City of Bowling Green

Minutes of Regular Meeting

November 12, 2019

Present: Mayor Spinks, Vice-Mayor Tucker, Commissioner Fite, Commissioner Durastanti, Commissioner Gardner, City Manager Lawrence, Police Chief Scheel, City Clerk Silva, Attorney Buhr, and members of the audience.

Absent: None

1. **Call to order** – The meeting was called to order by Commissioner Fite.
2. **Prayer** – Mayor Spinks
   Flag Salute – Commissioner Fite

3. **Election of Mayor for 2019/20**
   Commissioner Durastanti nominates Commissioner Fite. Commissioner Tucker nominates Commissioner Spinks. Roll call vote, Durastanti votes for Fite, Tucker votes for Spinks, Fite votes for himself, Spinks votes for himself, Gardner votes for Spinks. 3 total votes for Spinks, 2 votes for Fite, Commissioner Spinks is the new Mayor.

4. **Election of Vice Mayor 2019/20**
   Commissioner Gardner nominates Commissioner Tucker for Vice-Mayor. No other nominations. Commissioner Tucker remains Vice-Mayor. Commissioner Fite asked about the board position with the Ridge League of Cities. He mentioned that he is already in that position and asked if the City Commission would have a problem with him keeping that position. No one was in opposition. Commissioner Fite will remain on the board for the Ridge League of Cities.

5. **Community Development Block Grant Public Hearing**
   Melissa Fox of Fred Fox Enterprises covered the Community Development Block Grant. She notified the public that the City is eligible to apply for a Community Development Block Grant and the categories in which they are eligible to apply for. The City is eligible to apply for up to $700,000.00 in the following three categories: Housing Rehabilitation, Commercial Revitalization, and Neighborhood Revitalization. They are also eligible to apply for up to $1.5 million dollars under the Economic Development category. She explained each of the categories and what projects fall under each. She mentioned that these applications are competitive. She talked about maximizing points and leverage funds. She went over the required steps which include appointing a Citizen's Advisory Task Force, advertising and holding a CATF meeting to discuss possible projects, advertising and holding a 1st Public Hearing to obtain public comment, advertising and holding a Fair Housing Workshop, and advertising and holding a 2nd Public Hearing to finalize the application. The hearing was opened up for public comment. Nancy Grant of Arcadia asked Ms. Fox about her connection to the City. Ms. Fox explained that she is a grant writer and explained the grant writing process and the relationship that they have with the City. Ms. Fox mentioned that the CATF met this evening and reviewed the categories. They talked about possible projects including improvements made to the park. They wanted volleyball courts. She mentioned that they discussed funding sources for that including FRDAP. CDBG covers bigger projects. It was their recommendation that the City move forward in submitting an

application in the Neighborhood Revitalization category for improvements to the wastewater treatment plant. City Manager Lawrence expanded on the wastewater treatment plant improvements. A motion to move forward with the application was made by Commissioner Fite and was seconded by Commissioner Gardner. Roll call vote, all in favor, motion carried.

6. **Community Development Block Grant Fair Housing Workshop**

Melissa Fox stated that the purpose of the workshop is to notify the City Commission, as well as the public, that there are state and federal fair housing laws. She covered the Fair Housing laws and the protected classes. There was a question from the City Commission regarding wheelchair ramps. She replied that they do not have to install ramps but that they must be allowed. The workshop was opened to the public for questions. Jean Kelly of 4640 Bryan Avenue asked if you can restrict the number of occupants in a small home. Ms. Fox replied that they could if it is the only home they rent out. She referred to HUD guidelines.

7. **Old Business**

A. **Approval of Minutes**

1) **Regular Meeting 10/08/2019**

Commissioner Fite made a motion to approve. Motion was seconded by Vice-Mayor Tucker. All in favor, motion carried.

B. **Ordinance No. 2019-02** – 2nd Reading

AN ORDINANCE OF THE CITY OF BOWLING GREEN, FLORIDA; CREATING ARTICLE III OF CHAPTER 10 REGULATING MOBILE FOOD TRUCKS OF THE CODE OF ORDINANCES; AMENDING ARTICLE 9 OF THE UNIFIED LAND DEVELOPMENT CODE TO INCLUDE A DEFINITION OF MOBILE FOOD TRUCK; AMENDING SECTION 2.02.00 OF ARTICLE II OF THE UNIFIED LAND DEVELOPMENT CODE TO ALLOW MOBILE FOOD TRUCKS; IN NONRESIDENTIAL ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Buhr read Ordinance No. 2019-02. Brenda Torres of CFRPC went over the City initiated amendment to the Land Development Code regarding mobile food trucks. Motion to adopt was made by Commissioner Fite. Motion was seconded by Commissioner Gardner. Angel Rodriguez of 413 Sellers Street asked about the requirements or guidelines. Ms. Torres replied that they go by state guidelines and general local requirements for the region. Mr. Rodriguez asked about fees. City Manager Lawrence covered the main points of the amendment. Mayor Spinks mentioned the property owner of where the truck will be parked. Brenda Torres stated that it would have to be placed on commercial property and there will have to be a written agreement between the food truck owner and the property owner which will also have to be provided to the City. Roll call vote, all in favor, motion carried.

C. **Ordinance No. 2019-03** – 2nd Reading

AN ORDINANCE OF THE CITY OF BOWLING GREEN, FLORIDA; AMENDING THE BOWLING GREEN UNIFIED LAND DEVELOPMENT CODE; AMENDING ARTICLE 7, DEVELOPMENT REVIEW PROCESS, SECTION 7.01.00, PRE-APPLICATION CONFERENCE TO REQUIRE APPLICATION FEES AND ALLOW FOR RECOVERY COSTS FOR PROFESSIONAL SERVICES RECEIVED BY THE CITY AS PART OF

DEVELOPMENT REVIEW; PROVIDING FOR APPLICABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Attorney Buhr read Ordinance No. 2019-03. Motion to adopt was made by Commissioner Fite. Motion was seconded by Commissioner Durastanti. Brenda Torres is for application fees for professional services as part of the development review. Roll call vote, all in favor, motion carried.

D. **Ordinance No. 2019-04** – 2nd Reading

AN ORDINANCE OF THE CITY OF BOWLING GREEN, FLORIDA PROVIDING FOR INDEXED INCREASES IN WATER AND SEWER RATES, FEES AND CHARGES FOR FISCAL YEAR 2019-2020; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Attorney Buhr read Ordinance No. 2019-04. He asked if it was noted on the utility bills. City Clerk Silva responded that it was. Motion to adopt was made by Vice-Mayor Tucker and was seconded by Commissioner Durastanti. Commissioner Fite asked for a dollar amount regarding the increase. City Manager Lawrence replied that he could not give a dollar amount as each bill is different. He gave Commissioner Fite the percentage increase for both water and sewer. The agenda item was opened for public hearing. Nancy Grant of Arcadia mentioned that she came to inform the public of a river of spring water that is available. She mentioned Joe Gilberti, and engineer, which will be holding a public presentation at the New Beginnings Church to speak about this. Public hearing closed. Roll call vote, all in favor, motion carried.

8. **New Business**

A. **Ordinance No. 2019-05** – 1st Reading

AN ORDINANCE OF THE CITY OF BOWLING GREEN, FLORIDA, AMENDING THE BOWLING GREEN COMPREHENSIVE PLAN, REVISING THE TRANSPORTATION, ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, AND DEFINITIONS FOR CONSISTENCY WITH THE HEARTLAND REGIONAL TRANSPORTATION PLANNING ORGANIZATION LONG RANGE TRANSPORTATION PLAN; PROVIDING FOR TRANSMISSION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR REVIEW AND COMPLIANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Buhr read Ordinance No. 2019-05. Brenda Torres of CFRPC stated that the proposed amendments provide updates to the transportation intergovernmental coordination and capital improvement goals to address the newly informed Heartland Regional Transportation and Planning Organization (HRTPO). The HRTPO is a six-county transportation planning organization covering Desoto, Hardee, Glades, Hendry, Highlands, and Okeechobee. As the HRTPO updated their plan, the City had to update its Comprehensive Plan. Mayor Spinks questioned some of the wording. Commissioner Fite made a motion to proceed with clarification on funding. Motion was seconded by Commissioner Gardner. Roll call vote, all in favor, motion carried.

B. **Request for Approval to Order New Police Car**

Chief Scheel stated that he received the bids for the new patrol vehicle. He recommends going with Bartow Ford. Commissioner Durastanti made a motion to purchase the vehicle

from Bartow Ford. Motion was seconded by Vice-Mayor Tucker. Commissioner Fite asked if the vehicles were equal. Chief Scheel responded that yes they were. Roll call vote, all in favor, motion carried.

C. **Generator Grant from FEMA (Hurricane Michael) Florida Emergency Management**

&

D. **Request for Approval of the Sludge Removal from the Old WWTP**

City Manager Lawrence mentioned the application for 4 replacement generators. Projected estimated FEMA Grants would be $144,946.00. The total City cost including installation would be $75,997.00. Looking at the City's reserve Infrastructure account, it sits at $151,000.00. He then mentioned the sludge removal from the old sewage tank. The lower of the two estimates was $62,000.00. That would come out of the same reserve account. Because of this, City Manager Lawrence made the recommendation to not pursue the FEMA funding for the generators and to move forward with the sludge hauling. Mayor Spinks asked if the generators are currently in decent shape. City Manager Lawrence responded that they were. He asked for direction from the City Commission. Attorney Buhr mentioned that the organic matter at the bottom of the plant is a problem because it takes away from the capacity and it lowers the oxygen level in the tank. Commissioner Fite asked if it was estimated at hauling the sludge wet. City Manager Lawrence responded that there was talk about hauling it dry from the drying beds and hauling it wet. Commissioner Fite mentioned that the drying beds should be much more economical. City Manager Lawrence stated that the City could actually haul it to the landfill if they dried it in the drying beds. Commissioner Durastanti agreed that the sludge hauling should be taken care of first. Commissioner Fite made a motion to defer on the generators and proceed with the sludge hauling. Vice-Mayor Tucker seconded the motion. Roll call vote, all in favor, motion carried.

