



**CITY OF TITUSVILLE  
COUNCIL AGENDA**

**February 13, 2018  
6:30 PM - Council Chamber at City Hall  
555 South Washington Avenue, Titusville, FL 32796**

Any person who decides to appeal any decision of the City Council with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Applicants for land use and zoning related items are advised that the resumes of staff members who prepare applicable staff reports are on file in the City Clerk's Office.

The City desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Chapter 286.26 Florida Statutes, should, at least 48 hours prior to the meeting, submit a written request to the chairperson that the physically handicapped person desires to attend the meeting.

**1. CALL TO ORDER**

**2. INVOCATION**

Reverend Jody Noble of St. Luke's Presbyterian Church will give the invocation.

**3. PLEDGE OF ALLEGIANCE**

**4. APPROVAL OF MINUTES**

**A. Minutes**

Approve the minutes of the regular City Council meeting on January 9, 2018 and special City Council meetings on January 27, 2018 and January 30, 2018.

**5. SPECIAL RECOGNITIONS & PRESENTATIONS**

**6. BOARDS AND COMMISSIONS**

**A. Flag and Memorial Committee**

Accept the Flag and Memorial Committee's Annual Report as presented.

**B. Planning and Zoning Commission**

Appoint one regular member to the Planning and Zoning Commission for an unexpired term that will expire on January 31, 2020.

**C. Titusville Community Service Award Select Committee**

Request the Mayor to appoint the chairperson and the clergy representative to the 2018 Titusville Community Service Award Select Committee, with confirmation by City Council.

**7. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT (NON-AGENDA ITEMS)**

**8. CONSENT AGENDA**

**A. Award of Contract - Annual Road Resurfacing**

Approve award of contract related to bid #18-B-009 "Annual Road Resurfacing Services" to Masci General Contractor, Inc. of Port Orange, Florida in the amount of \$287,189.33 to complete the annual road resurfacing requirements; additionally, authorize the Mayor to execute the contract.

**B. Advisability - Amending the Land Development Regulations Relating to the Location of Accessory Structures on Deep Lots in Residential Zoning Districts**

Approve advisability amending the Land Development Regulations relating to the location of accessory structures on deep lots in residential zoning districts.

**C. Advisability - Amending the Land Development Regulations Relating to Communication Towers and Mini-Cell Antennas**

Approve advisability to draft an ordinance amending the Land Development Regulations relating to communication towers and mini-cell antennas.

**D. Sale of Property Located at 1010 Queen Street in the Inspiration Village Subdivision**

Authorize staff to negotiate offers and settle the sale of property located at 1010 Queen Street.

**E. Purchase of Public Works Equipment**

Approve the award of bid #18-B-008 to Mackinnon Equipment and Services of Orlando Florida for the purchase of a Backhoe in the amount of \$111,387.44; and Flagler Construction Equipment, LLC of Orlando, Florida for the purchase of a mini-excavator in the amount of \$47,512. Additionally, authorize the City Manager to issue the purchase orders necessary for these purchases.

**F. Approve Change Order - Cure-In-Place Pipe (CIPP)**

Approve attached Budget Amendment and Change Order # 6 to LMR Construction, Inc. of Frostproof, Florida in the amount of \$125,000 to furnish and install additional Cure In-Place Pipe (CIPP) Liner in various areas of the City; and authorize the Mayor to execute the change order.

**G. Acceptance of Award - FY18 Bullet Proof Vest Grant**

Accept Bullet Proof Vest award in the amount of \$7,331.48 and associated budget amendment.

**H. FY 19 Community Development Block Grant (CDBG), Home Investment Partnership (HOME), and Youth Engagement Programs Funding**

Approve funding levels for the use of FY 19 CDBG, HOME, and Youth Engagement program funds.

**I. Florida Resilient Coastlines Program Funding Announcement**

Approve the submission of the attached Letter of Intent.

**J. Landscape Construction and Maintenance Agreement for Riverfront Park**

Approve the revised Landscape Construction and Maintenance Memorandum of Agreement with the State of Florida Department of Transportation (FDOT) for Riverfront Park and authorize the Mayor to sign the agreement.

