dwelling for every five acres.

Existing – Future Land Use

County Future Land Use Element, Policy 1.2.D.3. – Medium Density Residential (RM):

The development pattern for this residential category begins with the traditional development density for single-family lots on unincorporated properties in the County. Generally subdivided into quarter-acre lots, which established the starting density this land use category constituted the primary residential environment for County residents comprising both site-built and mobile homes. Historic development patterns for this land use category favor commuter linkages from satellite subdivisions around municipalities and along arterial corridors. Housing service ranges from single-family detached neighborhoods to attached housing complexes, such as duplexes, which offer both ownership and rental opportunities. Vacant infill properties are prime candidates for this land use category. Future projects should emphasize a traditional preference for privacy, visual amenity, and low profile development: one and two story construction, ample separation between buildings, off-street parking, landscape treatments, etc. The upper end of this density range, which includes the Mobile Home Park (max. 8 dus/ac), may be achieved where existing infrastructure and paved roads exist to serve the development site or whenever special taxing districts are created to provide such infrastructure.

- a. Starting Density: 4.00 units per acre.
- b. Maximum Density: 8.00 units per acre
- c. Additional Allowable Uses: Public schools (Elementary, Middle, & High); collocated with the following public facilities to the extent possible: public recreational facilities; community centers; public library; museum and gallery.
- d. Permitted Supporting Uses: include potable water and wastewater treatment plants.

Proposed – Future Land Use

City Future Land Use Element, Policy 1.5 – Medium Density Residential (MDR):

The Medium Density Residential designation shall meet Avon Park's housing demand for this range of density, promote efficient use of existing infrastructure and promote affordable housing. Multi-family housing units are permissible at a maximum density of 16 units per gross acre. Mobile home parks are permissible at a maximum density of 8 mobile homes per gross acre. Public schools shall be a permitted use in this classification.

Existing – Zoning

County Land Development Regulations, Section 12.05.200 – Agricultural (AU):

The AU agricultural district is intended to apply to those areas presently and primarily agricultural.

County Land Development Regulations, Section 12.05.210 – Residential (R-1A):

The R-1A residential district is intended to be single-family residential area, medium population density with minimum lot area.

County Land Development Regulations, Section 12.05.252 – Industrial (I-2):

The I-2 industrial district is intended to locate industrial and manufacturing occupancies which, due to employment of heavy equipment and machinery, may create noise and vibration objectionable to residential or business neighborhoods. All occupancies in this district will utilize all safeguards to prevent pollution of air, land and water by the emission of fumes, toxic gases, dust, smoke, toxic effluents and other wastes and to mitigate their effects.

Proposed – Zoning

City Unified Land Development Code, Section 2.04.02.05 – R-3, High Density Multi-Family Residential:

To establish locations suitable for high density residential development with a maximum of eight units per acre (8 du/ac) for mobile home parks, to designate those uses and activities that are appropriate for and compatible with such areas; and to establish standards and provisions necessary to ensure proper development in a high density residential environment.

The proposed zoning in conjunction with the proposed FLU targets the City's need to provide decent, safe and sanitary housing in suitable neighborhoods at affordable costs to meet the needs of the present and future residents of the City, in accordance with the goals, objectives, and policies of the Housing Element of the City's Comprehensive Plan.

Land Use Analysis

The subject parcels, as identified by the Department of Revenue (Use Code "66") are currently used for agricultural operation – specifically as grove land for citrus production. Most of the surrounding lands consist of the same type of activity, including a mix of residential land uses also dispersed throughout. The FLU of lands surrounding the subject parcels is generally classified by a mix of County Medium Density Residential and County Agriculture. The City has also recently updated the FLU on approximately 190-acres to the southeast of the subject parcels to Mixed-Use to accommodate future mixed use development. The *Future Land Use Matrix* below outlines the existing and proposed

FLU of the subject parcels and the existing FLU of surrounding parcels (Existing and Proposed Future Land Use Maps are attached for reference).

Future Land Use Matrix

Northwest	North	Northeast
FLU: County Agriculture	FLU: County Medium Density Residential and County Agriculture (separated by railroad)	FLU: County Medium Density Residential and County Agriculture (separated by railroad)
West	Subject Property	East
FLU: County Medium Density Residential	FLU: <u>Existing:</u> County Medium Density Residential <u>Proposed:</u> City Medium Density Residential	FLU: County Medium Density Residential and County Agriculture (separated by railroad)
Southwest	South	Southeast
FLU: County High Density Residential and County Medium Density Residential	FLU: County Agriculture and City Mixed Use	FLU: City Mixed Use

The zoning designation of lands surrounding the subject parcels is generally classified by a mix of residential (County R-1A), agricultural (County AU), and mobile home park (County M-2-CU and M-2) districts. The *Zoning Matrix* below outlines the existing and proposed zoning of the subject parcels and the existing zoning of surrounding parcels (Existing and Proposed Zoning Maps are attached for reference).

