AGENDA
TOWN CENTER COMMUNITY REDEVELOPMENT AGENCY
ADVISORY COMMITTEE
WEDNESDAY, JULY 17, 2019
5:30 PM
DESTIN CITY HALL BOARDROOM

1. **CALL TO ORDER**
2. **ROLL CALL/PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF MINUTES**
   A) **May 15, 2019**
4. **OLD BUSINESS**
   A) **Update on recently signed CS/HB 9 Bill on Community Redevelopment Agencies**
5. **NEW BUSINESS**
6. **COMMITTEE MEMBER COMMENTS/QUESTIONS**
7. **PUBLIC COMMENTS**
8. **NEXT MEETING DATE: TBD**
   A) **August 21, 2019**
9. **ADJOURNMENT**

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the City Clerk at (850) 837-4242 at least 48 hours prior to the hearing. If a person decides to appeal any decision made with respect to any matter considered at such meeting, such person will need a record of the proceeding and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. (Sec. 286.0105, Florida Statutes)

MINUTES
TOWN CENTER COMMUNITY
REDEVELOPMENT AGENCY
ADVISORY COMMITTEE MEETING
MAY 15, 2019 - 5:30 PM
DESTIN CITY HALL BOARDROOM

1. CALL TO ORDER:

Chairman Wernet called the meeting to order at 5:30 PM on Wednesday, May 15, 2019 at the Destin City Hall Boardroom.

2. ROLL CALL:

Members Present	**Staff Present**
Lockwood Wernet	Kim Montgomery Deputy City Clerk
Michele Sandstead	Samantha Brisolara
Justin Woodard	Louis Zunguze, CD Director
Delores Morrell	Joe Bodi, Engineering Assistant

3. APPROVAL OF MINUTES: April 17, 2019

This item was pulled by the Chairman to have the clerk review the motion regarding the Annual Report and Work Plan as in the minutes, there was no vote recorded so, he asked the clerk to review that portion, make any necessary corrections and bring it back to their next meeting for approval.

Motion by Chairman Wernet, seconded by Committee member Morrell to pull the approval of the April 17, 2019 meeting minutes until the next meeting passed 4-0.

4. OLD BUSINESS:

- **2018 Annual Report | 2019 Work Plans**

The Chairman pointed out that they did not make any formal action to forward the Annual Report and Work Plans to the CRA Board for their approval and asked the members for a motion.

Motion to approve the 2018 Annual Report and 2019 Work Plans and forward to the CRA Board for their consideration was made by Committee member Sandstead with Committee member Morrell providing the second. The motion passed 4-0.

Mr. Zunguze asked the Chairman if he preferred to make the presentation of the Annual Report and Work Plans to the CRA Board or would he prefer that it just be forwarded to them by staff. After a brief discussion amongst the members regarding how it's always been handled, **Committee member Woodard made the motion to have Chairman Wernet present both the Annual Report and Work Plans to the CRA Board and ask for the initial funding for the Linear Park be budgeted to keep this project moving forward with Committee member Morrell providing the second. The motion passed 4-0.**

- **Mobile Vending Ordinance**

Mr. Zunguze explained that staff, in reviewing the Mobile Vending Ordinance, discovered several issues that need to be addressed and they are asking for the committee's input on their proposed changes to the ordinance.

Mrs. Brisolara provided the members with a brief overview of the current requirements for obtaining a license to operate a Mobile Vendor set forth in Chapter 13, Article 9 of Section 13-160 of the Code of Ordinance; which sets the policy for permits as well as staff's recommendations to improve the process.

- ❖ Ordinance 17-15-CC sets the process and requirements for permits in regarding location and enforcement.

- Mobile Vendor is defined by someone selling either food, beverages, flowers, or other merchandise and/or services from a vehicle and has two categories:
  - Long Term - more than 72-hrs and only allowed in the South Harbor Mixed Use Zone and Calhoun Mixed Use Zoning District.
  - Short Term, only allowed in the South Harbor Mixed Use, Calhoun Mixed Use, North Harbor Mixed Use, Commercial Trades & Services, Industrial, Institutional, Residential Office, Institutional Development, and in Town Center Mixed Use Zoning Districts.
    - o Noting this does not include Mobile Caters which is someone engaged in a business transporting in motor vehicles food, beverages, or service equipment to residential/businesses and industrial establishments pursuant to prearranged schedules.