E. **Request for Approval: Agreement between the City of Bowling Green and MOSAIC Fertilizer, LLC for Furnishing Reclaimed Water**

Attorney Buhr stated that the City has been negotiating with MOSAIC for like two years now. He stated that this is the best agreement they could come up with. He recommended that the City move forward with the agreement. He also asked that the City look into their insurance as it may need to be increased. Commissioner Fite made a motion to adopt. Vice-Mayor Tucker seconded the motion. All in favor, motion carried. Jim Plesser of Avion Palms asked how the water was delivered to MOSAIC. Attorney Buhr responded that it was delivered through a pipeline. The agreement would allow the City to use the old site as a backup.

F. **Police Chief Performance Evaluation**

City Manager Lawrence provided the City Commission with the tabulation scores for the Police Chief evaluations. The Chief received high marks. Commissioner Durastanti stated that the City was very fortunate to have Chief Scheel in Bowling Green. Chief stated he had been with the City for 21 years. City Manager Lawrence recommended a 3% raise. Commissioner Fite made a motion to go with the recommended 3% raise. Vice-Mayor Tucker seconded the motion. Roll call vote, all in favor, motion carried. City Clerk Silva asked if the raise would be retro to October 1st. The City Commission agreed to retro. Mayor Spinks stated that he was very happy that a small town like Bowling Green still has an effective and responsive police force.

9. **Mayor Spinks**

Mayor Spinks thanked the Commission for their vote tonight.

10. **Recreation Committee**

Jean Kelly, Chair of the Recreation Committee, stated that they met this afternoon and set up their December calendar. Milk & Cookies with Santa will be on Friday, December 6th from 5:00-7:30pm. She mentioned that they will be taking flyers to the Bowling Green Elementary School. The Bowling Green Christmas parade is scheduled for Saturday, December 14th with line up at 5:00pm at the First Baptist Church. The Christmas lighting contest will be on Friday, December the 20th. Everything will be put away before the Depot rental on the 21st.

11. **Commissioners**

Commissioner Durastanti stated that it's getting to his favorite time of year and just wishes it gets a little cooler to get more in the holiday spirit. Vice-Mayor Tucker told Chief Scheel to keep up the good work. Commissioner Fite asked about online billing. City Clerk Silva responded that the City's software company offers it but that there is a cost associated with it. He asked that it be considered. He also stated that the least the office could do is give customers a grace period for the rate adjustments. He recommended that the City staff put forth a little effort and that there are plenty of people in the office that could make a phone call. Commissioner Durastanti responded that even though they may be on auto pay that the bill might not always be the same each month so regardless it's going to vary.

12. **City Attorney**

Attorney Buhr talked about the DOT Task Force for the Southwest Corridor. He stated that all the comment coming to the public at those meeting is to not do the road because of the environmental impacts. He stated the economic opportunities that the City is interested in and asked that some people start attending.

13. **City Manager**

City Manager Lawrence announced to the audience that he publishes the weekly Manager's Report on the website so that they can see the activities that go on throughout the week. He mentioned that there will be an Open House for the Wastewater Plant on Tuesday, December 10th at 4:00pm and it will be advertised as a public meeting so that all City Commissioners can attend. Feeding Tampa Bay will be at First Baptist Church on November 23rd at 10:00am. Southern Corrosion has resprayed the water tank. Staff have been working hard. The fire hydrants have been getting a lot of comments. He thanked Amy Prine and Cayla Coffin for their artwork. Mayor Spinks mentioned that the Manager's Report is an interesting read. He stated that it is on the website and it lets the community know what's going on in the City.

14. **Police Chief**

Nothing to discuss.

15. **City Clerk**

Nothing to discuss.

16. **Public**

Nothing to discuss.

Mayor Spinks adjourned the meeting.

Steven M. Spinks, Mayor

Maria Carmen Silva, City Clerk

CITY OF BOWLING GREEN
HRTPO-RELATED
COMPREHENSIVE PLAN AMENDMENTS
NOVEMBER 12, 2019

TO: BOWLING GREEN CITY COMMISSION

FROM: CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

SUBJECT: **Ordinance 2019-05: Comprehensive Plan Amendment:** A City-initiated text amendment to the City of Bowling Green Comprehensive Plan to provide consistency with the Heartland Regional Transportation Planning Organization Long Range Transportation Plan by amending the Transportation Element, Intergovernmental Coordination Element, Capital Improvements Element, and Definitions.

AGENDA DATE:

November 12, 3019: City Commission Transmittal Hearing (First Reading)
January 2020: City Commission Adoption Hearing (Second Reading)

CITY COMMISSION MOTION OPTIONS:

1. I move the City Commission approve Ordinance 2019-05 on first reading to send to the Florida Department of Economic Opportunity for review.

2. I move the City Commission approve Ordinance 2019-05 with change on first reading to the Florida Department of Economic Opportunity for review.

3. I move the City Commission deny Ordinance 2019-05 on first reading.

ATTACHMENT:

- Proposed Comprehensive Plan Amendments relating to the HRTPO LRTP.
- Ordinance 2019-05

BACKGROUND:

- The proposed amendments provide updates to the transportation, intergovernmental coordination, and capital improvement goals, objectives and policies of the City of Bowling Green Comprehensive Plan to address the newly formed Heartland Regional Transportation Planning Organization (HRTPO).

- The HRTPO was formed in April 2015 and is a six-county transportation planning organization covering the counties of DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee, and the cities of Avon Park and Sebring in the urbanized area of Highlands County.

- A key to a successfully functioning transportation planning organization is coordination with its local government members. Per Florida Statutes, counties with MPO/TPO plans and programs must amend their comprehensive plans to provide goals, objectives, and policies ensuring consistency and coordination with their respective MPO/TPO. Such consistency and coordination are critical to these twelve (12) local governments as they have worked together to create the first regional Long Range Transportation Plan.

- The **proposed text amendments**:

  1. Update transportation level of service standards.

  2. Provide for coordination with the HRTPO.

PROPOSED AMENDMENTS

CITY OF BOWLING GREEN COMPREHENSIVE PLAN
GOALS, OBJECTIVES, AND POLICIES

TO PROVIDE POLICIES SPECIFIC TO THE HEARTLAND REGIONAL TRANSPORTATION PLANNING ORGANIZATION LONG RANGE TRANSPORTATION PLAN

- The following amendments to the Bowling Green Comprehensive Plan are proposed consistent with the Heartland Transportation Planning Organization Long Range Transportation Plan.
- Text shown in gray shading as underlined is text to be added and text shown as ~~strikeout~~ is text to be removed.
- Gray Highlighted *Comments* are provided to explain each amendment.

TRANSPORTATION ELEMENT AMENDMENTS

City of Bowing Green

OBJECTIVE 1: **BOWLING GREEN SHALL MAINTAIN A LEVEL OF SERVICE STANDARD FOR PEAK HOUR TRAFFIC FOR ALL MAJOR ROADWAYS WITHIN ITS JURISDICTION.**

Policy 1.1: Bowling Green adopts the following peak season/peak hour level of service standards for roadways within its jurisdiction as established by the Florida Department of Transportation (FDOT):

1. Principal Arterials – ~~C~~ D
2. Minor Arterials – D
3. Major Collectors - D
4. Minor Collectors ~~and~~ - D
5. Local Streets – D

~~4. SIS Facilities (US 17) B~~

Policy 1.2: The City shall coordinate with the Florida Department of Transportation, the Heartland Regional Transportation Planning Organization, Hardee County, and the Central Florida Regional Planning Council to ensure through the Land Development Regulations, transportation improvement standards, and the Concurrency Management System that no road segment will be permitted to deteriorate to a LOS below those established in Policy 1.1.

Policy 1.5: When reviewing development proposals for properties abutting or impacting traffic on State or County-maintained roadways, coordinate with the Florida Department of Transportation, the Heartland Regional Transportation Planning Organization, and Hardee County to ensure consistency with state, regional, and county standards, and determine impacts on adopted levels of service.

Comment: *Amended Policy 1.1 to address LOS standards for consistency with Hardee County and F.S. Amended Policies 1.2 and 1.5 to provide for coordination with the HRTPO.*

OBJECTIVE 2: **BOWLING GREEN SHALL COOPERATE AND COORDINATE WITH HARDEE COUNTY, THE HEARTLAND REGIONAL TRANSPORTATION PLANNING ORGANIZATION, AND THE FLORIDA DEPARTMENT OF TRANSPORTATION TO REDUCE THE PROJECTED CAPACITY IMPACTS ALONG STATE, COUNTY, AND CITY OWNED ROADWAYS. THE CITY SHALL COORDINATE THE TRAFFIC CIRCULATION SYSTEM WITHIN THE CITY WITH THE FDOT FIVE-YEAR TRANSPORTATION PROGRAM.**

Policy 2.1: Bowling Green shall continue to coordinate with Hardee County, the Heartland Regional Transportation Planning Organization, and the Florida Department of Transportation to implement a roadway improvement program that minimizes truck and other traffic-related noise and pollution, considers motorized and non-motorized vehicle parking, and provides for safe and convenient on-site traffic flow along the sections of Highway 17 that pass through the City.

Policy 2.2: Bowling Green shall cooperate with Hardee County, the Heartland Regional Transportation Planning Organization, and the Central Florida Regional Planning Council in developing a regional bicycle plan.