Zoning Matrix

Northwest	North	Northeast
Zoning: County Agriculture	Zoning: County R-1A and County Agriculture (separated by railroad)	Zoning: County R-1A and County Agriculture (separated by railroad)
West	Subject Property	East
Zoning: County R-1A	Zoning: <u>Existing:</u> County R-1A <u>Proposed:</u> City R-3 (MH Park)	Zoning: County R-1A and County Agriculture (separated by railroad)
Southwest	South	Southeast
Zoning: County M-2-CU (Mobile Home Park)	Zoning: County M-2 (Mobile Home Park) and County Agriculture	Zoning: County Agriculture

The maximum residential densities permitted under the County Medium Density Residential and County Agriculture designations are as follows:

- **County Medium Density Residential: 8 units per acre.**
- **County Agriculture: 1 unit per 5 acres.**

The acreage of the subject parcels with a County Medium Density Residential FLU is approximately 121.0 acres, which would permit a maximum build-out of 968 residential dwelling units. The land area with a County Agriculture FLU is approximately 13.0 acres, which would permit a total of 2.6 residential dwelling units. The total residential density under the current County FLU would be approximately 971 residential dwelling units.

However, a site specific density limitation was established through a County Comprehensive Plan Amendment (CPA-04-302LS) which reduced the maximum number of residential dwelling units for the subject parcels. The density limitation imposed by CPA-04-302LS consisted of seven (7) parcels impacting a total of 180.0 acres. The maximum residential density was set at 587 dwelling units. Five (5) of the seven (7) parcels, comprising 134.0 acres, are the subject of this amendment. Based on the density limitation approved by CPA-04-302LS, the maximum residential density for the subject parcels is 437 dwelling units. A calculation is provided below.

$$\begin{aligned} 587 \text{ dwelling units (du)} / 180.0 \text{ acres (ac)} &= 3.26 \text{ du/ac} \\ 3.26 \text{ du/ac} \times 134 \text{ ac} &= 437 \text{ dwelling units} \end{aligned}$$

The residential densities of the County zoning designations (R-1A and AU) respect the underlying FLU densities.

The maximum residential densities permitted under the City Medium Density Residential FLU and City R-3 (MH Park) zoning are as follows:

- **City Medium Density Residential (for mobile home parks): 8 units per acre.**
- **City R-3 (MH Park): 8 units per acre.**

Under the proposed City Medium Density Residential FLU and City R-3 (MH Park) zoning, the maximum residential density would be 8 dwelling units per acre. The 13.0 acres currently under the County designation of Agriculture would yield a total of 104 residential dwelling units under the proposed City FLU and zoning. Considering the total 134.0 acres, the total number of units that would be permitted under the proposed City designations would be 1,072.

The proposed change would yield an increase of approximately 635 residential dwelling units. The density comparison table below provides a breakdown of the potential increase in residential density.

Density Comparison Table.

Current County FLU	Acreage	Density
-as established in CPA-04-302LS	134.0 acres	437 du
Total		437 du
Proposed City FLU and Zoning		
-FLU: City Medium Density Residential (MDR) - Zoning: City R-3 (MH Park)	134.0	8 du/ac = 1,072
Total		1,072 du

Public Facilities and Services Analysis:

The following is a summary analysis of the potential impacts on existing public facilities and services. Additional review for land use impacts will be required during site development plan review. The additional review would serve to ensure concurrency of public facilities and services with any proposed development.

Potable Water, Sanitary Sewer and Solid Waste:

The City currently has water and centralized sewer available to serve the subject parcels. The City will also provide solid waste collection. Capacity exists within the City's system to provide these services. Additional analysis and facility improvements may be required at the time that platting and/or site development review is initiated to ensure concurrency with proposed development on the subject parcels.

Transportation/Traffic:

Parcels 2 and 3 have direct access to Lake Denton Road. Lake Denton Road is a paved local road with minimal improvements and is currently maintained by Highlands County. Parcels 1, 4 and 5 do not currently have direct access to any improved roadway. Parcels 1, 2, 3 and 5 are situated adjacent to the County's planned expansion of Phase 3 of the Sebring Parkway, which will provide access to these parcels. The Phase 3 expansion of the Sebring Parkway is proposed as a 4-lane, divided roadway and will serve as a north-south arterial for connection between the City of Sebring and Avon Park. Parcel 4 is located to the east of Parcel 3 and is presumed to have future access through Parcel 3 as part of the future development plans.

As part of the approved County Comprehensive Plan amendment, CPA-04-302LS, the County established several conditions of approval pertaining to the Phase 3 expansion of the Sebring Parkway. The conditions outlined in the County's approval are as follows and shall be considered as part of this amendment.

