

AGENDA
CITY OF VALPARAISO & VALPARAISO CABLE AUTHORITY JOINT MEETING
VALPARAISO, FL
850-729-5402
March 11, 2024
6:00 PM

Invocation (Commissioner Hamilton)
Pledge of Allegiance (Mayor Smith)

APPROVAL OF MINUTES

February 12, 2024, Regular Commission Meeting

CITIZENS' CONCERNS (non-agenda items)

1. Resident
2. Non-resident

ACTION ITEMS/POTENTIAL ORDINANCES

1. Added Agenda Item
2. Resolution No. 02-03-11-24 Amend Employee Handbook -----Attach 1
3. Ordinance No. 734 Outdoor Lighting-----Attach 2

OLD BUSINESS

1. Update New City Hall Renovation
2. Legal Update
3. Ordinance No. 725 Property Owners' Responsibility Sewer Line Maint. ----Attach 3
4. Ordinance No. 727 Rezoning R1A to C1 405 Government-----Attach 4
5. Ordinance No. 728 Rezoning R1A to C1 407 Government-----Attach 5
6. Ordinance No. 729 Rezoning R1A to C1 409 Government-----Attach 6
7. Ordinance No. 730 Rezoning R1A to C1 411 Government-----Attach 7
8. Ordinance No. 731 Rezoning R1A to C1 413 Government-----Attach 8
9. Ordinance No. 732 Rezoning R1A to C1 428 Edge-----Attach 9
10. Ordinance No. 733 Land Use Change R1A to C1-----Attach 10

REPORTS / CORRESPONDENCE / ANNOUNCEMENTS

1. TPO/DOT
2. Stormwater
3. Community Liaison Report
4. Regional Sewer Update
5. Planning Commission Update -----Attach 11
6. Community Center Update
7. Department Updates-----Attach 12
8. Election Tuesday, March 19, 2024
9. Swearing-In & Organizational Meeting Tuesday, March 26, 2024, Noon and 6pm
10. Presentations
11. Disbursements
12. Etc.

RESOLUTION NO. 02-03-11-24

A RESOLUTION AMENDING THE CITY OF VALPARAISO PERSONNEL POLICIES AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Valparaiso Employee Handbook contains rules of general application concerning hiring, promotion, pay, benefits, and discipline; and

WHEREAS, the Valparaiso City Commission has determined that the Manual should be Amended: and

WHEREAS, this is the 13th Revision since the Personnel Policies adoption in 2007.

NOW, THEREFORE, be it resolved by the Commission of the City of Valparaiso, Florida that:

Section 1:

That the Employee handbook is hereby amended as follows with underlining indicating the new language and strikethroughs indicating deleted language:

7.2.6.a LEAVE FOR RESERVE OR NATIONAL GUARD TRAINING

All employees who are commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or members of the National Guard shall be entitled to leaves of absence from their respective duties, without loss of pay, time or efficiency rating, on all days during which they shall be engaged in field or coast defense exercise or other training ordered under the provisions of the United States military or naval training regulations for such personnel when assigned to active or inactive duty; provided, however, that leaves of absence granted as a matter of legal right under the provisions of this section shall be pursuant to Florida Statutes, Chapter 115; in any calendar year. (01/01 – 12/31) ~~fiscal year (10/01—09/30).~~

Section 2: Conflicting Resolutions

All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: Effective Date

THIS RESOLUTION SHALL BECOME EFFECTIVE UPON ADOPTION

PASSED AND ADOPTED THIS ____ DAY OF ____, ____.

Hubert B. Smith
Mayor

ATTEST:

Tammy Johnson, CMC
City Clerk

ORDINANCE NO. 734

AN ORDINANCE AMENDING THE VALPARAISO CODE OF ORDINANCES, CHAPTER 54, DIVISION 1, SECTIONS 54-24, CREATING DIVISION 5 – OUTDOOR LIGHTING AND RENUMBERING DIVISION 6 – ENFORCEMENT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS the people have a right to, and should be ensured of, an environment free from nuisances, and,

WHEREAS a substantial body of science and technology exists by which excessive lighting trespass may be substantially abated; and,

WHEREAS light trespass can be the cause of annoyance and frustration due to light spilling onto another's property and even inside of their home; and,

WHEREAS this chapter shall be effective throughout the incorporated area of the City of Valparaiso.

NOW, THEREFORE, it is the policy of the City of Valparaiso to prevent excessive light that may jeopardize the health, welfare, or safety of the citizens or degrade the quality of life. This ordinance shall apply to the control of light originating from sources within the City of Valparaiso.

Section 1: FINDINGS

The foregoing Whereas clauses are hereby incorporated, adopted and confirmed as if fully set forth herein.

The Valparaiso Code of Ordinances, Chapter 54, Division 1, Section 54-24, Chapter 54, Division 5, Section 54-65 through 54-70 and Section 54-75 through 54-79 is hereby amended as follows with underlining indicating new language and strike-through indicating deleted language:

Sec. 54-24. - Authorization to inspect.

Any code enforcement officer or his/her agent is authorized and directed to lawfully enter and inspect all buildings and to lawfully go upon and inspect all lands within the city at reasonable times to determine their condition in order to safeguard the health, safety and welfare of the public upon receipt of complaints, when he/she has cause to believe that imminent public health is a threat, or when he/she has cause to believe a violation of this chapter exists, an inspection warrant shall be requested pursuant to Ch. 933 F.S.

DIVISION 5. - OUTDOOR LIGHTING

Sec. 54-65. - Definitions.

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

Ambient light means light not originating from the site, such as moonlight.

Artificial light or artificial lighting means the light emanating from any manmade device.

"Bug" type bulb means any yellow light bulb specifically designed to reduce the attraction of insects to the light.

Cumulatively illuminated means illuminated by numerous artificial light sources.

Direct light means light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

Fixture means the assembly that houses the lamp or lamps and can include all or some of the following parts: A housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

Flood or spot light means any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam.

Full cutoff fixture means a luminaire that does not emit any light, either directly or by reflection or diffusion, above a horizontal plane running through the lowest part of the luminaire's feature containing the lamp or lamps that produces the actual light, including any attached reflectors or diffusers.