Policy 2.4: Bowling Green shall coordinate and prioritize scheduled transportation improvements among the Hardee County Road Improvement Program, the Heartland Regional Transportation Planning Organization 2040 Long Range Transportation Plan, and the Florida Department of Transportation Five-Year Transportation Work Plan, and plans of neighboring jurisdictions. This shall be accomplished by Bowling Green coordinating its own road improvement plans with the Florida Department of Transportation's work plans on an annual basis, with sufficient lead time to incorporate any necessary capital improvements in City and Florida Department of Transportation budgets.

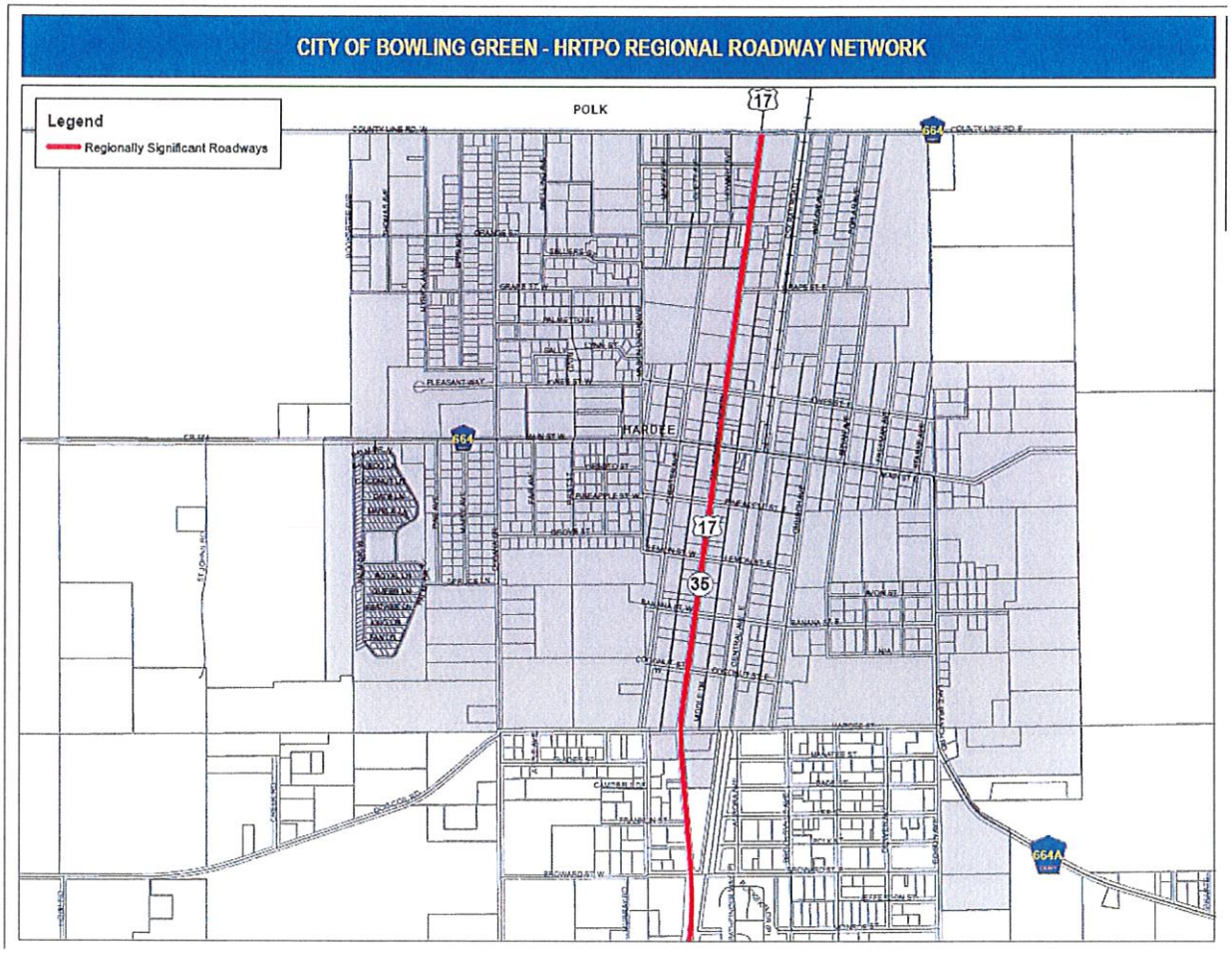
Policy 2.5: The City shall request the Florida Department of Transportation, the Heartland Regional Transportation Planning Organization, or Hardee County to submit any proposed facility plans affecting segments of state and/or county-maintained roadways within the City limits of Bowling Green for consistency review.

Comment: *Amended Objective 2 and Policy 2.1 and Policy 2.2 to provide for coordination with the* HRTPO. Amended Policies 2.4 and 2.5 to coordinate with the HRTPO and the LRTP.

OBJECTIVE 5: **BOWLING GREEN SHALL COORDINATE WITH THE HEARTLAND REGIONAL TRANSPORTATION PLANNING ORGANIZATION TO CONTINUE TO PROVIDE FOR SAFE, CONVENIENT, AND EFFICIENT NON-MOTORIZED TRANSPORTATION BY INCORPORATING BICYCLE AND PEDESTRIAN WAYS IN THE PLANNING OF LOCAL TRANSPORTATION FACILITY IMPROVEMENTS.**

Comment: *Amended Objective 5 to provide for coordination with the* HRTPO.

TRANSPORTATION ELEMENT MAP SERIES AMENDMENT (NEW MAP)



INTERGOVERNMENTAL COORDINATION ELEMENT AMENDMENTS

City of Bowling Green

OBJECTIVE 5: **JOINT PROCESSES FOR FACILITIES SUBJECT TO CONCURRENCY**

IDENTIFY AND DESCRIBE JOINT PROCESSES FOR COLLABORATIVE PLANNING FOR FACILITIES SUBJECT TO CONCURRENCY.

Measurable Targets: ***Number of plans reviewed; number of meetings held; 5-Year Schedule of Capital improvements updated and adopted annually.***

Policy 5.3: The City will coordinate the transportation needs of the City with the needs of Hardee County and the Florida Department of Transportation (FDOT) and the Heartland Regional Transportation Planning Organization (HRTPO).

Comment: *Amended Policy 5.3 to provide coordination with the HRTPO.*

OBJECTIVE 6: **JOINT PROCESSES FOR FACILITIES WITH REGIONAL SIGNIFICANCE**

IDENTIFY AND DESCRIBE JOINT PROCESSES FOR COLLABORATIVE PLANNING FOR FACILITIES WITH REGIONAL SIGNIFICANCE.

Measurable Targets: ***Number of plans reviewed; number of meetings held; data and information exchanged regarding planning for regional facilities.***

Policy 6.2: The City will coordinate with the HRTPO and any future transit authorities for the provision of major transportation facilities and mass transit.

Comment: *Amended Policy 6.2 to provide coordination with the HRTPO regarding future transit.*

CAPITAL IMPROVEMENTS ELEMENT AMENDMENTS

City of Bowling Green

Policy 1.1: The City Manager shall prepare and submit to the City Commission, in the form provided by ordinance, an annual budget, a capital improvement budget and a projected capital improvement program for a minimum five-year period. The capital improvement budget and capital improvement program shall prioritize all capital improvement expenditures, shall indicate the revenue source for all capital improvement expenditures or indicate that a capital improvement is not yet funded, shall include revenue projections for a five-year period, and shall be the basis for the annual update of the comprehensive plan amendment to the Five-Year Schedule of Capital Improvements. Updates shall include coordination with the HRTPO 2040 LRTP.

Comment: *Amended to add coordination with the HRTPO and project prioritization to Policy 1.1.*

OBJECTIVE 2: **BOWLING GREEN WILL CONTINUE TO COORDINATE LAND USE DECISIONS WITH THE SCHEDULE OF CAPITAL IMPROVEMENTS IN A MANNER THAT MAINTAINS THE ESTABLISHED LEVEL OF SERVICE STANDARDS AND MEETS EXISTING AND FUTURE FACILITY NEEDS.**

Policy 2.1: Bowling Green will use the following level of service standards in reviewing the impacts of new development and redevelopment.

Facility	Level of Service
Sanitary Sewer	90 gallons per capita per day
Potable Water	134.5 gallons per capita per day
Solid Waste	4.12 pounds per person per day
Principal Arterials	~~C~~D
Minor Arterials	D
Collectors and Local Streets	D
~~SIS Facilities (US 17)~~	~~B~~
Recreation and Open Space	2 acres per 1,000 people
Drainage	Bowling Green establishes a drainage level of service for new development equal to a 25-year 24-hour storm event. Stormwater treatment and disposal facilities shall meet the design and performance standards established in Section 17-25.025, F.A.C. The first inch of stormwater run-off shall be treated on-site, pursuant to Section 17-3.051, F.A.C. Stormwater discharge facilities shall be designed such that the receiving water body shall not be degraded below minimum conditions necessary to

Facility	Level of Service
	assure the suitability of water for the designated use of its classification as established in Chapter 17-3, F.A.C. These standards shall apply to all new development and redevelopment. For existing development, the City establishes an interim level of service to manage the 10-year 60-minute storm event.
Public School Facilities	100% FISH Permanent Capacity; 25% FISH Permanent Capacity Portables

Policy 2.4: The City of Bowling Green hereby adopts, by reference, the Southwest Florida Water Management District Regional Water Supply Plan and District Management Plan, the HRTPO 2040 LRTP, and the Florida Department of Transportation Five-Year Work Program ~~2011-2015~~ into the City's Five Year Schedule of Capital Improvements.