- ❖ Ordinance 17-16-LC Amends the LDC to establish review standards for Mobile Vending

- Permits to ensure the following:
  - Proper Location in Zoning Districts
  - Property Size
  - Number of Mobile Vendors on Property
  - Parking Impacts
  - Utility Connections
    - For Private Long-Term Operations:
      - o Amount of Water Frontage
      - o Number of Current Mobile Vendors

- Two Categories within Mobile Vending are:
  - Public Mobile Vendors – Operate on Public Property
    - Maximum Space Requirements 420-square foot per site and a maximum size of 10' wide x 40' long. A maximum height of 15-foot with a special event permit.

- Private Mobile Vendors - Operate on Privately Owned Property
  - Required to maintain access for vehicles and pedestrians on site
  - Minimum half acre lot
  - No more than 5-mobile vendors may operate on the parcel
    - For Mobile Vendors in the South Harbor Mixed Use and Calhoun Mixed Use Zones – No More than 1-Moblile Vendor per 100-Linear Foot of Waterfrontage
    - Meet all parking requirements for the Vendor Vehicle and employee parking

- Access to permitted Commercial Restrooms within 300-foot of the Mobile Vendor
    - Long Term Use – 72-hrs or more
    - Short Term Use – 72-hrs or less

- Legal Operation Requirements:
  - Business Tax Receipt (BTR)
  - Mobile Vendor Permit
  - All Applicable State Licenses for the type of business

- Planning Review Requirements
  - Site Plan with Mobile Vendor Application to Verify the following:
    - Appropriate Zoning
    - Location on the property
    - Meets setbacks
    - Location of other vendors on property, if applicable
    - Location of garbage
    - Location of restrooms

- Building Division
  - Contacts applicant after review to confirm or deny application
  - Issues Mobile Vendor License or explains why denied

- Ordinance Issues/Solutions
  - No definition of Mobile Vendor in the LDC
    - Revise Article 7.21.00 to clarify the definition and address all types
  - No Special Events Guidelines or Process for Public or Private Vendors
    - Revise the LDC to include Special Events Regulation & Associated Criteria
  - Applicable Site Plan Requirements
    - Revise the Mobile Vendor Application to list requirements to establish the review guidelines and requirements
    - Establish Administrative Review Fees
    - Establish a Special Events Permit Application and review fees

Motion by Committee member Woodard to support staff to move forward with the amendments to the Mobile Vending Review Process as presented by staff with Committee member Sandstead providing the second. A roll call vote of 3-1 was taken and the motion passed with Committee member Morrell dissenting.

5. **COMMITTE MEMBER COMMENTS:**
   - Chairman Wernet thanked staff for their hard work and the agenda packets.

6. **DIRECTOR'S REPORT:**

Mr. Zunguze briefly spoke of the rezoning of a parcel of land located in the Town Center next to the Winn Dixie; which as a result, enables the acquisition of necessary right of way for the Linear Park and roadway and asked Mr. Bodi to explain further the public benefit of this development.

Joe Bodi Engineering Assistant explained that the development for the Vintage Apartments requires the property owner to give the city 100-feet of right-of-way (ROW) as well as making necessary improvements to the ROW for the road that will connect to 98 Palms to Main Street and Palm Street will connect to Highway 98. Enabling the people that live in that area a shorter access to those immediate areas of the city without having to get on to Main Street or Airport Road. He spoke that there is a short area of land that is owned by Destin Water Users that will also need to be obtained. As well as an additional area that would be obtained later to tie into Mattie M. Kelly which, once obtained will connect that area to Airport Road. He explained that there is a possible application to be submitted soon that will enable the city to be able to complete the entire grid system.

- **Alignment of the Comprehensive Plan & Land Development Code**

Mr. Zunguze explained to the members that staff has discovered 468 parcels in the city that need to be rezoned in order to bring both the Zoning Map and the Future Land Use Map into compliance with one another. He spoke of how remarkable it is that out of that many properties, only three will be considered nonconforming.

Mrs. Brisolara briefly explained to the member the changes and showed them the locations on the zoning map as well as the three locations that are nonconforming.

7. VISITOR COMMENTS: None

ADJOURNMENT:

Having no further discussions, the meeting was adjourned at 6:35 PM.

Adopted and approved ______ day of ________________________2019.