Glare means light emitting from a luminaire that interferes with visibility.

Ground-level barrier means any vegetation, natural feature or artificial structure rising from the ground which prevents beachfront lighting from shining directly onto the beach-dune system.

Hatchling means any species of marine turtle, within or outside of a nest, that has recently hatched from an egg.

Indirect light means direct light that has been reflected or has scattered off of other surfaces.

Lamp means the component of a luminaire that produces the actual light.

Landscaping lighting means lighting used to emphasize or draw attention to a landscape feature.

Light trespass means light from an artificial light source that is intruding into an area where it does not belong, such as an adjoining or nearby property, or a right-of-way.

Luminaire means a complete lighting system, including a lamp or lamps and all mounting fixtures.

Outdoor lighting means the nighttime illumination of an outside area or object by any fixed luminaire. Vehicle lights and flashlights are not included in this definition.

Pathway lighting means lighting used to illuminate a walkway or pathway.

Point source of light means any artificial light or lighting that directly radiates visible light.

Pole-mounted lighting means any luminaire set on a base or a pole which raises the source of light off of the ground.

Recessed luminaire means a luminaire recessed into an outdoor ceiling or canopy so that its bottom is flush with the underside of the structure.

Skyglow means illumination of the sky from artificial sources.

Tinted glass means any glass treated to achieve an industry-approved, inside-to-outside light transmittance value of 45 percent or less. Such transmittance is limited to the visible spectrum (400 to 700 nanometers) and is measured as the percentage of light that is transmitted through the glass.

Unshielded lighting means any artificial light emitted, either directly or by reflection or diffusion, above a horizontal plane running through the lowest part of the luminaire's full cutoff feature.

Uplighting means any luminaire that directly or indirectly projects light above the horizontal plane of a 90-degree angle passing through the lowest point of the luminaire's full cutoff feature.

Wallpacks means luminaires placed along the outer walls of buildings. See illustrations.

54-66. - Purpose and intent.

The purpose of this section is to define practical and effective measures to reduce problems created by improperly designed and installed outdoor lighting. These regulations are intended to minimize light pollution, glare and trespass; conserve energy while maintaining nighttime safety, security, and productivity; protect the privacy of residents; minimize disturbance of wildlife; enhance the ambiance of the community; and ensure optimal viewing of night skies above the City.

54-67. - Conformance with applicable codes.

All outdoor lighting devices shall be installed in conformance with the provisions of this Code and the Florida Building Code.

54-68. - Applicability.

A. Standards. Except as provided in this section, all new outdoor lighting, regardless of whether a permit is required, shall comply with the standards of this ordinance.

B. Permit required. A permit is required to add, reposition, or replace outdoor lights mounted on poles higher than ten feet above the ground. In all other cases, no development permit is required to add, reposition, or replace outdoor lights; however, building permits may be required.

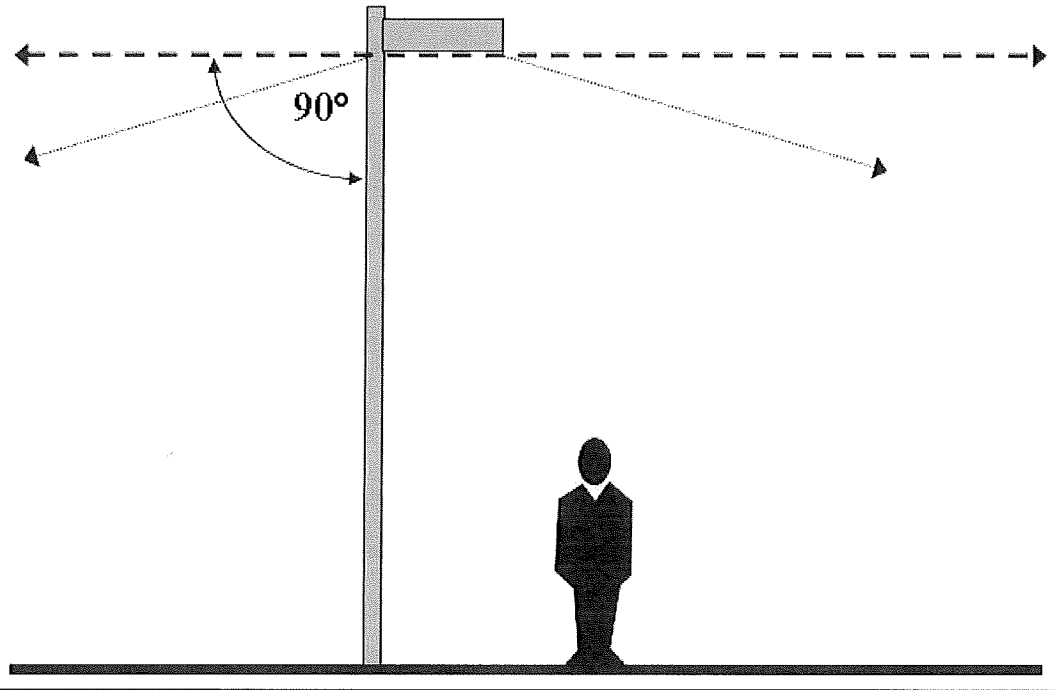
C. Exemptions. The following are exempt from the requirements of this section:

1. Fossil fuel lighting. All outdoor light fixtures producing light directly by the combustion of fossil fuels (such as kerosene lanterns and gas lamps).
2. Government facilities. Outdoor light fixtures on, or in connection with facilities and land owned or operated by the federal or state government, the Okaloosa County School Board and the City. Voluntary compliance with the intent and provisions of this section is encouraged.
3. Temporary construction and emergency lighting. Lighting necessary for construction or emergencies, provided said lighting is temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency necessitating said lighting.
4. Hazard warning lighting. As required by federal or state regulatory agencies.
5. Seasonal lighting. From the day before Thanksgiving through January 15, lighting that is clearly incidental to the use of the property and is customary and commonly associated with any national, local or religious holiday.
6. Flag lighting. Up-directed lighting illuminating flags. It is recommended that flags be lowered at sunset and not illuminated with up-directed lighting.