Comment: *Amended Policy 2.1 addressing LOS standards for consistency with Hardee County and F.S. Amended Policy 2.4 to provide for coordination with the HRTPO and LRTP.*

DEFINITIONS AMENDMENTS

Heartland Regional Transportation Planning Organization (HRPTO): organization that coordinates transportation plans for the Heartland region including the six counties of DeSoto, Glades, Hardee, Hendry, Highlands and Okeechobee and the urbanized area of Highlands County including the cities of Sebring and Avon Park. This organization provides the forum for local elected officials, their staff, and industry experts, and the public to work together to improve transportation in the Heartland Region. Created by federal law and Florida Statutes, transportation organizations like the HRTPO exist to provide regional coordination of transportation investments, while ensuring that the public, especially those traditionally underserved by the transportation system, have opportunities to participate in the decision-making process.

Long Range Transportation Plan (LRTP): Plan that provides a common vision for the community's future transportation needs and guides the investment of public funds in transportation facilities, addressing a timeline of 20 or more years. It includes both short- and long-term transportation strategies using multiple modes of transportation for moving people and goods. The LRTP: details comprehensive plan for transportation modes; includes long and short-range goals and strategies; identifies funding sources and estimates costs; provides framework for choosing transportation projects; and may include local government projects.

Comment: *The definitions of Heartland Regional Transportation Planning Organization (HRTPO) and Long Range Transportation Plan (LRTP) have been added.*

ORDINANCE NO. 2019-05

AN ORDINANCE OF THE CITY OF BOWLING GREEN, FLORIDA, AMENDING THE BOWLING GREEN COMPREHENSIVE PLAN, REVISING THE TRANSPORTATION, ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, AND DEFINITIONS FOR CONSISTENCY WITH THE HEARTLAND REGIONAL TRANSPORTATION PLANNING ORGANIZATION LONG RANGE TRANSPORTATION PLAN; PROVIDING FOR TRANSMISSION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR REVIEW AND COMPLIANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; 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 Bowling Green, 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, Section 163.3177(6)(b), Florida Statutes, requires local governments that have all or part of a jurisdiction include in a metropolitan planning area shall adopted policies for consistency with the Long Range Transportation Plan; and

WHEREAS, in exercise of its authority the City Commission has determined it necessary to adopt amendments to the City's Comprehensive Plan, which are attached hereto as **Exhibit "A"** and by this reference made a part hereof, to ensure that the Comprehensive Plan is in full compliance with the laws of the State of Florida; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the City Commission held public hearings on Ordinance No. 2019-05 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.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOWLING GREEN, FLORIDA:

Section 1. The provisions set forth in the recitals to this Ordinance (whereas clauses) are hereby adopted by the City Commission as the legislative findings and intent pertaining to this Ordinance.

Section 2. The City of Bowling Green hereby amends the following Elements of its Comprehensive Plan: Transportation Element, Intergovernmental Coordination Element, Capital Improvements Element, and Definitions. Said amendments are set forth in **Exhibit "A"** attached hereto and by this reference made a part hereof.

Section 3. This Ordinance shall be codified in the Code of Ordinances of the City of Bowling Green, Florida. A certified copy of this enacting ordinance shall be located in the Office of the City Clerk of Bowling Green. The City Clerk shall also make copies available to the public for a reasonable publication charge.

Section 4. If any provision of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such provision and such holding shall not affect the validity of any other provision, and to that end the provisions of this Ordinance are hereby declared severable.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. The effective date of these amendments, if the amendments are not timely challenged, shall be 31 days after the State Land Planning Agency notifies the local government that the plan amendment package is complete. If timely challenged, the amendments shall become effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining the adopted amendments to be in compliance. No development orders, development permits, or land uses dependent on these amendments may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Council, the amendments may nevertheless be made effective by adoption of a resolution affirming the effective status, a copy of which resolution shall be sent to the State Land Planning Agency.

INTRODUCED AND PASSED on First Reading at the regular meeting of the City of Bowling Green City Commission held on the _____ day of _____, 2019.

PASSED AND DULY ADOPTED, on second reading at the meeting of the City of Bowling Green City Commission duly assembled on the _____ day of _____, 2019.

CITY OF BOWLING GREEN, FLORIDA

ATTEST: _____
Robert Samuel Fite, Mayor

_____
Maria Carmen Silva, City Clerk

Approved as to form:

_____
Gerald Buhr, City Attorney

WLawrence

From:	CenturyLink Customer <shujwana@embarqmail.com>
Sent:	Wednesday, November 27, 2019 1:19 PM
To:	Jennifer Codo-Salisbury
Cc:	WLawrence
Subject:	Re: Rezoning Application for Property located at 5025 Martin Luther King Jr. Boulevard, Bowling Green, Florida

Good afternoon Jennifer. Thank you for speaking with me and for making the necessary changes to keep moving towards a resolution. It is our desire to continue with the rezoning process and I agree with your changes to my application. Please use this as written authorization to proceed with the rezoning to Planned Unit Development application. I will submit the paperwork to the City of Bowling on Monday, December 2, 2019.

Thank you very much. Shujwana Hodges Lamy

From: "Jennifer Codo-Salisbury" <jcodosalisbury@cfrpc.org>
To: "shujwana" <shujwana@embarqmail.com>
Cc: "WLawrence" <wlawrence@bowlinggreenfl.org>
Sent: Wednesday, November 27, 2019 11:53:04 AM
Subject: Rezoning Application for Property located at 5025 Martin Luther King Jr. Boulevard, Bowling Green, Florida

Ms. Hodges Lamy,

Thank you for taking the time to speak with me over the phone yesterday. I am sending you this email in follow up to our phone conversation.

As we discussed:

1. The Central Florida Regional Planning Council (CFRPC) serves as the City Planner for the City of Bowling Green.

2. We (CFRPC) are in receipt of the application for a Variance for the property located at 5025 Martin Luther King Jr. Drive in Bowling Green. The application requests reducing the lot width/road frontage requirement from the R-2 zoning district requirement of 75' to 62'. As we discussed, a rezoning of the property to Planned Unit Development is required rather than a Variance is needed to accomplish this request.

3. A rezoning to Planned Unit Development allows for flexibility in lot dimensions. While the R-2 zoning district assigned to the property today allows for duplexes, the lot width requirement of 75' would not allow for the development of two duplexes as proposed in the variance application.

4. Based on our conversation yesterday, I understand you have provided verbal authorization for us to proceed with the rezoning to Planned Unit Development rather than the Variance. Please see the attached application. I have completed the application consistent with the information provided on the variance application and out phone call. Please review, edit if needed, sign and return to City Hall during the week of December 2nd. The front desk can help you with any fee differences. ***Please don't worry about section G of the application. I have taken what you submitted for the variance application and have added it to the file.***

5. The rezoning to Planned Unit Development will require two readings before the Bowling Green City Commission. The first reading will be on Tuesday, December 10, 2019. The second reading (public hearing) will be on Tuesday, January 14, 2020.

Please contact me at the information below if you have any questions.

Thank you.

Jennifer

Jennifer Codo-Salisbury, MPA, AICP
Deputy Director
Central Florida Regional Planning Council
555 East Church Street
Bartow, FL 33830-3931
(863) 534-7130 ext 178
(863) 534-7138
Jcodosalisbury@cfrpc.org

CITY OF BOWLING GREEN

REZONING TO PLANNED UNIT DEVELOPMENT
OVERVIEW REPORT

DECEMBER 10, 2019

TO: Bowling Green City Commission

SUBJECT: **Ordinance 2019-06- Rezoning:**
Applicant-initiated request (Marshall L. Hodges) to change the Zoning from R-2 Single & Two Family Residential to Planned Unit Development to allow two duplexes (four dwelling units) on approximately 0.44 acres of land located at 5025 Martin Luther King Jr. Drive. (Hardee County Parcel ID: 05-33-25-0090-0000H-0009)

The applicant is requesting the rezoning due to the fact that the subject parcel is approximately 124' in width along Martin Luther King Jr. Drive. The R-2 zoning district requires a minimum lot width of 75' for each duplex lot. In order to have two duplexes on the property, a minimum of 150' of lot width is needed. The applicant is requesting the rezoning to PUD to allow for two 62' lots rather than two 75' lots.

All other requirements of the R-2 zoning can be satisfied by the development proposal including front, side and rear setbacks. A rezoning to PUD is required to provide a lot width less than 75'.

AGENDA DATES:

Tuesday, December 10, 2019, 6:30 PM: City Commission Meeting – First Reading
Tuesday, January 14, 2020, 6:30 PM: City Commission Meeting– Second Reading (Public Hearing)

CITY COMMISSION MOTION OPTIONS:

1. Move to **approve** Ordinance 2019-06 on First Reading.
2. Move to **approve with changes** Ordinance 2019-06 on First Reading.

ATTACHMENTS:

- Overview
- Aerial Photo Map
- Future Land Use Map
- Current Zoning Map
- Proposed Zoning Map

OVERVIEW:

Applicant	Marshall L. Hodges / Shujwana Hodges Lamy
Property Owner	Marshall L. Hodges
Parcel ID	05-33-25-0090-0000H-0009
Subject Area	0.44 acres
Existing Future Land Use	Low Density Residential
Existing Zoning	R-2 Single and Two – Family Residential
Proposed Zoning	Planned Unit Development
Previous Hearings	None

Marshall L. Hodges ('applicant') is requesting a rezoning to change one (1) parcel of land totaling approximately 0.44 acres from zoning of R-2 Single and Two – Family Residential to Planned Unit Development to allow two duplexes (four dwelling units). The subject parcel is generally located north of the intersection of Grape Street and Martin Luther King Jr. Drive in Bowling Green. There is a single-family home on the property that will be removed prior to proposed development.

REASON FOR REQUEST:

The purpose of the request is to assign a Planned Unit Development zoning to the subject property to allow the propose development of two duplexes (4 dwelling units) on the property.