1. At the time of development the Owner/Applicant will discuss with the County the possibility of providing right-of-way if there is an East/West collection road at that time.
2. No individual lot access will be provided on Sebring Parkway Phase 3 or Memorial Drive.
3. Stub outs will be provided to the south to accommodate future development, but this will be deferred until time of platting.
4. Access to Sebring Parkway will be limited to one point on the west and two points on the east.

Prior to platting, issuance of any site plan approvals or issuance for building permits, a full traffic analysis will also be required to ensure concurrency for any proposed development.

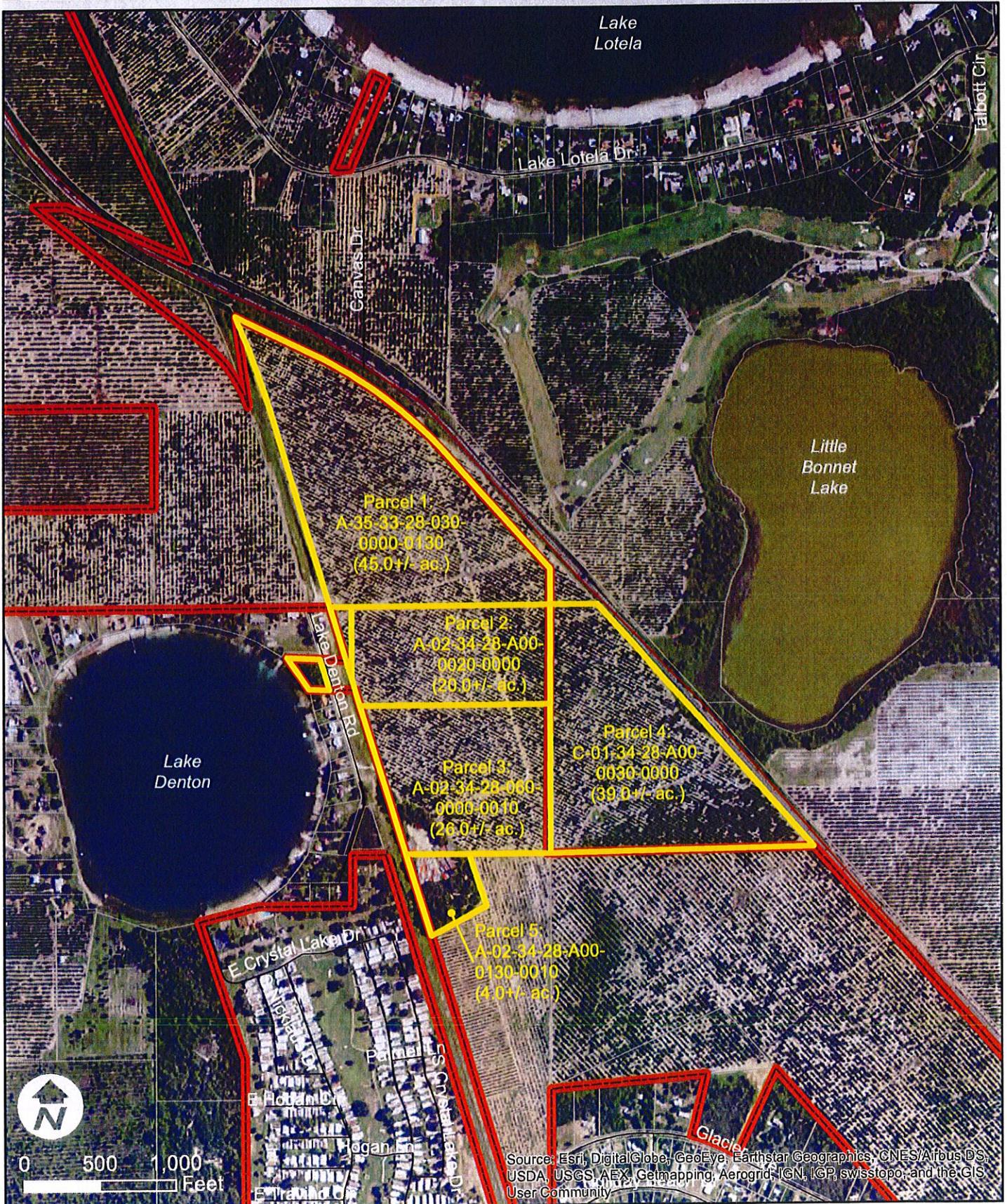
Public Schools:

The Highlands County School Board (HCSB) has been notified concerning the proposed FLU and zoning changes of the subject parcels, as the residential density would increase from 437 units to 1,072 units. The increase is approximately 635 residential dwelling units. Additional review by the HCSB will be required at the time that platting and/or site development review is initiated to ensure concurrency with proposed development on the subject parcels.