54-69. - Generally.

A. All outdoor lighting shall be designed and installed to prevent glare and light trespass on abutting property.

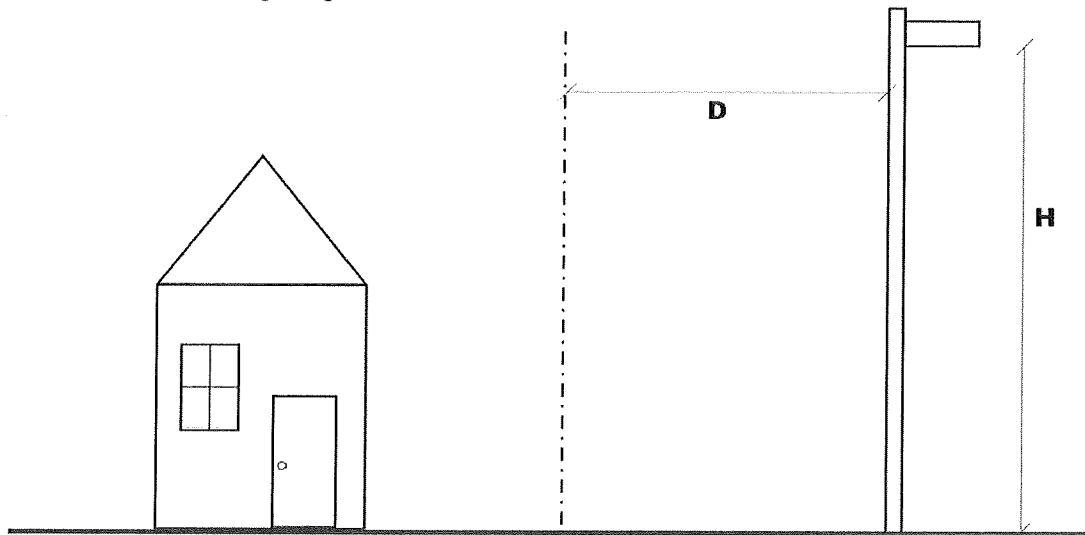
1. Full cut-off lighting fixtures. Where outdoor lighting is proposed for installation, full cut-off lighting fixtures are required for all outdoor walkway, parking lot, canopy and building/wall mounted lighting, and all lighting located within those portions of open-sided parking structures that are above ground. Lights that are properly installed in an architectural space (such as under a porch roof or a roof overhang) and that provide the functional equivalent of a full cut-off fixture need not use full cut-off fixtures.



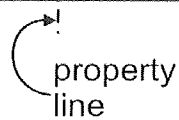
Full cut-off

2. Setback or shielding requirement. Where a multi-family dwelling of three or more units or a nonresidential use abuts property that is residentially zoned or has a dwelling of one or two units, all outdoor lighting fixtures shall be setback the minimum distance from the nearest lot line or "house-side shielding" shall be used on the residential property side of the lighting fixture as shown in the following diagram. A house-side shield consists of a visor or shielding panel that attaches to a lighting fixture. This provision is applicable for both light poles and lighting fixtures mounted on the side or top of a building or structure. Where a dwelling of one or two units abuts a property that is residentially zoned or has a dwelling of one or two units, light fixtures must be shielded and/or angled to prevent light trespass on abutting property.

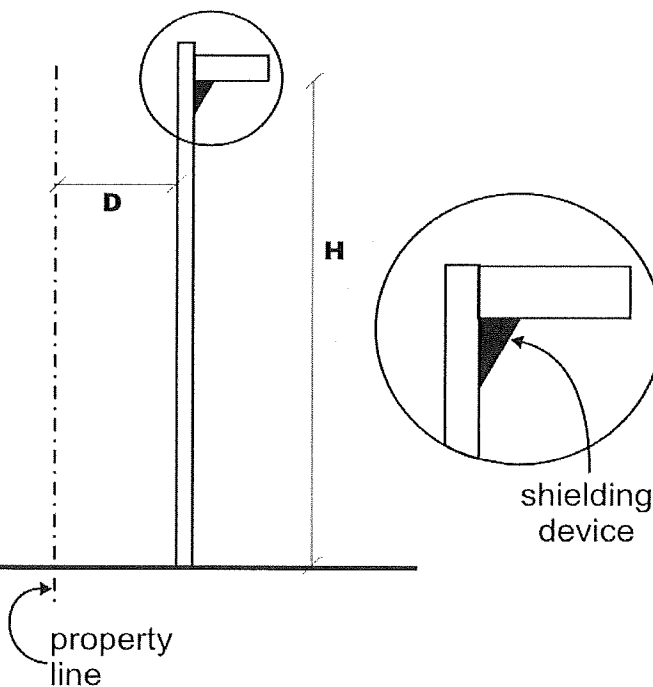
Setback or Shielding Requirements



Shield not required if height (**H**) is less than 2 times the distance (**D**) from the property line.



If height (**H**) is greater than 2 times the distance (**D**) to the adjacent property line then light fixture must be shielded.



3. Screening. Where a multi-family dwelling of three or more units or a nonresidential use abuts property that is in a residential zoning district or has a dwelling of one or two units, fences and walls shall be constructed, sized and located so that no head-lamp or tail-lamp from a motor vehicle is visible from a first floor window located within the residential district or on the dwelling unit. Fences and walls shall comply with the fences and walls section.

4. Sign lighting. Lighting fixtures used to illuminate an outdoor advertising sign shall be mounted on the top or above the sign structure with the light directed downward. Outdoor advertising signs of the type constructed of translucent materials and wholly illuminated from within do not require shielding. Dark backgrounds with light lettering or symbols are preferred, to minimize detrimental effects. No sign shall flash or blink red and blue colors to include LED and Reader Board signs.

54-70. - Effective date and nonconforming light fixtures.

Any new light fixtures shall meet the requirements of this section:

A. Where installation can be verified prior to the passage of this ordinance, outdoor light fixtures that do not meet the standards of this section, shall be classified legal, nonconforming light fixtures. Where a legal, nonconforming light fixture causes visible glare, light trespass or any other light intrusion to a residential property or motorists on the adjoining public rights-of-way, the fixtures shall be either shielded, redirected, replaced, or removed to eliminate the nuisance as determined by the code enforcement officer.