The applicant is requesting the rezoning due to the fact that the subject parcel is approximately 124' in width along Martin Luther King Jr. Drive. The R-2 zoning district requires a minimum lot width of 75' for each duplex lot. In order to have two duplexes on the property, a minimum of 150' of lot width is needed. The applicant is requesting the rezoning to PUD to allow for two 62' lots rather than two 75' lots. The dimensions of the subject property are provided in the aerial from the Hardee County Property Appraiser below.

All other requirements of the R-2 zoning can be satisfied by the development proposal including front, side and rear setbacks. If the PUD is approved, the applicant will subdivide the parcel into two parcels that will be 62' in width rather than 75' in width.

Table 2.04.01(B) from the City of Bowling Green Land Development Code is provided below. The R-2 zoning district is highlighted indicating required lot requirements for duplexes.

Table 2.04.01(B), Table of Development Standards										
Zoning Category	Type of Unit	Max. Density (units/ac)	Min. Lot Size (s.f.)	Min. Lot Width (feet)	Min. Floor Area (s.f.)	Setbacks			Max. Lot Covg. (%)	Max. Bldg. Height (feet)
						Front	Rear	Sides		
AG	Single Family	2.0 gross	20,000	150	1,200	30	30	15	35%	35
R-1	Single Family	4 gross	7,500	75	1,200	30	25	15	35%	35
R-2	Single Family Unit	6 gross	6,000	60	1,000	25	20	10	35%	35
	Duplex	6 gross	8,000	75	800 min. each unit	25	20	10	35%	35
R-3	Single Family Unit	8 gross	6,000	50	720	20	20	10	35%	35
	Duplex	10 gross	7,000	75	720 min. each unit	20	20	10	35%	35
	Multi Family	12 gross	9,000	75	450 min. each unit	20	20	10	40%	45
MH's only in MH Parks	Mobile Home: Sec. 3.08.01.01	12 gross	4,000	40	500	20	15	7.5	40%	35
C-1					NA	0	0	0	Dev. Plan	35
C-2					NA	0	0	0	Dev. Plan	35
I					NA	0	0	0	Dev. Plan	35
PI					NA	25	20	10	Dev. Plan	35
PR					NA	25	20	10	-	35
C-P					NA	30	40	30	Dev. Plan	35

The applicant will meet all other requirements for the development of two duplexes. Consistent with the requirements for a duplex the applicant will develop the property with the following.

- Minimum lot size: 8,000 sq ft
  - The two parcels will each be 62' x 136' for a total of 8,432 sq ft.

- Minimum floor area: 800 sq ft
  - The proposed duplexes will be consistent with this requirement.

- Setbacks:
  - Front: 25'
  - Side: 10'
  - Rear: 20'
    - The development will be consistent with the setback requirements.

Consistency with the Comprehensive Plan:

Descriptions for both the Future Land Use and zoning designations are provided as follows. ***The Future Land Use and proposed Zoning are consistent with the City's Comprehensive Plan and Land Development Code.***

EXISTING – FUTURE LAND USE

Bowling Green Comprehensive Plan, Future Land Use Element, Policy 1.2:

The Low-Density Residential designation shall meet Bowling Green's housing demands for this range of density, promote efficient use of infrastructure, and protect existing single-family neighborhoods. Single- and two-family housing units are permissible to a **maximum density of 6 units per gross acre**. Compatible public land uses are permissible to a maximum intensity of 0.5 FAR.

EXISTING – ZONING

Bowling Green Land Development Code: Section 2.04.02.03 - Single- and Two-Family Residential District (R-2).

The purpose of this district is to recognize existing small lot subdivisions of single-family homes and duplexes and to provide for infill development on small lots within these subdivisions; along with the necessary and incidental accessory uses, and uses characteristic with, but not detrimental to, the principal use. In no case shall a density be permitted in the R-2 district that exceeds 4.1 dwelling units per net acre (4.1 du/ac) for single-family homes and six dwelling units per net acre (6 du/ac) for duplexes.

PROPOSED –ZONING

Bowling Green Land Development Code: Section 2.04.02.11 – Planned Unit Development

Planned Unit Development (PUD) districts are intended for specialized purposes, where a proposed project warrants greater flexibility than a standard district provides; when the Comprehensive Plan requires a Planned Unit Development review process; or when the ability to attach conditions to a site plan is warranted.

Planned Unit Development (PUD) may be used as a vehicle to permit developments when the innovative use of buffering and modern design techniques mitigates the external impacts of development and create a helpful physical environment. Through the utilization of a PUD, the Commission may allow mixed dwelling types and/or housing densities; provide for the safe, efficient, convenient, harmonious groupings of structures, uses, facilities, and support uses; for appropriate relationships of space, inside and outside buildings, for intended uses; for preservation of desirable natural features; and minimum disturbance of natural topography.

Within Planned Unit Development districts, regulations adapted to such unified planning and development are intended to accomplish the purposes of zoning and other applicable regulations to an equivalent or higher degree than where such regulations are intended to control unscheduled development on individual lots; to promote economical and efficient land use; improve levels of amenities for harmonious, creative design, and a better environment.

In view of the substantial public advantage of Planned Unit Development, it is the intent of these regulations to promote and encourage development in this form, where appropriate, in location and character. The Planned Unit Development (PUD) district is established to provide for well-planned and/or orderly mixed-use development in any area of the City. Further, PUDs are intended to:

(1) Promote flexibility in development design;
(2) Promote the efficient use of land;
(3) Preserve, as much as possible, existing landscape features and amenities;
(4) Provide for more usable and suitably located recreation facilities and other public and common facilities than would otherwise be provided;
(5) Combine and coordinate architectural styles, building forms and building relationships within the planned development;
(6) Lessen the burden of traffic conflict on streets and highways;
(7) Provide for a balanced land use mixture.

LAND USE ANALYSIS

The subject parcel is located north of the intersection of Grape Street and Martin Luther King Jr. Drive in Bowling Green. To the north, west and south of the subject property are properties zoned R-2 - Single and Two Family Residential. Development to the east includes a sport recreation park.

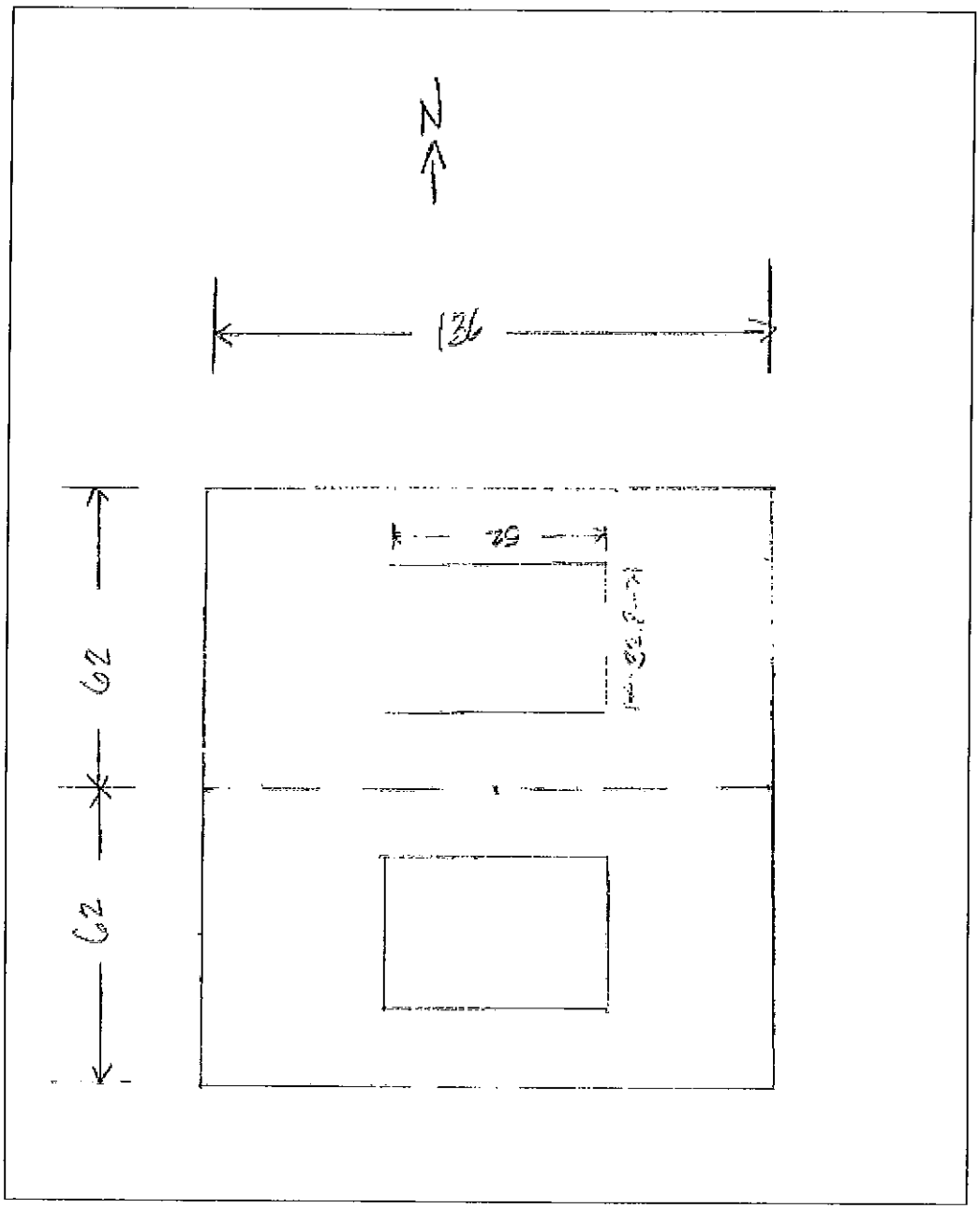
The *Land Use Matrix* below outlines the Future Land Use and zoning of the subject parcel, the Future Land Use and zoning of adjacent properties, and the existing land use of the subject and adjacent properties.