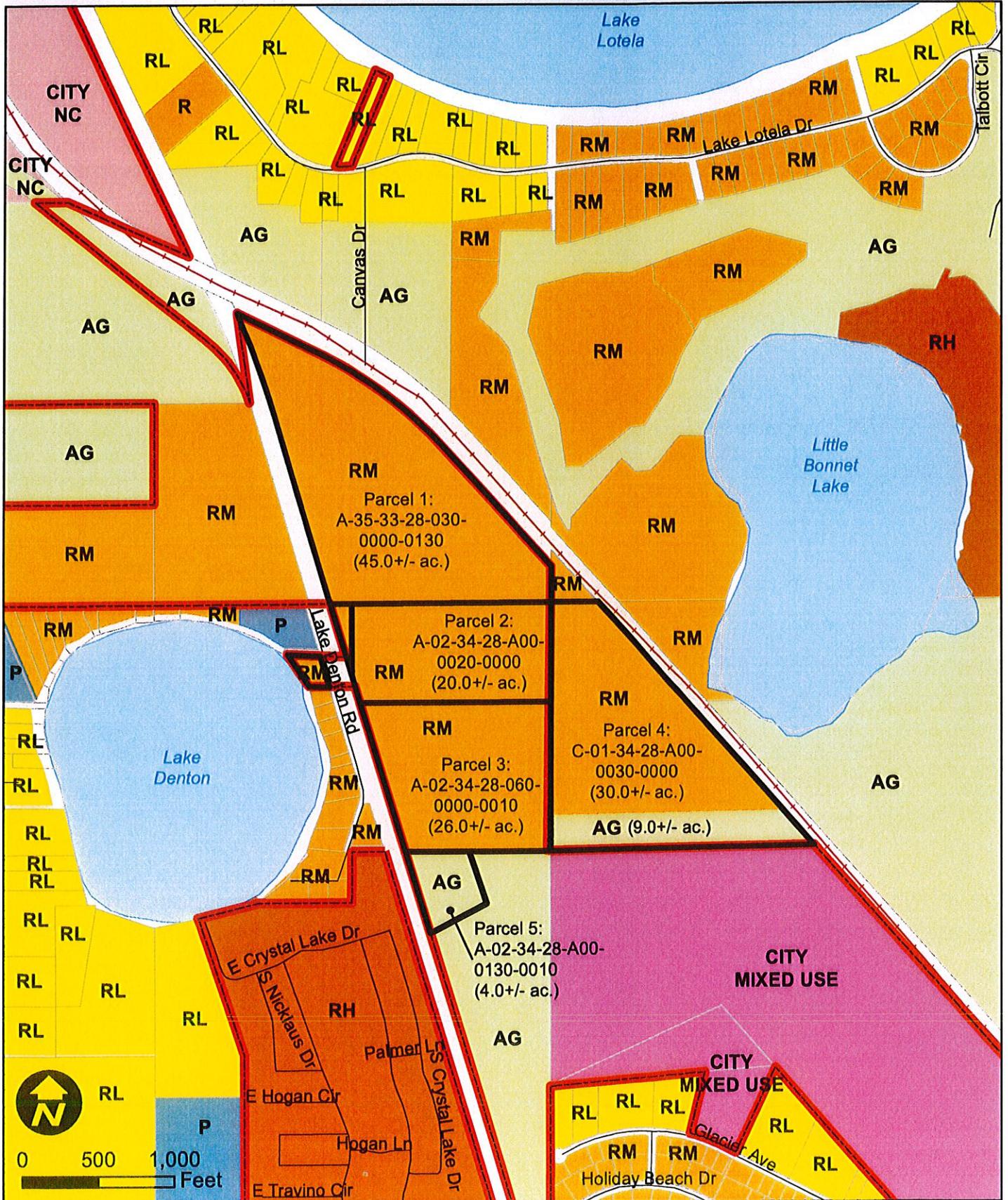
Recreation/Open Space:

Based on the City's level of service standard for recreation and open space facilities, which requires 3 acres/1,000 persons and the City's current operating standard of 6.54 acres/1,000 persons, no negative impacts are anticipated with the proposed FLU or zoning change.