B. New Uses or Structures, or Change of Use. Whenever there is a new use or structure on a property, or the use on the property is changed, all outdoor light fixtures shall be brought into compliance with the standards of this section.

C. Resumption of Use after Abandonment. If a property with legal, nonconforming light fixture is abandoned for a period of 12 months or more, then all outdoor light fixtures shall be brought into compliance with the standards of this section.

DIVISION 6. - ENFORCEMENT

Sec. 54-61 75. - Enforcement.

(a) The code enforcement department is empowered to investigate any situation where a person is alleged to be violating any Chapter 54 – Offenses. Code enforcement officers and law enforcement officers are empowered to investigate any situation where a person is alleged to be violating any section or subsection and issue civil citations for the violation of any provision of said section, when based upon personal investigation, the officer has reasonable and probable grounds to believe that a violation has occurred.

Sec. 54-6276. - Penalty.

A violation shall be punished as follows for Chapter 54, Article II, Divisions 4 and 5:

A person who has been issued a citation shall be subject to a civil penalty.

(1) For the first violation, a warning to eliminate or abate the violation within a reasonable time.

(2) For the second violation, by a civil penalty of \$100.00.

(3) For third and subsequent violations, by a civil penalty of \$500.00, measured from one year from the first offense.

Sec. 54-6377. - Other remedies.

The City of Valparaiso may request a hearing before the city magistrate for habitual offenders in order to ensure compliance with this chapter. ~~where the penalties established in section 54-62 are not preventing the violation of this chapter.~~

Sec. 54-6478. - No liability for reasonable, good faith trespass by enforcement officer.

Code enforcement officers and law enforcement officers shall be immune from prosecution, civil or criminal, for reasonable, good faith trespass upon private property while in the discharge of duties under this chapter.

Sec. 54-6579. - Administration.

The City of Valparaiso commissioners may adopt such resolutions as are necessary to effectively administer this chapter.

Section 2: CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: SEVERABILITY

The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph section or clause is adjudged unconstitutional or invalid by any court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Section 4: EFFECTIVE DATE.

This ordinance shall become effective immediately upon passage.

ADOPTED IN SESSION THIS _____ DAY OF _____ 2024

Hubert B. Smith
Mayor

ATTEST:

Tammy Johnson, CMC
City Clerk

Ordinance No. 734

ORDINANCE NO. 725

AN ORDINANCE OF THE CITY OF VALPARAISO, FLORIDA AMENDING SECTION 86-107 OF THE VALPARAISO CODE OF ORDINANCES; PROVIDING FOR CHANGE IN THE PROPERTY OWNERS' RESPONSIBILITY FOR MAINTENANCE OF THE SEWER LATERAL LINES AND PROVIDING FOR (1) SEVERABILITY, (2) REPEAL OF CONFLICTING ORDINANCES, AND (3) AN EFFECTIVE DATE.

WHEREAS, the City Commission has determined that it is in the best interest of the city sewer system to clarify that property owners are responsible for maintenance of these sewer pipes from their plumbing system to a point of service connection.

NOW, THEREFORE BE IT ORDAINED BY THE VALPARAISO CITY COMMISSION THAT:

Section 1: That the Valparaiso Code of Ordinances, Sections 86-107, is hereby amended as follows with red indicating the new ordinance language and strike-throughs indicating deleted language:

Sec. 86-107. Maintenance of plumbing system.

The owner of the property shall be responsible for maintaining and keeping clean the sewer pipe leading and connecting from the plumbing system to the city right-of-way or the point of connection to city's lateral. Property owners are responsible for the installation and maintenance of cleanouts on city's right of way.

City personnel shall have access to all right-of-way cleanouts to ensure proper ~~functioning and maintenance~~ function, maintenance, and diagnostics of the sanitary sewer system.

Section 2: SEVERABILITY

The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph or section or clause is adjudged to be unconstitutional or invalid by any court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Section 3: CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: EFFECTIVE DATE

This ordinance shall become effective immediately upon passage.

ADOPTED IN SESSION THIS ____ DAY OF ____, 2024.

Hubert B. Smith
Mayor

ORDINANCE NO. 727

AN ORDINANCE OF THE CITY OF VALPARAISO, FLORIDA AMENDING ITS ZONING MAP; PROVIDING FOR A PURPOSE; PROVIDING FOR A ZONING CHANGE TO .35 ACRES MOL OF LAND FROM R-1A, SINGLE FAMILY RESIDENTIAL TO C-1, COMMERCIAL DISTRICT LIMITED; PROVIDING FOR ZONING MAP AMENDMENT, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Valparaiso has the authority to enact this ordinance changing its Zoning Map in accordance with the Land Development Code; and

WHEREAS, this zoning change is compatible with adjacent land use categories; and

WHEREAS, the Planning Commission conducted a PUBLIC HEARING using quasi-judicial procedures on 06 February 2024 to address rezoning that part of the City of Valparaiso, identified as 405 Government Avenue, Parcel Number 12-1S-23-1140-0002-0070, Plat 7, from R-1A, Single Family Residential, to C-1, Commercial District Limited; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF VALPARAISO, FLORIDA:

1. That the Zoning Map of the city is hereby amended by changing the zoning district of the property described above from Single Family Residential (R-1A) to Commercial District Limited (C-1). The parcel location is indicated in Exhibit A, which is attached hereto and made a part hereof. The parcel is specifically described as Plat 7, Block 2, Lot 7, located at 405 Government Avenue, containing .35 acres, more or less.

2. Effective Date

This ordinance and the zoning map shall become effective simultaneously with final adoption of Ordinance No. 733 .

ADOPTED IN SESSION THIS ____ DAY OF ____.

Hubert B. Smith
Mayor

Exhibit A



Report on Property Rezoning Request for Lots on Government and Edge Avenues

22 February 2024

Introduction

As part of its 6 February 2024 Valparaiso Planning Commission meeting, a portion of the meeting addressed 5 property owners individual requests to rezone their property from Residential Single Family (R-1A) to Neighborhood Commercial (C-1). The meeting was held in the Valparaiso City meeting chamber on 465 Valparaiso Parkway. The results of this meeting were presented by the Planning Commission Chair, Robert Bachelor, at the City Commission meeting held on 12 February 2024 at the Valparaiso City meeting chamber.