Land Use Matrix

Northwest	North	Northeast
Future Land Use: Low Density Residential **Zoning:** R-2 - Single and Two Family Residential **Existing Land Use:** Vacant Land	**Future Land Use:** Low Density Residential **Zoning:** R-2 - Single and Two Family Residential **Existing Land Use:** Single-family residential	**Future Land Use:** Recreation **Zoning:** Public Recreation **Existing Land Use:** Single-family residential
West	**Subject Parcel**	**East**
Future Land Use: Low Density Residential **Zoning:** R-2 - Single and Two Family Residential **Existing Land Use:** Vacant land	**Future Land Use:** Low Density Residential **Zoning:** Existing: R-2 - Single and Two Family Residential Proposed: Planned Unit Development **Existing Land Use:** Single-family residential	**Future Land Use:** Recreation **Zoning:** Public Recreation **Existing Land Use:** Recreation
Southwest	**South**	**Southeast**
Future Land Use: Low Density Residential **Zoning:** R-2 - Single and Two Family Residential **Existing Land Use:** Single-family residential	**Future Land Use:** Low Density Residential **Zoning:** R-2 - Single and Two Family Residential **Existing Land Use:** Single-family residential	**Future Land Use:** Recreation **Zoning:** P-I - Public Institutional **Existing Land Use:** Church

CONCEPT PLAN:

The Concept Plan provided below indicates the layout for two duplexes. The existing home on the subject property will be removed.



The applicant will meet all other requirements for the development of two duplexes. Consistent with the requirements for a duplex the applicant will develop the property with the following.

- Minimum lot size: 8,000 sq ft
  - The two parcels will each be 62' x 136' for a total of 8,432 sq ft.

- Minimum floor area: 800 sq ft
  - The proposed duplexes will be consistent with this requirement.

- Setbacks:
    - Front: 25'
    - Side: 10'
    - Rear: 20'
        - The development will be consistent with the setback requirements.

RECOMMENDED CONDITIONS OF DEVELOPMENT APPROVAL:

1. The proposed duplex will be required to meet all requirements of the City of Bowling Green Land Development Code specific to duplexes.

2. The lots for the two duplexes shall meet the following specifications.

    a. The minimum lot width for each duplex lot shall be a minimum of 62 feet.

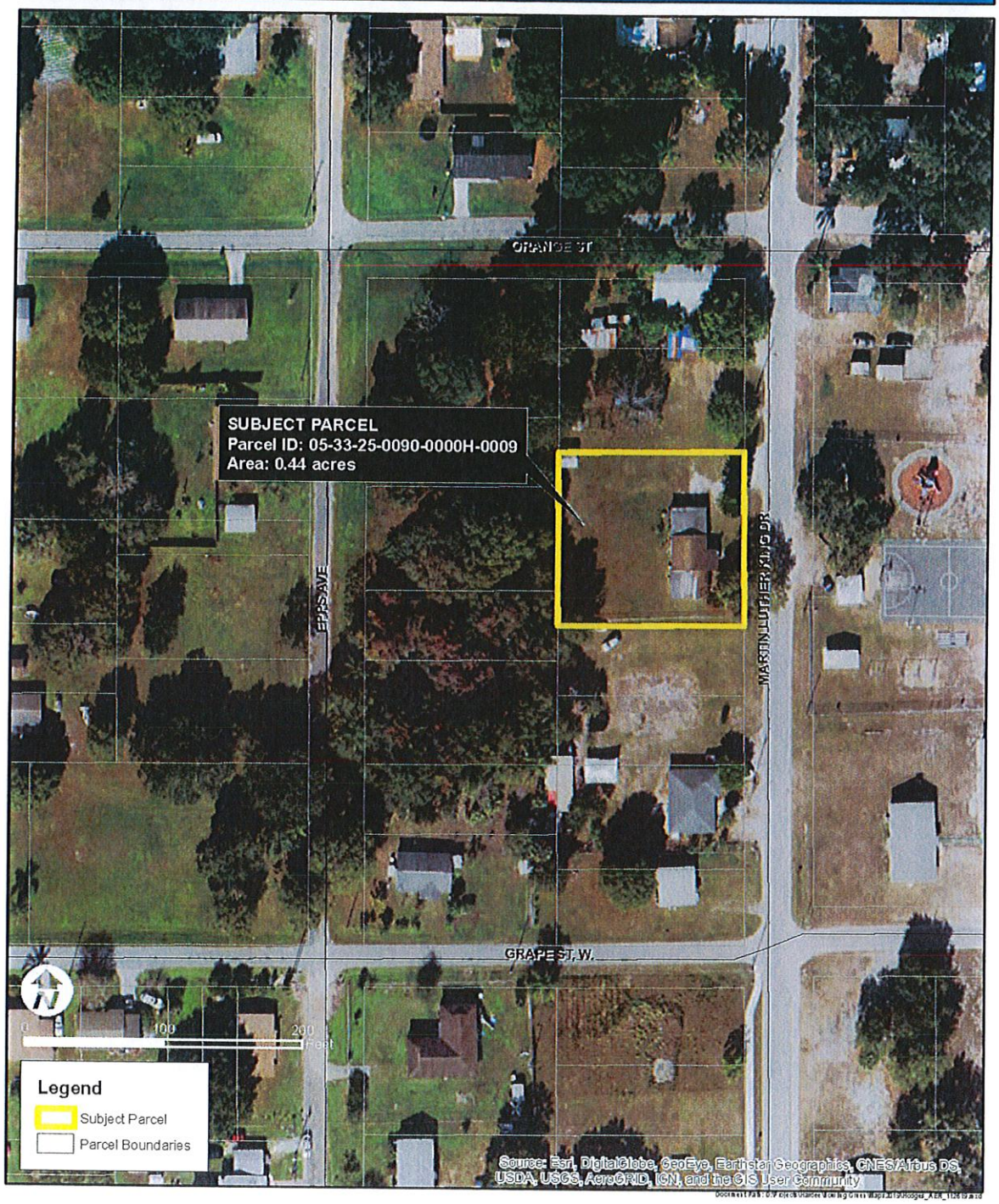
    b. The minimum setbacks for each duplex building shall be as follows.

        i. Front setback: 25'
        ii. Side setback: 10'
        iii. Rear setback: 20'

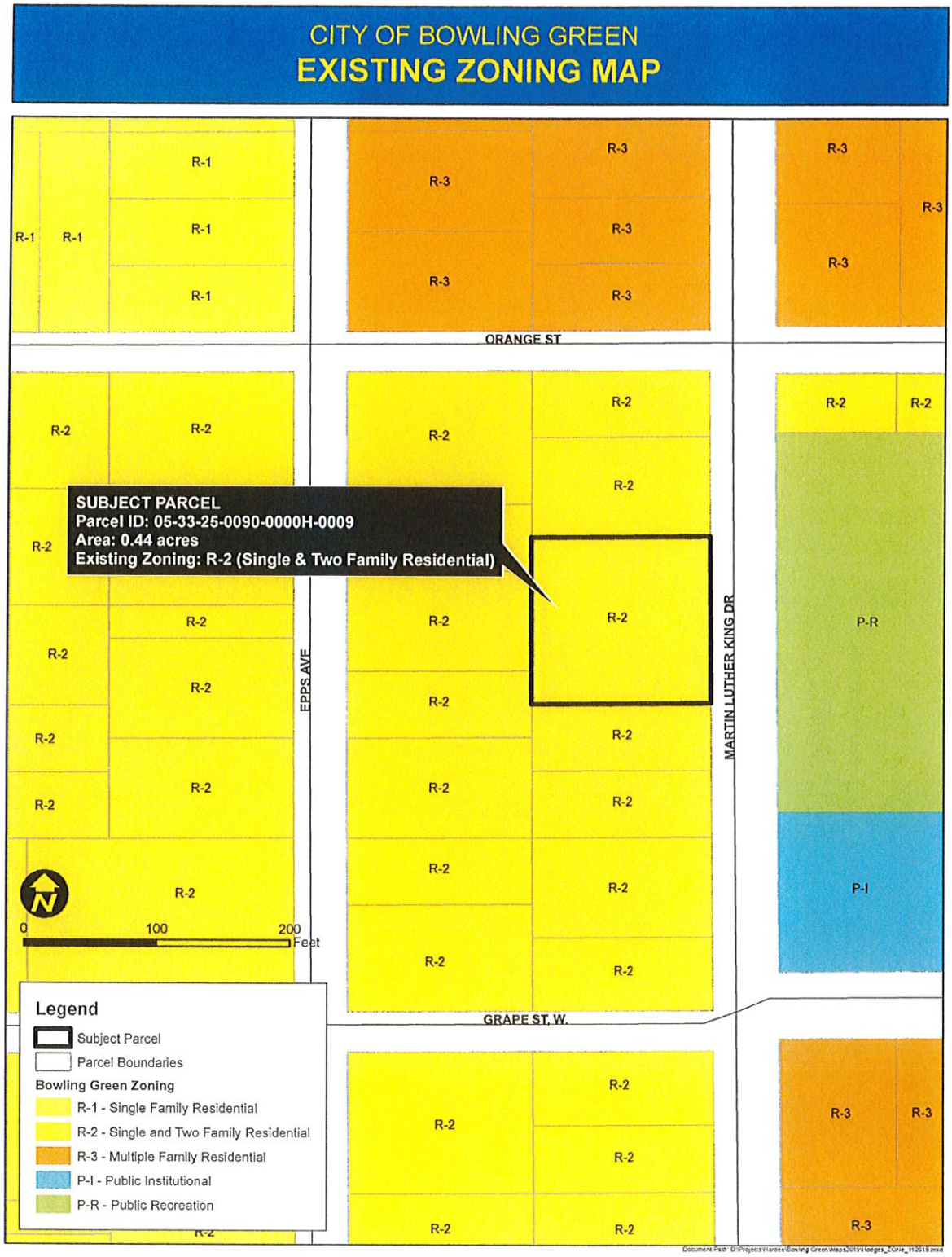
3. Each dwelling unit shall be a minimum of 800 square feet.