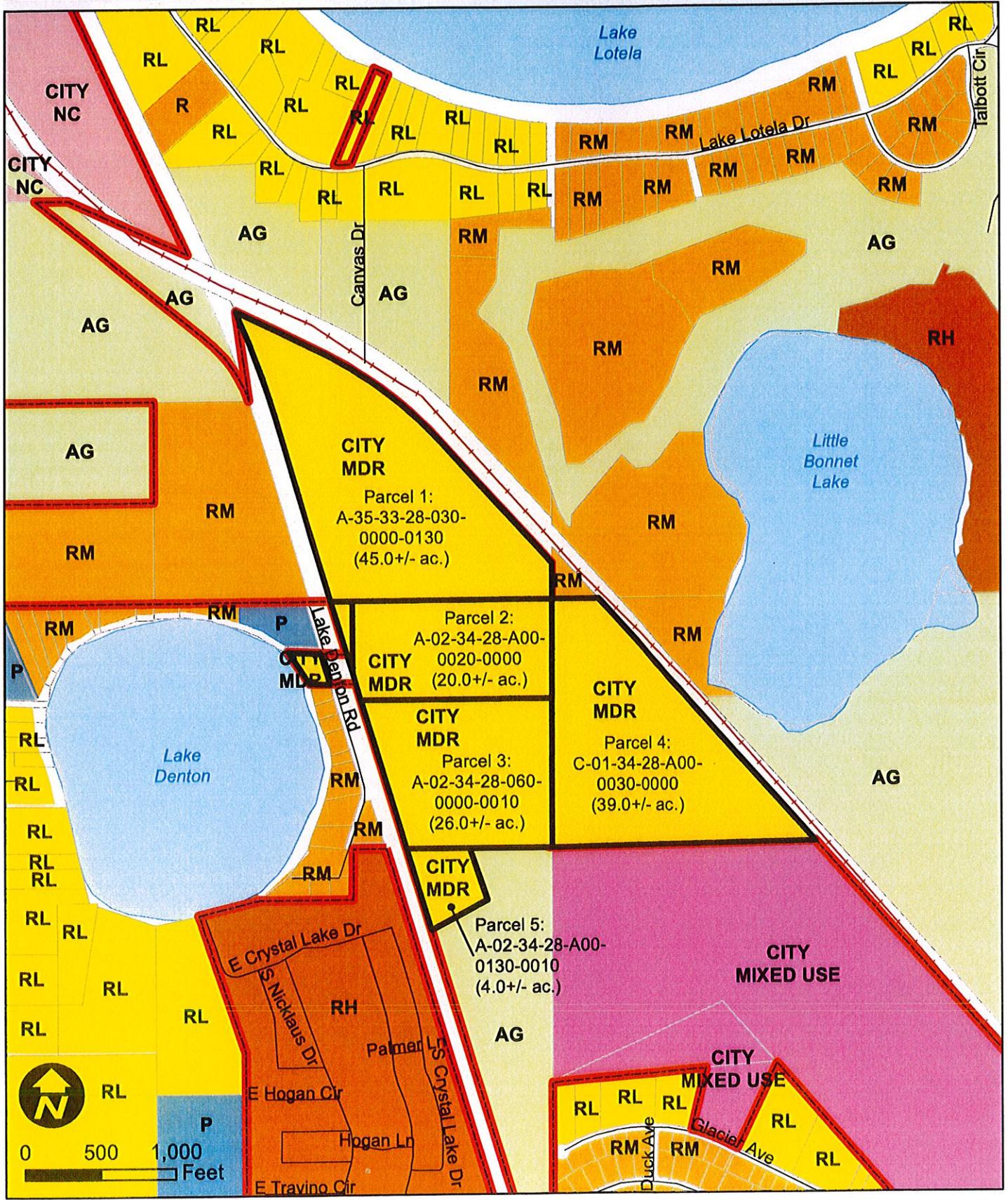
Crews Groves Aerial Photo Map



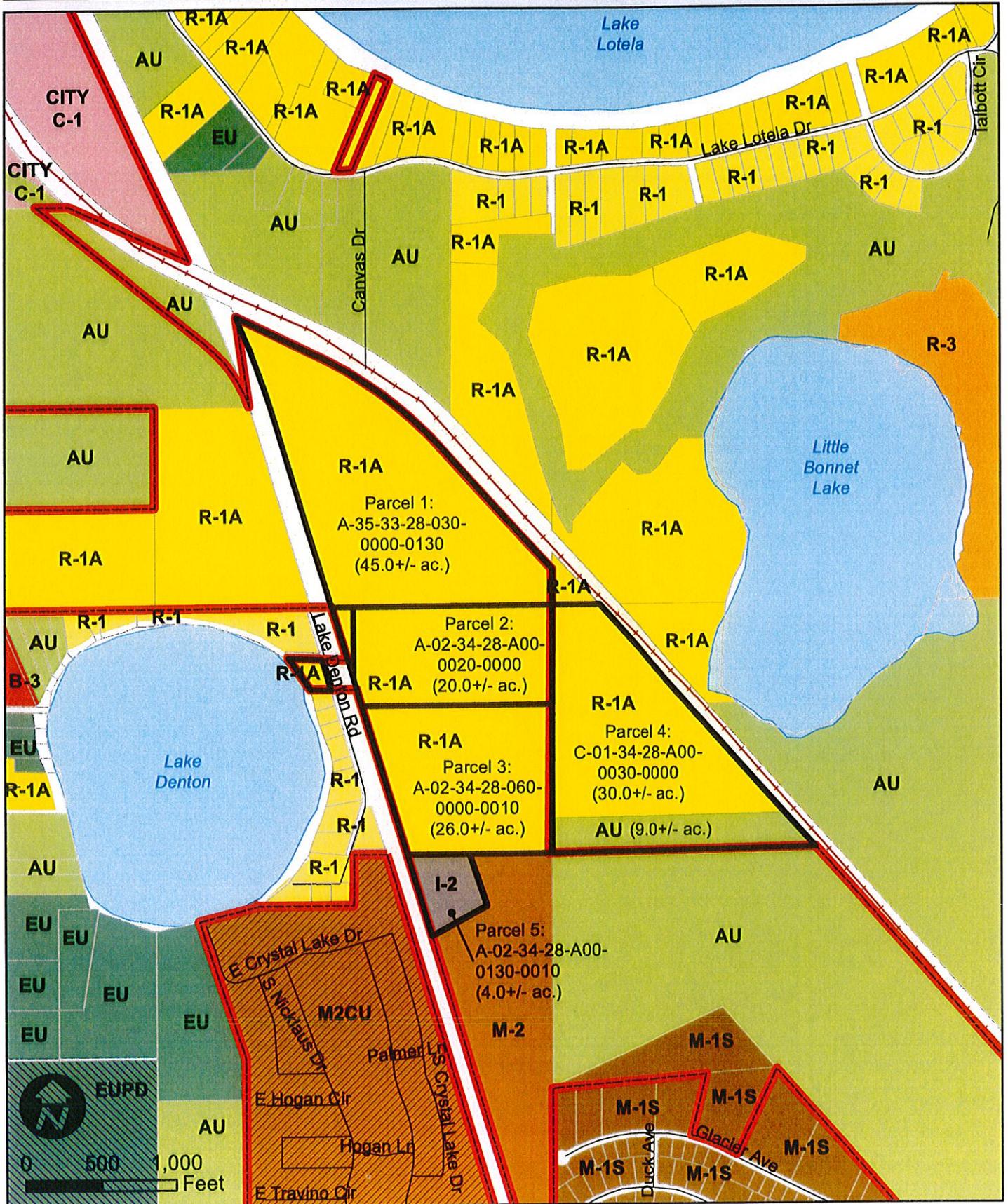
Crews Groves Existing Future Land Use Map



CITY OF AVON PARK PROPOSED FUTURE LAND USE MAP ORDINANCE 25-15



Crews Groves Existing Zoning Map



E 12

ORDINANCE 23-15

AN ORDINANCE TO ANNEX APPROXIMATELY 39 ACRES OF LAND OWNED BY CREWS GROVES, INC, LOCATED AT 1900 LITTLE LAKE BONNETT RD, INTO THE CITY OF AVON PARK, HIGHLANDS COUNTY, FLORIDA, PROVIDING FOR FINDINGS OF APPROPRIATENESS OF THE ANNEXATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Avon Park, Florida is a duly incorporated municipality under the laws of the State of Florida; and

WHEREAS, Crews Groves, Inc is the owner as shown by the legal description attached hereto as Exhibit "B"; and

WHEREAS, the City of Avon Park, would like to incorporate the property, described in Exhibit "B" into the City limits of the City of Avon Park, Florida, as shown by the map, Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, the City has an Annexation Agreement signed by Crews Groves, Inc, attached hereto and incorporated herein as Exhibit "C"; and

WHEREAS, the City of Avon Park, Florida, finds that the property is contiguous to the existing City Limits as required by Florida Statutes Section 171.044, and has the authority to annex this property; and,

WHEREAS, the City of Avon Park, Florida deems it to be in the best interest of the citizens of the City of Avon Park, Florida, and those entitled to its services, that an Ordinance be passed for the purposes of annexing the said property; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA;

Section 1. Property Suitable for Annexation. The City Council finds that the property is substantially contiguous to the existing city limits, and is otherwise capable of being lawfully annexed into the City.

Section 2. Property Annexed. That the parcel of land with the legal description identified in Exhibit "B" attached hereto and incorporated herein, is hereby voluntarily annexed into the City of Avon Park, Florida, pursuant to Statute 171.044 F.S. The property being annexed is shown on the map attached as Exhibit "A". The City boundaries are hereby redefined so as to include the said described parcel of land.

Section 3. Effective Date. This ordinance shall take effect immediately after passage.

INTRODUCED AND PASSED on First Reading the 12 day of October, 2015.

PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA ON THE ____ DAY OF _____, 2015.