Recommendation

After all property owners spoke, both those requesting the rezoning and those objecting to the rezoning request, the Planning Commission members agreed to the following:

1. Recommend the City Commissioners approve rezoning the following properties from R-1A to C-1: 407, 409, 411, and 413 Government Avenue.
2. Recommend the City Commissioners have a traffic study performed on Aurora and Edge Avenues at the addresses of 405 Government Avenue and 428 Edge Avenue to determine if a rezoning of those properties from R-1A to C-1 would negatively impact the neighborhood.

Details

At the recommendation of the City Attorney, this portion of the meeting was held under quasi-judicial rules. The Assistant City Clerk swore in those people who planned to speak at the meeting. In addition, the Planning Commission prepared this formal report documenting the information presented at the meeting by the City Administrator, statements of those attendees who spoke at the meeting, and the discussion and recommendations of Planning Commission regarding the property owners' rezoning request.

Five Planning Commissioners were in attendance: Mr. JD Cameron, Mr. Les Chambers, Ms. Robin Helmer, Mr. Bob Webb, and Mr. Bob Bachelor

One Planning Commission member, Mr. JD Cameron, was disqualified from voting on the rezoning request because of ownership of a property within 400 feet of the rezoning requested properties. As a result, Mr. Cameron completed Form 8B. Under the quasi-judicial meeting rules, Mr. Cameron was permitted to ask questions of the presenters and to participate in all discussions about the rezoning request.

Based on the sign-in list, at least 21 people were in attendance; 10 people spoke with 7 of those against the rezoning request and 3 in favor of the request. (see attachment 1)

No time limit was placed on any speaker with some speaking more than once. And, as a result, the meeting lasted over 3 hours.

The City Administrator, Mr. Carl Scott, presented the zoning change requests to the Planning Commission. The properties in the request are: 405, 407, 409, 411, and 413 Government Avenue and 428 Edge Avenue. Not all property owners requesting the zoning change were present at the meeting. All properties within 400 feet of these properties were sent a certified letter notifying those property owners of the rezoning request. Signs were placed on the properties, as required, as well as a notice of the rezoning request posted in the local newspaper. The City Administrator said that the city is interested in making this area of the city a commercial corridor to bring in more revenue to the city. The City Administrator also said that the property owner at 431 Edge Avenue, which is next to an I-2 zone, may also request a rezone from R-1A to C-1.

The meeting minutes contain a complete record of all speaker statements. However, at times in the meeting there was so much cross talk between attendees it was not possible to document those specific comments.

The first speaker expressed concern that she did not receive a certified notification of the rezoning request while her neighbors did. The City Administrator looked through his documents but didn't find one addressed to the speaker. After the meeting, using the Okaloosa County Property Appraiser website, the distance between the nearest rezoning request property and the property in question, 406 Brooks Circle, is 405 to 408 feet, so a certified notification was not required.

The following is a summary of the concerns expressed by the property owners opposed to the rezoning request. Some of the owners expressed the same concern(s).

1. Negative effect on adjacent and nearby property values.
2. Seem to be several empty commercial buildings in Valparaiso which could support the businesses being promoted for these 6 properties.
3. Asked for a traffic study on the potential effect of traffic volume.
4. Concern if the size of the rezoning request properties is sufficient to support commercial parking.
5. Concern over the type of businesses which would be allowed.
6. If approved, could an alley be placed between the 6 properties and those which share the same property lines?
7. If approved, are fences and/or noise barriers required on C-1 property lines which are next to R-1A property lines? Mr. Scott replied yes there are requirements with which the property owners will have to comply.
8. If approved, assuming increased traffic, a negative effect on the safety of children who ride their bikes in the neighborhood streets.
9. Concern of commercial customers using private driveways of R-1A property.
10. May be more difficult to sell R-1A properties which are near the 6 properties in the rezoning request.
11. The neighborhood is a family oriented and focused.

The following is a summary of the statements made by those supporting the rezoning request. The speakers are owners of some of the properties contained in the rezoning request.

1. Currently, there are 44 parcels on Government Avenue, 37 of which are commercial.
2. No plans to combine or merge rezoned properties into larger lots or into a single property.
3. Lot sizes limit usage to small businesses and/or professional office space.
4. For 428 Edge Avenue, the owner stated there will be only 1 client at a time on the property.
5. For 405 Government Avenue, the owner wants to use the property as an office for his business. The business is IT with all employees working remotely. The property would be for his use only.
6. If rezoning request is approved, it could motivate other commercial property owners to improve their Valparaiso properties.

Planning Commission Discussion

The following items were noted.

1. Along John Sims Parkway, residential properties are directly behind commercial properties and share the same rear or side property line.
2. There could be an impact to traffic on Aurora and Edge Avenues, if for 405 Government Avenue and 428 Edge Avenue zoning is changed to C-1, but this was not agreed by all planning commission members.

Planning Commission Recommendations

After the discussion was completed, the Planning Commission made the following recommendations on the rezoning requests for the City Commission to consider:

1. Rezone from R-1A to C-1 for properties at 407, 409, 411, and 413 Government Avenue.
2. Perform a traffic study on Aurora and Edge Avenue for properties at 405 Government Avenue and 428 Edge Avenue to determine if a rezoning to C-1 would negatively impact the neighborhood.