**9. ORDINANCES – SECOND READING, PUBLIC HEARING AND RELATED ACTION**

**A. Ordinance No. 5-2018 Establishing Regulations to Permit Medical Marijuana Dispensaries**

Conduct second reading and final public hearing of Ordinance No. 5-2018 amending the Code of ordinances by amending Section 28-54 "Use Table" to include "Medical Marijuana Dispensing Facility" as an allowable use consistent with pharmacies; amending Chapter 28 Article V "Use Standards" by adding Section 28-144.7 "Medical Marijuana Dispensing Facility", providing for definitions and applicability of pharmacy regulations to Medical Marijuana Dispensing Facilities, except as set forth herein; amending Section 37-1 "Definitions", providing for repeal of moratorium, repeal of conflicting ordinances, an effective date and incorporation into the Code. **(This is the second and final public hearing.)**

**The Planning and Zoning Commission recommended approval, 4-3.**

**Second Reading, Public Hearing and Related Action (Quasi-judicial) THE FOLLOWING ITEMS ARE SUBJECT TO QUASI-JUDICIAL RULES OF PROCEDURE. ANYONE WISHING TO SPEAK ON AN ITEM MUST FIRST COMPLETE AN AGENDA SIGN-UP CARD AND SIGN THE OATH CONTAINED THEREON. THOSE SPEAKING IN FAVOR OF A REQUEST WILL BE HEARD FIRST. IF YOU HAVE PHOTOGRAPHS, SKETCHES, OR DOCUMENTS THAT YOU DESIRE FOR CITY COUNCIL TO CONSIDER, THEY MUST BE SUBMITTED INTO EVIDENCE AND WILL BE RETAINED BY THE CITY. SUBMIT THESE EXHIBITS TO THE CITY CLERK.**

**B. Small Scale Amendment (SSA) No. 4-2017 with Rezoning for Property Located at 2550 Flake Road**

Conduct Second Reading of SSA No. 4-2017 and related Ordinances: Ordinance No. 2-2018 Amending the Code of

Ordinances by amending Ordinance No. 60-1988, which adopted the Comprehensive Plan of the City of Titusville, by changing the Land Use designation on an approximately 1.61 acre property located at 2550 Flake Road from the Residential Two Future Land Use designation to the Industrial Land Use designation. and Ordinance No. 3-2018 Amending Ordinance No. 5-1993 of the City of Titusville, Florida, by amending the zoning map made a part of said ordinance by reference by replacing the present Rural Residential (RR) zoning to Light Industrial Services and Warehousing (M-1) zoning on an approximately 1.61 acre parcel located at 2550 Flake Road.

**The Planning and Zoning Commission, acting as the Local Planning Agency, recommended approval, 4-2.**

**(This item was tabled at the regular City Council meeting on January 23, 2018 at 6:30 p.m.)**

**10. ORDINANCES-FIRST READING**

**A. Ordinance No. 6-2018 Relating to Wetlands and Conservation Areas**

Conduct the first reading for Ordinance No. 6-2018 amending Chapter 29 “Special Districts and Overlays” of the Code of Ordinances and Land Development Regulations; specifically amending Article IV “Wetland and Conservation Area (WCA)”, Section 29-71 “Intent” to expand protection options for wetlands; providing for severability; repeal of conflicting ordinances; for an effective date and for incorporation into the code. **(This is the first reading. The public hearing is scheduled for February 27, 2018 at 6:30 p.m.)**

**The Planning and Zoning Commission recommended approval, 4-0.**

**B. Ordinance No. 7-2018 Revoking the Economic Development Ad Valorem Tax Exemption to Project Landmark, Lockheed Martin Corporation, Space Systems Company**

Conduct the first reading of Ordinance No. 7-2018 revoking the Economic Development Ad Valorem Tax Exemption to Project Landmark, Lockheed Martin Corporation, Space Systems Company at the request of Lockheed Martin Corporation. **(This is the first reading. The public hearing is scheduled for February 27, 2018 at 6:30 p.m.)**

**C. Ordinance No. 8-2017 Prohibiting Shipping Containers for Residential Use**

Conduct the first reading of Ordinance No. 8-2018 amending the Code of Ordinances and Land Development Regulations prohibiting shipping containers for use as residential structures; by creating Sections 6-92 “Prohibition of Shipping Containers for Use as Residential Structures” and 28-19 “Shipping Containers”; providing for severability, repeal of conflicting ordinances, an effective date and incorporation into the code.