CITY OF AVON PARK, FLORIDA

Sharon Schuler, Mayor

ATTEST:

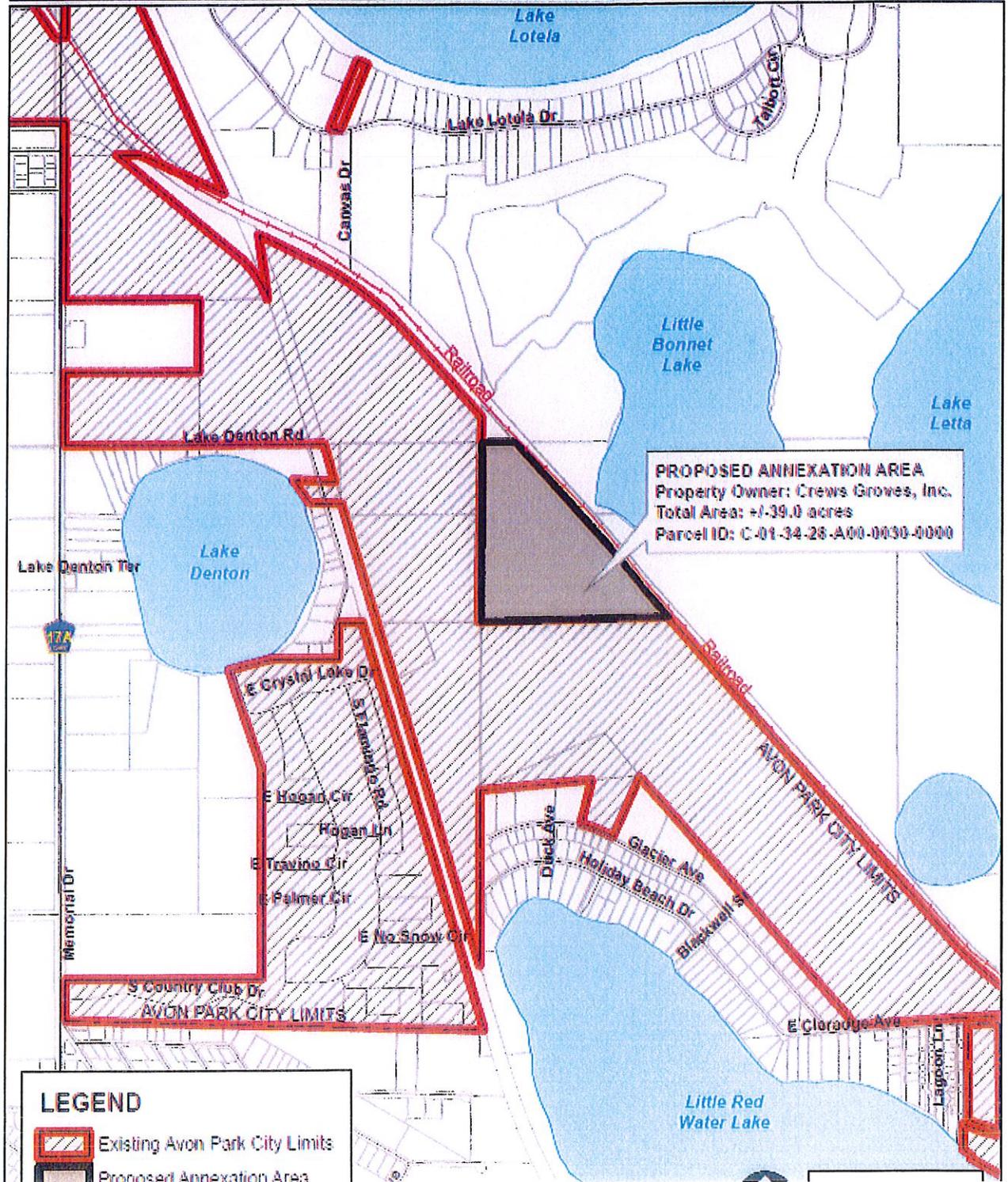


Maria Sutherland, Adm. Services Director & City Clerk

Approved as to form:

Gerald T. Buhr, City Attorney

Exhibit "A": Highlands County and Avon Park Annexation Ordinance 23-15



Parcel C-01-34-28-A00-0030-0000

1900 LITTLE LAKE BONNETT RD
AVON PARK, FL 33825-

EXHIBIT-B

Owners:
CREWS GROVES INC

Mailing Address
P O BOX 1669
AVON PARK, FL 33826-1669

DOR Code: 66 - GROVES/ORCHARDS
Neighborhood: 340.00 - RURAL TRACTS IN 34/28
Millage: 40 - County Southwest Water
Map ID: 46A