Robert Bachelor
Chair, Valparaiso Planning Commission

Atch: Sign-In List for 6 February 2024 Valparaiso Planning Commission Meeting

Attachment

Sign-In List for 6 February 2024 Valparaiso Planning Commission Meeting

Name	Address
Catheren Shirah ¹	424 Edge Avenue, Valparaiso
Jami Shirah	424 Edge Avenue, Valparaiso
Daren and Emma Jones ¹	426 Edge Avenue, Valparaiso
Kelly Irwin	184 Chicago Avenue, Valparaiso
Laurie Faulk	422 Davenport Avenue, Valparaiso
Anthony Hughey ¹	430 Edge Avenue, Valparaiso
Karen Madruga	94 Aurora Street, Valparaiso
Louise Graham	410 Brooks Circle, Valparaiso
Sandy Erickson ¹	406 Brooks Circle, Valparaiso
Elizabeth Garcia ¹	82 Aurora Street, Valparaiso
Joseph Garcia	82 Aurora Street, Valparaiso
Ryan Garcia	82 Aurora Street, Valparaiso
Heather Cavender ¹	404 Davenport Avenue, Valparaiso
David Nichols	174 Chicago Avenue, Valparaiso
Kevin Monty	419 Davenport Avenue, Valparaiso
Terri Robles ¹	424 Davenport Avenue, Valparaiso
Jimmy Coley	84 Aurora Street, Valparaiso
Rhonda Knight Burke	92 Aurora Street, Valparaiso
Jason Rosenbleeth ²	991 Bayshore Drive, Valparaiso
Paul Sjoberg ²	1697 Vine Avenue, Niceville
John Olsen ²	428 Edge Avenue, Valparaiso

¹ Persons who spoke at the meeting against the rezoning request.

² Persons who spoke at the meeting in favor of the rezoning request.

ORDINANCE NO. 728

AN ORDINANCE OF THE CITY OF VALPARAISO, FLORIDA AMENDING ITS ZONING MAP; PROVIDING FOR A PURPOSE; PROVIDING FOR A ZONING CHANGE TO .28 ACRES MOL OF LAND FROM R-1A, SINGLE FAMILY RESIDENTIAL TO C-1, COMMERCIAL DISTRICT LIMITED; PROVIDING FOR ZONING MAP AMENDMENT, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Valparaiso has the authority to enact this ordinance changing its Zoning Map in accordance with the Land Development Code; and

WHEREAS, this zoning change is compatible with adjacent land use categories; and

WHEREAS, the Planning Commission conducted a PUBLIC HEARING using quasi-judicial procedures on 06 February 2024 to address rezoning that part of the City of Valparaiso, identified as 407 Government Avenue, Parcel Number 12-1S-23-1140-0002-0060, Plat 7, from R-1A, Single Family Residential, to C-1, Commercial District Limited; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF VALPARAISO, FLORIDA:

1. That the Zoning Map of the city is hereby amended by changing the zoning district of the property described above from Single Family Residential (R-1A) to Commercial District Limited (C-1). The parcel location is indicated in Exhibit A, which is attached hereto and made a part hereof. The parcel is specifically described as Plat 7, Block 2, Lot 6, located at 407 Government Avenue, containing .28 acres, more or less.

2. Effective Date

This ordinance and the zoning map shall become effective simultaneously with final adoption of Ordinance No. 733.

ADOPTED IN SESSION THIS _____ DAY OF _____.

Hubert B. Smith
Mayor

Exhibit A



ORDINANCE NO. 729

AN ORDINANCE OF THE CITY OF VALPARAISO, FLORIDA AMENDING ITS ZONING MAP; PROVIDING FOR A PURPOSE; PROVIDING FOR A ZONING CHANGE TO .26 ACRES MOL OF LAND FROM R-1A, SINGLE FAMILY RESIDENTIAL TO C-1, COMMERCIAL DISTRICT LIMITED; PROVIDING FOR ZONING MAP AMENDMENT, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Valparaiso has the authority to enact this ordinance changing its Zoning Map in accordance with the Land Development Code; and

WHEREAS, this zoning change is compatible with adjacent land use categories; and

WHEREAS, the Planning Commission conducted a PUBLIC HEARING using quasi-judicial procedures on 06 February 2024 to address rezoning that part of the City of Valparaiso, identified as 409 Government Avenue, Parcel Number 12-1S-23-1140-0002-0050, Plat 7, from R-1A, Single Family Residential, to C-1, Commercial District Limited; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF VALPARAISO, FLORIDA:

1. That the Zoning Map of the city is hereby amended by changing the zoning district of the property described above from Single Family Residential (R-1A) to Commercial District Limited (C-1). The parcel location is indicated in Exhibit A, which is attached hereto and made a part hereof. The parcel is specifically described as Plat 7, Block 2, Lot 5, located at 409 Government Avenue, containing .26 acres, more or less.

2. Effective Date

This ordinance and the zoning map shall become effective simultaneously with final adoption of Ordinance No. 733.

ADOPTED IN SESSION THIS ____ DAY OF ____.

Hubert B. Smith
Mayor

Exhibit A



ORDINANCE NO. 730

AN ORDINANCE OF THE CITY OF VALPARAISO, FLORIDA AMENDING ITS ZONING MAP; PROVIDING FOR A PURPOSE; PROVIDING FOR A ZONING CHANGE TO .26 ACRES MOL OF LAND FROM R-1A, SINGLE FAMILY RESIDENTIAL TO C-1, COMMERCIAL DISTRICT LIMITED; PROVIDING FOR ZONING MAP AMENDMENT, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Valparaiso has the authority to enact this ordinance changing its Zoning Map in accordance with the Land Development Code; and

WHEREAS, this zoning change is compatible with adjacent land use categories; and

WHEREAS, the Planning Commission conducted a PUBLIC HEARING using quasi-judicial procedures on 06 February 2024 to address rezoning that part of the City of Valparaiso, identified as 411 Government Avenue, Parcel Number 12-1S-23-253E-0020-0050, Plat 7, from R-1A, Single Family Residential, to C-1, Commercial District Limited; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF VALPARAISO, FLORIDA:

1. That the Zoning Map of the city is hereby amended by changing the zoning district of the property described above from Single Family Residential (R-1A) to Commercial District Limited (C-1). The parcel location is indicated in Exhibit A, which is attached hereto and made a part hereof. The parcel is specifically described as Plat 7, Block 2, Lot 5, located at 411 Government Avenue, containing .26 acres, more or less.

2. Effective Date

This ordinance and the zoning map shall become effective simultaneously with final adoption of Ordinance No. 733.

ADOPTED IN SESSION THIS _____ DAY OF _____.