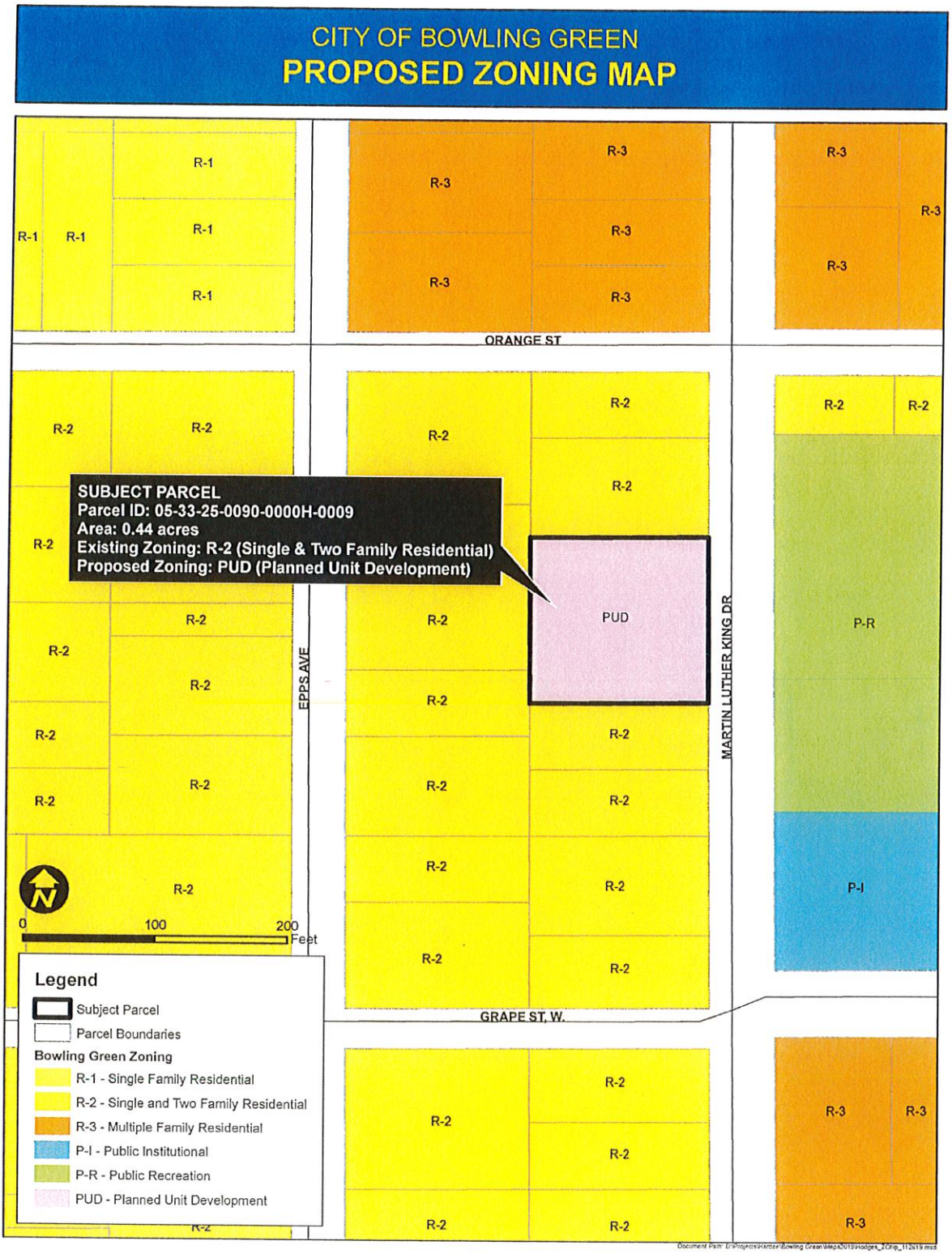
4. Consistent with Table 3.07.06.B. Buffer Yard Requirements of the City of Bowling Green Land Development Code, a type A landscape buffer shall be provided along properties to the north, south, and west.

CITY OF BOWLING GREEN
AERIAL PHOTO MAP



CITY OF BOWLING GREEN
EXISTING FUTURE LAND USE MAP
SUBJECT PARCEL
Parcel ID: 05-33-25-0090-0000H-0009
Area: 0.44 acres
Existing Future Land Use: Low Density Residential (LDR)
ORANGE ST
GRAPE ST, W.
EPPS AVE
MARTIN LUTHER KING DR
0
100
200
Feet
Legend
Subject Parcel
Parcel Boundaries
Bowling Green Future Land Use
LDR - Low Density Residential
MDR - Medium Density Residential
PUB - Public Buildings and Grounds
ROS - Recreation


CITY OF BOWLING GREEN
EXISTING ZONING MAP
SUBJECT PARCEL
Parcel ID: 05-33-25-0090-0000H-0009
Area: 0.44 acres
Existing Zoning: R-2 (Single & Two Family Residential)
ORANGE ST
EPPS AVE
MARTIN LUTHER KING DR
GRAPE ST, W.
0
100
200
Feet
Legend
Subject Parcel
Parcel Boundaries
Bowling Green Zoning
R-1 - Single Family Residential
R-2 - Single and Two Family Residential
R-3 - Multiple Family Residential
P-I - Public Institutional
P-R - Public Recreation


CITY OF BOWLING GREEN
PROPOSED ZONING MAP
SUBJECT PARCEL
Parcel ID: 05-33-25-0090-0000H-0009
Area: 0.44 acres
Existing Zoning: R-2 (Single & Two Family Residential)
Proposed Zoning: PUD (Planned Unit Development)
ORANGE ST
EPPS AVE
MARTIN LUTHER KING DR
GRAPE ST W.
PUD
P-R
P-I
R-1
R-2
R-3
0
100
200
Feet
Legend
Subject Parcel
Parcel Boundaries
Bowling Green Zoning
R-1 - Single Family Residential
R-2 - Single and Two Family Residential
R-3 - Multiple Family Residential
P-I - Public Institutional
P-R - Public Recreation
PUD - Planned Unit Development

ORDINANCE NO. 2019-06

AN ORDINANCE OF THE CITY OF BOWLING GREEN, FLORIDA AMENDING THE OFFICIAL ZONING MAP TO CHANGE THE ZONING ON APPROXIMATELY 0.44 ACRES LOCATED AT 5025 MARTIN LUTHER KING JR. DRIVE FROM R-2 SINGLE AND TWO-FAMILY TO PLANNED UNIT DEVELOPMENT TO ALLOW FOR TWO DUPLEXES (PARCEL NUMBER 05-33-25-0090-000H0-0009); REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF BOWLING GREEN, FLORIDA:

SECTION 1. FINDINGS AND INTENT. In adopting this Ordinance and amending the City's Official Zoning Map of Bowling Green, the City Commission of Bowling Green, Florida hereby makes the following findings:

(1) The Property consists of approximately 0.44 acres, and, if approved, would change the Official Zoning Map by changing the zoning classification assigned to this property from R-2 Single and Two-Family Residential to Planned Unit Development as depicted on the map attached to and incorporated in this Ordinance as Exhibit "A".

(2) The City Commission of Bowling Green, Florida, held meetings and hearings regarding the Property, 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

(3) Among its many purposes, the City's PUD District ordinance is intended to provide a method for consideration and approval of unique zoning districts for individual Planned Unit Developments, which are not provided for or allowed in other City zoning districts.

(4) The requested zoning is consistent with the Future Land Use Element of the Bowling Green Comprehensive Plan; and

SECTION 2. APPROVAL OF PLANNED UNIT DEVELOPMENT; CONDITIONS OF APPROVAL. The Official Zoning Map of the City of Bowling Green is hereby amended so as to assign the zoning classification of Planned Unit Development (PUD) District to the Property. The City also hereby approves the conceptual site plan depicted in Exhibit "B" attached to and incorporated in this Ordinance subject to the following conditions of approval:

(1) The proposed duplex will be required to meet all requirements of the City of Bowling Green Land Development Code specific to duplexes.

(2) The lots for the two duplexes shall meet the following specifications.

a) The minimum lot width for each duplex lot shall be a minimum of 62 feet.

b) The minimum setbacks for each duplex building shall be as follows.

i. Front setback: 25'
ii. Side setback: 10'
iii. Rear setback: 20'

(3) Each dwelling unit shall be a minimum of 800 square feet.

(4) Consistent with Table 3.07.06.B. Buffer Yard Requirements of the City of Bowling Green Land Development Code, a type A landscape buffer shall be provided along properties to the north, south, and west.

SECTION 3. SEVERABILITY. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or enforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

SECTION 4. COPY ON FILE. This Ordinance shall be codified and made part of the official Code of Ordinances of the City of Bowling Green.

SECTION 5. REPEAL OF ORDINANCES IN CONFLICT. All other ordinances of the City of Bowling Green, or portions thereof which conflict with this or any part of this Ordinance are hereby repealed.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and approval as a non-emergency ordinance at two regular meetings of the City Commission.

INTRODUCED AND PASSED on First Reading this ___ day of _____, 2019.

PASSED AND DULY ADOPTED, on Second Reading with a quorum present and voting, by the City Commission of Bowling Green, Florida, this ____ day of _____, 2020.