**(This is the first reading. The public hearing is scheduled for February 27, 2018 at 6:30 p.m.)**

**D. Ordinance No. 9-2018 Modifying Expiration Dates for Conditional Use Permits Meeting Specific Criteria**

Conduct the first public hearing for Ordinance No. 9-2018 amending the Code of Ordinances to modify expiration dates for Conditional Use Permits meeting specific criteria; by amending Section 34-77 "Revocation of conditional use permits"; providing for Severability, Repeal of Conflicting Ordinances, an Effective Date and Incorporation into the Code. **(This is the first reading. The public hearing is scheduled for February 27, 2018 at 6:30 p.m.)**

**E. Comprehensive Plan Amendment No. 1-2017 Relating to Conservation Land Uses**

Conduct the first reading for adoption of Comprehensive Plan Amendment (CPA) No. 1-2017 and Ordinance No. 10-2018 amending the code of ordinances by amending Ordinance No. 60-1988, which adopted the comprehensive plan of the City of Titusville, by adopting Comprehensive Plan Amendment 2017-01 amending Policy 1.16.2 of the Future Land Use element of the comprehensive plan relating to conservation land uses; providing for severability; and providing for an effective date. **(This is the first reading. The public hearing is scheduled for the regular City Council meeting on February 27, 2018.)**

**The Planning and Zoning Commission, acting as the Local Planning Agency, recommended approval, 4-0.**

**F. Comprehensive Plan Amendment (CPA) No. 2017-02 and Zoning Code Text Amendment Ordinance No. 11-2018 and Ordinance No. 12-2018**

Conduct first reading of Comprehensive Plan Amendment (CPA) 2017 - 02 and Ordinance No. 11-2018 amending the Code of Ordinances by amending Ordinance No. 60- 1988, which adopted the comprehensive plan of the City of Titusville, by adopting comprehensive plan amendment 2017-02 amending Policy 1.21.1 of the Future Land Use element of the comprehensive plan to increase the maximum residential density in the Downtown Mixed Use land use – Downtown Sub-district; providing for severability; and providing for an effective date.

AND

Ordinance No. 12-2018 amending the Land Development Regulations by increasing the density criteria in the Downtown Mixed Use (DMU) – Downtown Sub- district; by amending Section 28-324 (c) Density/intensity Standards Table; providing for severability, repeal of conflicting ordinances, an effective date and incorporation into the code. **(This is the first reading. The public hearings are scheduled for February 27, 2018 at**

6:30 p.m.)

**The Planning and Zoning Commission, acting as the Local Planning Agency, recommended approval, 4-0.**

**G. Small Scale Amendment (SSA) No. 5-2017 with Rezoning for Property at 1915 Buffalo Road**

Conduct First Reading of SSA No. 5-2017 and related Ordinances:

Ordinance No. 13-2018 Amending the Code of Ordinances by amending Ordinance No. 60-1988, which adopted the Comprehensive Plan of the City of Titusville, by changing the land use designation on an approximately 1.1 acre portion of a property located at 1915 Buffalo Road from the Residential Two Future Land Use Designation to the Industrial Land Use Designation; and providing for an effective date.

Ordinance No. 14-2018 amending Ordinance No. 5-1993 of the City of Titusville, Florida, by amending the zoning map made a part of said ordinance by reference by replacing the present Rural Residential (RR) zoning to Light Industrial Services and Warehousing (M-1) zoning on an approximately 1.1 acre portion of a property located at 1915 Buffalo Road; and providing for an effective date. **(This is the first reading. The public hearings are scheduled for February 27, 2018 at 6:30 p.m.)**

**The Planning and Zoning Commission recommended approval, 4-0.**

**H. Rezoning (REZ) No. 6-2017 from the Multifamily Medium Density Residential (R-2) Zoning District to the Single Family Medium Density (R-1B) Zoning District for property located on Wendy Lee Drive**

Conduct First Reading for Rezoning (REZ) No. 6-2017 and associated Ordinance No. 15-2018 amending Ordinance No. 5-1993 of the City of Titusville, Florida, by amending the zoning map made a part of said ordinance by reference by replacing the present Multifamily Medium Density Residential (R-2) zoning with Single Family Medium Density (R-1b) zoning on an approximately 1.15 acre property located on the north side of Wendy Lee Drive approximately 1,320 feet west of Sisson Road, having a parcel id number 22-35-34-00-256; and providing for an effective date. **(This is the first reading. The public hearing is scheduled for the regular City Council meeting on February 27, 2018 at 6:30 p.m.)**

**The Planning and Zoning Commission recommended approval, 4-0.**

**11. OLD BUSINESS**

**A. Advisability for Shoreline Protection Ordinance**

Provide direction to staff regarding the proposed Shoreline

Protection Ordinance.

- 12. NEW BUSINESS**
- 13. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT (NON-AGENDA ITEMS)**
- 14. MAYOR AND COUNCIL REPORTS**
  - A. Mayor's Report**

Attached is the Mayor's Report.
- 15. CITY MANAGER'S REPORT**
  - A. City Manager's Report**

Attached is the City Manager's Report.
- 16. CITY ATTORNEY'S REPORT**