___________________________ ________________________________
Lockwood Wernet, Chairman Kim Montgomery, Deputy City Clerk

Community Development Department

Office of the Director

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Date: July 17, 2019

To: Town Center CRA Committee Members

From: Louis Zunguze, Community Development Director

RE: PASSED - STATE LEGISLATION ON COMMUNITY REDEVELOPMENT AGENCIES (CRAs)

Background

As you know, CRAs are guided by Florida Statute 163 Part III and created by local governments to focus much-needed attention into challenged areas of a community – areas that have inadequate infrastructure, insufficient roadways, inadequate parking or a shortage of affordable housing. To address these needs, CRAs implement redevelopment plans that may target funding for streetscape and roadway improvements, building renovations, economic and business development activities, water and sewer improvements, parking lots and garages, neighborhood parks and more. The CRAs can also include redevelopment incentives such as grants and loans for new redevelopment projects, façade improvements, interior improvements for businesses, signs and structural improvements.

As of July 1, 2019, a new legislation regulating CRA's became effective.

A review of the new legislation raises concerns, in that parts of the legislation will place major limitations and potentially, negatively impact the important redevelopment programs and work performed by local Redevelopment Agencies.

IMPLICATIONS OF THE NEW LEGISLATION

A. Potential Benefits

There have been some audits and some reports that have found that CRAs need to address some issues dealing with accountability and transparency. To address these issues of accountability and transparency the legislation enacts the following provisions:

- Ethics training requirements for CRA board members. Requiring four (4) hours of ethics training. Requiring standardized procurement procedures, so that cities and their CRAs are using the same procurement methods.
- Additional reporting and audit requirements. Requiring some audit reporting requirements for the county within the CRAs boundaries and some additional data

that the CRAs would now have to collect to measure their effectiveness, at the local level, and to see how effective they are doing their job.

- Impose some lobbying requirements, so all CRAs would have to have a lobbyist registration program in place.

Overall these appear to be good and sensible standards to address the issues of accountability and transparency.

B. Issues of Concern to Local Governments

While there are good parts in the legislation, there are however, significant issues of concern with other parts of the legislation. It is important to frame the legislation keeping in mind one very important thing: CRAs are funded exclusively with local dollars. There are only city and county funds – no State or Federal funds - that go into the tax increment funds that the CRAs use to do all of their redevelopment efforts. As such, it is of great concern that the following extremely restrictive provisions are included in the new legislation.

- The new legislation sets up a phase out for all CRAs in Florida by 2039, unless the CRA has bonds that extend past that date. There is a provision in the bill that if the city or a county wants to extend past 2039, they would have to do a supermajority (two-thirds) vote to try to get out of this phase out provision.

- Another extremely restrictive provision in the new legislation, is the creation of new CRAs. After October 1, 2019 if a city or county wanted to create a new CRA they would have to go through a new process that would entail that a countywide referendum vote be taken and that the referendum pass with two-thirds support from the electorate.

These provisions mean that any new CRA created after October 1, 2019, be created by a county-wide referendum receiving a 2/3 vote of the electorate. This is an extremely onerous provision that dilutes the voice of voters who live and work inside a proposed CRA whose local taxes fund the CRA. In addition, the provisions would terminate all existing CRAs when they are scheduled to expire, or by 2039, unless the local county commission votes to maintain them by a two-thirds majority vote.

BENEFITS OF CRA's TO LOCAL GOVERNMENTS

Development of a CRA in a community provides the opportunity to promote and create new jobs so that community residents can work where they live. Making it difficult to create new CRAs would create a situation where residents would have to drive some distances for employment to support their families.

Additionally, many local communities utilize their CRAs to: (a) create retail and commercial opportunities to ensure that residents have a local place to shop and eat without having to drive outside of their cities; (b) focus much-needed attention into challenged areas of a community – areas that have inadequate infrastructure, insufficient roadways, inadequate parking or a shortage of affordable housing.

In conclusion, it is important to note that CRAs do not utilize State or Federal dollars and they do not charge an additional tax to property owners. CRAs receive their funding from tax increment revenue, which captures a portion of existing property tax revenue from property value increases within the CRA District boundaries. These property value increases are the result of effective redevelopment by the CRAs, as well as, from the investments made by private sector development. As such, it is clear that by supporting redevelopment projects, CRAs are helping transform communities for the better. Taking this economic development tool away or severely limiting the ability to create a new CRA is detrimental to a local governments' ability to improve the quality of life of residents.

Staff and the City Land Use Attorney will be available at the meeting to answer any questions and to discuss implications of this law on CRAs.

Thank you,

A. Louis Zunguze

A. Louis Zunguze
Community Development Director

CC: Lance Johnson, City Manger
Kim Kopp, City Land Use Attorney
Dawn McDonald, Planner
Sam Brisolara, Planner
Lauren Witt, Planner
Joey Forgione, Code Compliance Manager