Hubert B. Smith
Mayor

Exhibit A



ORDINANCE NO. 731

AN ORDINANCE OF THE CITY OF VALPARAISO, FLORIDA AMENDING ITS ZONING MAP; PROVIDING FOR A PURPOSE; PROVIDING FOR A ZONING CHANGE TO .28 ACRES MOL OF LAND FROM R-1A, SINGLE FAMILY RESIDENTIAL TO C-1, COMMERCIAL DISTRICT LIMITED; PROVIDING FOR ZONING MAP AMENDMENT, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Valparaiso has the authority to enact this ordinance changing its Zoning Map in accordance with the Land Development Code; and

WHEREAS, this zoning change is compatible with adjacent land use categories; and

WHEREAS, the Planning Commission conducted a PUBLIC HEARING using quasi-judicial procedures on 06 February 2024 to address rezoning that part of the City of Valparaiso, identified as 413 Government Avenue, Parcel Number 12-1S-23-1140-0002-0040, Plat 7, from R-1A, Single Family Residential, to C-1, Commercial District Limited; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF VALPARAISO, FLORIDA:

1. That the Zoning Map of the city is hereby amended by changing the zoning district of the property described above from Single Family Residential (R-1A) to Commercial District Limited (C-1). The parcel location is indicated in Exhibit A, which is attached hereto and made a part hereof. The parcel is specifically described as Plat 7, Block 2, Lot 4, located at 413 Government Avenue, containing .28 acres, more or less.

2. Effective Date

This ordinance and the zoning map shall become effective simultaneously with final adoption of Ordinance No. 733.

ADOPTED IN SESSION THIS ____ DAY OF ____.

Hubert B. Smith
Mayor

Exhibit A



ORDINANCE NO. 732

AN ORDINANCE OF THE CITY OF VALPARAISO, FLORIDA AMENDING ITS ZONING MAP; PROVIDING FOR A PURPOSE; PROVIDING FOR A ZONING CHANGE TO .36 ACRES MOL OF LAND FROM R-1A, SINGLE FAMILY RESIDENTIAL TO C-1, COMMERCIAL DISTRICT LIMITED; PROVIDING FOR ZONING MAP AMENDMENT, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Valparaiso has the authority to enact this ordinance changing its Zoning Map in accordance with the Land Development Code; and

WHEREAS, this zoning change is compatible with adjacent land use categories; and

WHEREAS, the Planning Commission conducted a PUBLIC HEARING using quasi-judicial procedures on 06 February 2024 to address rezoning that part of the City of Valparaiso, identified as 428 Edge Avenue, Parcel Number 12-1S-23-1140-0002-0030, Plat 7, from R-1A, Single Family Residential, to C-1, Commercial District Limited; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF VALPARAISO, FLORIDA:

1. That the Zoning Map of the city is hereby amended by changing the zoning district of the property described above from Single Family Residential (R-1A) to Commercial District Limited (C-1). The parcel location is indicated in Exhibit A, which is attached hereto and made a part hereof. The parcel is specifically described as Plat 7, Block 2, Lot 3, located at 428 Edge Avenue, containing .36 acres, more or less.

2. Effective Date

This ordinance and the zoning map shall become effective simultaneously with final adoption of Ordinance No. 733.

ADOPTED IN SESSION THIS _____ DAY OF _____.

Hubert B. Smith
Mayor

Exhibit A



ORDINANCE NO. 733

AN ORDINANCE OF THE CITY OF VALPARAISO, FLORIDA AMENDING ITS ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR PURPOSE; PROVIDING FOR LAND USE CHANGE TO 1.80 ACRES OF LAND MOL; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Valparaiso has the authority to enact this ordinance changing its Comprehensive Plan in accord with Chapters 163. 3187, 166.021, and 166.041 Florida Statutes, and the adopted Comprehensive Plan, Section 7.07; and

WHEREAS, this small scale amendment to the Comprehensive Plan is compatible with adjacent land use categories; and

WHEREAS, the Planning and Advisory Board conducted a PUBLIC HEARING using quasi-judicial procedures on 06 February 2023 to address amending the Future Land Use Map in that part of the City of Valparaiso, identified as Plat 7, Block 2, Lot 3, Lot 4, Lot 5, Lot 6, Lot 7 and Block 2, Lot 5 (253E), from Low Density Residential to Commercial; and

WHEREAS, the City Commission sitting as the Local Planning Agency conducted a PUBLIC HEARING on 11 March 2024 on said amendment to the Future Land Use Map.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF VALPARAISO, FLORIDA:

1. That the Future Land Use Map of the adopted Comprehensive Plan is hereby amended by changing the Future Land Use category of the parcels described above from Low Density Residential to Commercial. The parcel locations are indicated in Exhibit A, which is attached hereto and made a part hereof.

2. Effective Date

This ordinance and plan amendment shall become effective thirty-one (31) days after adoption on second reading by the City Commission, unless the amendment is challenged pursuant to Section 163.3187, F.S. If challenged, the effective date shall be the date a Final Order is issued by the Department of Community Affairs or the Administration Commission finding that the amendment is in compliance in accordance with Section 163.3184 F.S. If applicable, the provisions of Section 163.3189(2)(b), F.S. also govern this ordinance.

ADOPTED IN SESSION THIS _____ DAY OF _____, 2024.