Legal Description

NW 1/4 OF NW 1/4 SEC 1
W OF SALRR R/W
1-34-28/3 39.25 ACRES

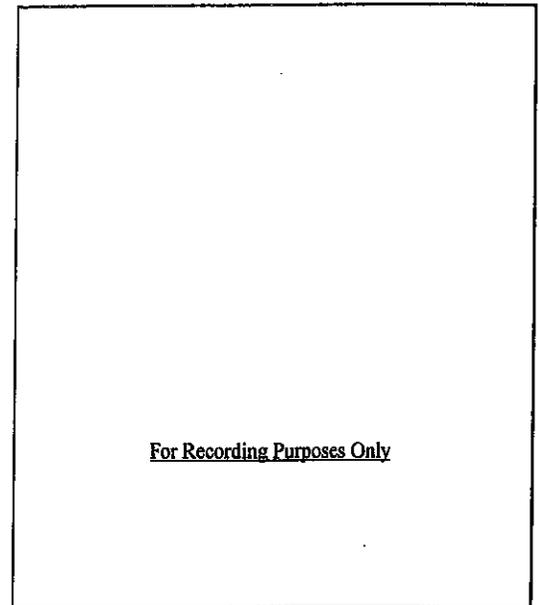


Value Summary

Total Building Value	\$0
Total XF Value	\$0
Total Land Value	\$199,270
Total Land value - Agri.	\$132,797
Income	NA
Total Classified Use Value	\$132,797
Total Just Value	\$199,270

**THIS INSTRUMENT PREPARED BY
AND SHOULD BE RETURNED TO:**

Utility Billing Department
Savitri Latchmansingh
City of Avon Park, Florida
110 East Main Street
Avon Park, FL 33825
(863) 452-4403



For Recording Purposes Only

AGREEMENT TO ANNEX PROPERTY

This Agreement is executed on this 28th day of September, 2015, by Crews Groves, Inc, whose address is P O BOX 1669, AVON PARK, FL 33826-1669 and his /her successors and assigns heirs and personal representatives (hereinafter collectively referred to as "Owner"), for and in favor of the City of Avon Park whose business address is 110 East Main, Avon Park, Florida 33825, and its successors and assigns (hereinafter referred to as "City").

WITNESSETH

Owner, for and in consideration of the receipt of utility service, and Rezoning initiated by the City, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby agree and covenant to annex the property described below ("Property"), into the boundaries of the City.

Parcel C-01-34-28-A00-0030-0000
1900 LITTLE LAKE BONNETT RD
AVON PARK, FL 33825-

Legal Description
NW 1/4 OF NW 1/4 SEC 1
W OF SALRR R/W
1-34-28/3 39.25 ACRES

Owner petitions to voluntarily annex the Property when annexation of the Property is deemed lawful by the City in its sole discretion. The City would not otherwise provide utility service to the Owner but for the expectation that the Property would be annexed when it deems such annexation is lawful. Owner, and any successors, assigns by way of sale of the whole Property, parcels of property, sale of lots through subdivision or any other portion of the Property, all agree to voluntarily allow annexation by the City, and shall execute any documents necessary to accomplish that annexation into the City, and shall in no way hinder or delay such annexation. Owner understands that this

Agreement is perpetual, and is not revocable, and binds the Owner, his/her successors, assigns, heirs and personal representatives. It is expressly understood and agreed that the terms, covenants, and conditions of this Agreement shall be and constitute covenants running with and binding on the property described below including any lots or parcels resulting from subdividing, and shall constitute an obligation on any such individual subdivided lots or parcels, regardless of title or ownership and regardless of any other future changes in ownership or characteristics that may take place.

Owner agrees that if Owner breaches this Agreement, the City's loss of potential future taxes from Owner's project and future annexations based from Owner's parcel would be substantial, and agrees that the City would be entitled to damages for such losses, along with all legal and equitable remedies available under the law, as well as all attorney fees and costs, including without limitation paralegals and expert witnesses, and including appellate attorney fees and costs.

Signed, sealed and delivered before these witnesses:

Sue Walker
(Signed)

Sue Walker
(Printed)

Christy Crow
(Signed)

Christy Crow
(Printed)

OWNER:

Crews Groves, Inc.

By: Robert Crow President

OWNER:

By: _____

STATE OF FLORIDA
COUNTY OF HIGHLANDS

I HEREBY CERTIFY that on this 28th day of September, 2015, before me, an officer duly qualified to take acknowledgments, personally appeared Robert Crow. He is known to me know or who produced _____ as identification and who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESSETH my hand and official seal in the state and county named above.



Notary Public, State of Florida

Signature: Betty Sue Walker

Printed name: Betty Sue Walker

Commission No. _____ My Commission Expires: April 28, 2016
FF 167304

STATE OF FLORIDA
COUNTY OF HIGHLANDS

I HEREBY CERTIFY that on this _____ day of _____, 20____, before me, an officer duly qualified to take acknowledgments, personally appeared _____. He is known to me know or who produced _____ as identification and who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESSETH my hand and official seal in the state and county named above.