Hubert B. Smith
Mayor

Planning Commission Recommended Projects List 2025

As of 5 March 2024

Priority	Nbr	Project
1	18	Generators for 7 Sewer Lift Stations
2	21	Improve Lewis School Traffic Access
3	6	Water Pressure Increase - 50 homes
4	1	Glendale St Mary's Stormwater
5	12	Sewer Pipe Lining
6	2	Sewer Long Term Upgrades
7	4	Sewer Installation: Virginia Avenue
8	5	Water Line Upgrades
9	10	Install H2O Pumps at HOTH
10	3	City Utilities Area Improvements
11	19	Trim Trees Around Internet Lines
12	15	Street Improvement - Paving
13	20	Sidewalk Repairs Throughout City
14	16	Stormwater Conveyance
15	7	Parks Improvement
16	13	Doolittle Park
17	14	Sunset Cemetery Mausoleum
18	11	City Signage
19	22	Residential Underground Powerlines
20	17	Crash Zone Homes Purchase
21	8	Perrine Park - Splash Pad
22	9	Lincoln Park Boat Ramp Improvement

PUBLIC WORKS MONTHLY ACTIVITIES REPORT

February 2024

CEMETERY

- Met with families--6
- Made funeral arrangements—5
- Oversaw funeral operations—4
- Oversaw marker install—2
- Performed inurnment of cremains—2
- Leveled headstones—2
- Laid sod on graves
- Pressure washed Cemetery sign, painted & reinstalled letters on sign
- Repaired irrigation in 3 sections of Cemetery
- Sold niches—3

PARKS

Mowed, weedeated, pulled weeds, blew, removed debris all city parks/ building & city ROWs

- City Hall—Applied new mulch in flower bed, trimmed palms & pressure washed building
- East Gate Median—applied new mulch in flower bed
- T.J. Brooks Park—removed 2 tires out of pond & trimmed trees along pathway
- Transported 1 cat to P.A.W.S.
- Painted trailer

Assisted Depts

- Cemetery—laying sod
- Water & Sewer—meter readings
- Streets
 - Cutting up tree that fell
 - Organizing shop and oil change schedules

SHOP TRADES WORKER

Library—Repaired holes in floor and removed epoxy

Public Works Break Room

- Pressure washed & painted outside building
- Repaired soffits
- Repaired gable

STREETS

CEMENT/ SIDEWALK

- Removed 11 loads of broken concrete from old boat ramp
- Vine Ave/ Grandview Ave—removed broken concrete from sidewalk
- Andrew Dr—poured concrete following water break by contractor

SIGN MAINTENANCE

- Changed out broken stop sign post—1
- Printed & installed “No Dumping Sign” on Chicago Ave by new gas meter
- Straightened & leveled all “no Parking Anytime” signs by Glen Argyle Park
- Cleaned “No Entry” sign--2
- Installed Mansfield name sign to post

TREE MAINTENANCE

- T.J. Brooks Park—Cut low hanging vines, branches, and limbs around walkway & assisted pulling tires out of pond
- Cut palm fronds hanging in road in 4 locations
- Cut up trees that fell—4
- Cut down trees—2
- Cut back trees & brush in 2 locations

ROW MOWING & MAINTENANCE

- Removed a total of 100 lbs of debris in 3 locations
- Mowed ROWs in 7 locations
- Mowed Well 5
- Mowed pistol range
- Nordberg ROW—seeded from washout of water break caused by contractors

DOT ROW MOWING & MAINTENANCE

- Removed 25 lbs of debris
- Valparaiso Pkwy—removed cardboard boxes in ROW

STREET MAINTENANCE

- Nordberg Ave/ Okaloosa Ave—lifted curb, backfilled & tamped. Added A-base & tamped following water break caused by contractor
- Filled potholes in 3 locations
- Graded roads in 7 locations
- Lincoln Park
 - Graded sand back to sidewalk 1 time
 - Filled hole concrete was removed from & graded
- Florida Park—Added bucket load of dirt to old, rotted tree stump hole & hand graded

STORMWATER

- Shoveled up a total of 200 lbs of dirt from roadway in 3 locations
- Changed dog waste stations 2 times removing a total of 30 lbs of waste

STREET SWEEPING

- Total Miles of residential streets swept: 24
- Total Lbs of debris removed: 4,200
- Total Miles of DOT streets swept: 8.13
- Total Lbs of debris removed:

SHOP

- V-41—changed oil & filter
- Exercised pull behind generators 2 times
- Cleaned, fueled, oiled & sharpened chainsaws 5 times

Misc./ Assisted Other Depts

Water & Sewer

- 115 Arrowpoint Cv—sewer line repair, backfilled with dirt & added A-base
- 190 Industrial Park—water and sewer pipe installation
- Water breaks caused by contractor--2

Sanitation—Assisted with garbage route 1 time

SANITATION

- 168.47 Tons (336,940 lbs.) of Household Trash collected
- 31.90 Tons (63,800 lbs.) of Roadside Bulk collected
- Number of trips to the dump: 49
- 460 Yds. of yard waste has been taken to landfill
- Number of trips to Landfill: 23

WATER/ SEWER

• REGULATORY COMPLIANCE SAMPLING

- Monthly Bacteriological sampling
- Static Water Levels
- Locates—80
- Turn meter on—1
- Turn meter off—1
- Manually read meters—134
- New meters installed—5
- Meters replaced—6
- Nodes replaced—3
- Water Leaks/ Breaks—9
- Made water & sewer taps—2
- Replaced meter box & lid—1
- Check meters for issues—4
- Sewer calls—5
- Sewer line video--1

Support Staff

REGULATORY COMPLIANCE REPORTING

- Prepared & sent Jan '24 Monthly Operational Report (MORs) to FDEP & Poly, Inc
- Prepared & sent Annual Conservation & Efficiency Program report (Water Loss) to NWFWM and Poly, Inc

RECORDS MAINTENANCE

- Filed MORs monthly
- Filed bacteriological sampling each month
- Continuously updating Lead & Copper Inventory
- Produced Feb '24 Static Water Level Report
- Updated the quarterly Disinfectant Residual report for Jan & Feb'24
- Continuously updated Water Distribution Log throughout month
- Prepared Feb '24 Purge Data Reports—
- Daily maintained record of all activities of depts in Public Works
- Prepared Annual Public Works Activities Reports
- Monthly Recorded Water Uses/ Losses in FRWA spreadsheet
- Daily record phone calls received
- Formatted vehicle fuel sheets and disseminated for Feb '24
- Made 2 Pavilion signs
- Monthly update Water Use summary

WORK ORDERS GENERATED/ PROCESSED

- In-house work orders generated—52
- Work orders processed from City Hall—16
- Locate requests processed from Sunshine 811—147
- Meter Leak Alert customers contacted—63
- Meters/ Mi.Nodes commissioned—14

PHONE CALLS RECEIVED--270

- Cemetery-3
- Parks-3
- Sanitation-47
- Shop-2
- Streets-9
- Water/ Sewer-85
- Misc/ Other Depts- 118