CITY OF BOWLING GREEN

_____
Steven M. Spinks, Mayor

Attest:

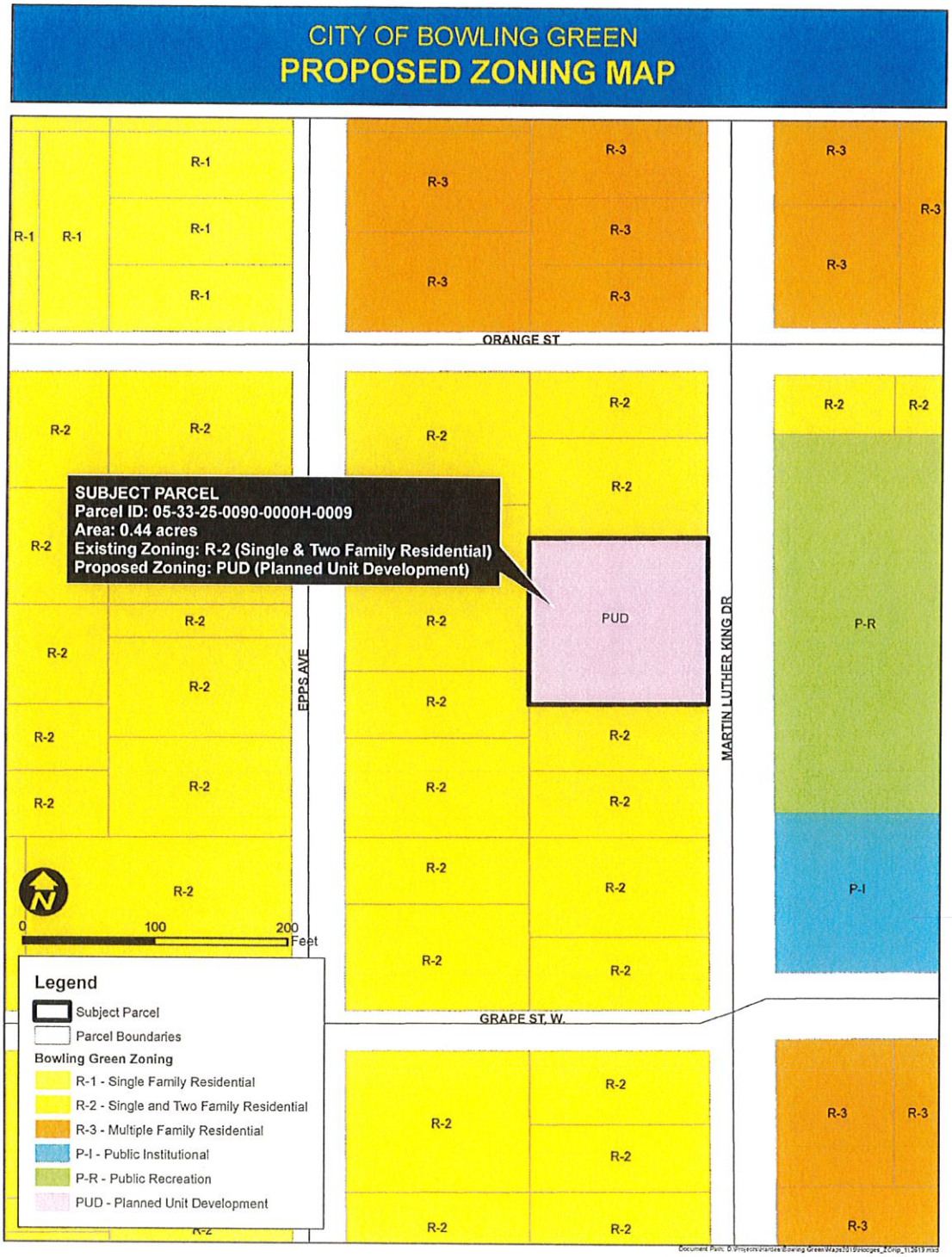
_____
Maria Carmen Silva, City Clerk

Approved as to Form:

_____
Gerald Buhr, City Attorney

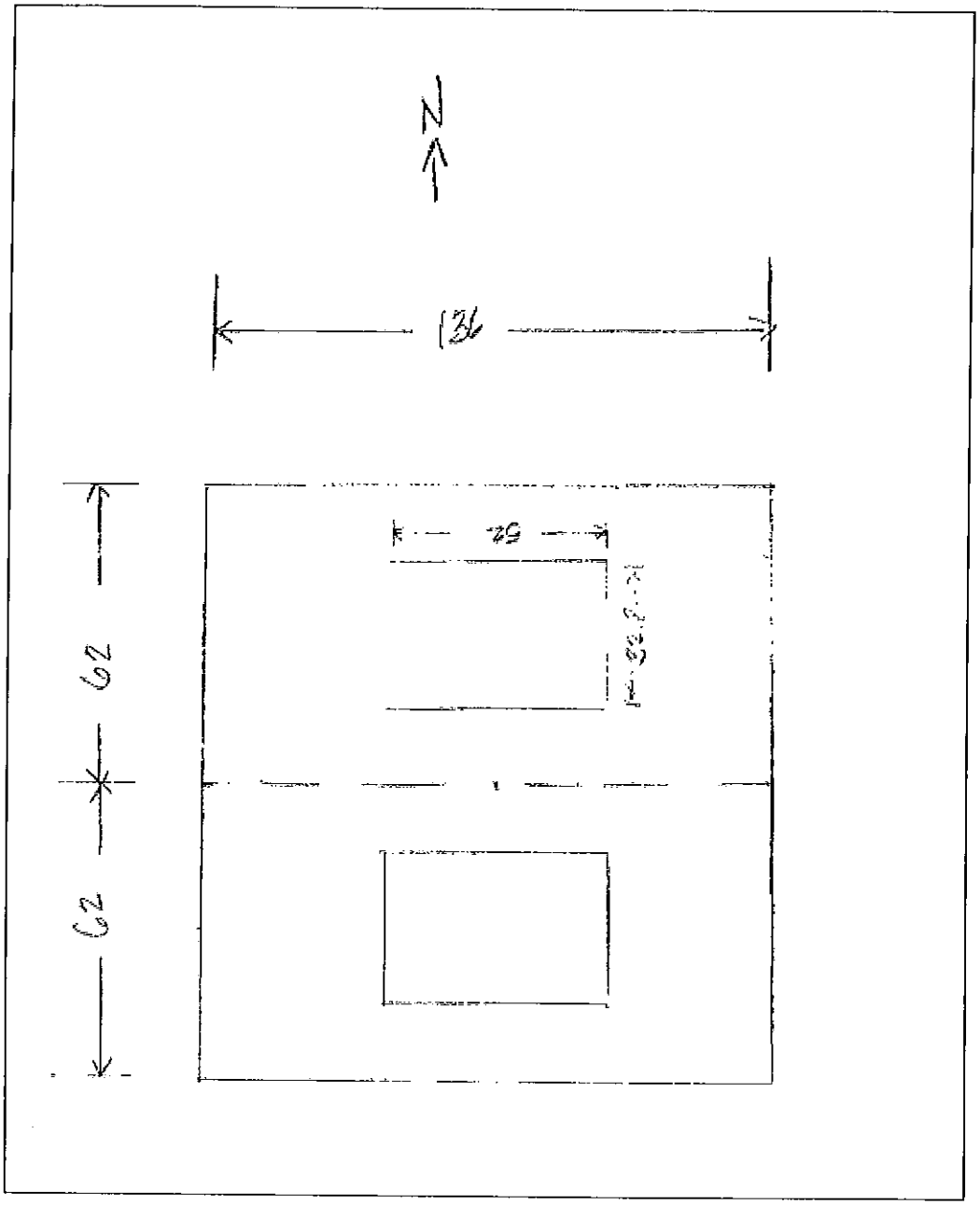
ORDINANCE NO. 2019-06

EXHIBIT "A"



ORDINANCE NO. 2019-06

EXHIBIT "B"



CITY OF BOWLING GREEN
APPLICATION TO ZONING BOARD OF APPEALS (CITY COUNCIL)

APPLICANT NAME: Marshall L. Hodges / Shujwana Hodges Lamy
PHONE: 863-445-1966
ADDRESS: 5025 MLK BLVD
Bowling Green, FL 33834
OWNER(S) NAME: Marshall L. Hodges
OWNER'SSIGNATURE:
MLH

PROPERTY APPRAISER I.D.#

BOWLING GREEN ZONING DESIGNATION:

STREET ADDRESS OR GENERAL LOCATION OF PROPERTY:
5025 MLK BLVD Bowling Green, FL. Directly west of Harrington & Liston Community Park.

EXISTING USE OF PROPERTY: (Explain how property is currently used; attach a lot survey):
Vacant lot.

PROPOSED USE OF PROPERTY (Explain in detail proposed structures, additions, other physical changes; show on survey:)
Construct two (2) duplex apartment buildings.

EXPLAIN THE VARIANCE REQUESTED: (What are current code requirement, and what is being requested?) Requesting minimum lot width to be reduced from current code requirement of 75 feet to lot width of 62 feet after property is split.

DESCRIPTION OF SURROUNDING PROPERTY ON ALL SIDES:

ON NORTH: Single Family Home

ON SOUTH: Single Family Home

ON WEST: Vacant Lot

ON EAST: Single Family Home

GENERAL (Bowling Green Land Development Code; Section 7.08.01):

The granting of a variance shall be based on a determination by the Zoning Board of Appeals (City Council) that the request will not be contrary to the public interest and the intent of this Code, and that strict enforcement of the regulation in question would create an undue and unnecessary hardship for the applicant. Considerations of health, convenience or economics shall not be considered as justification for a variance. Approval of a variance shall be based solely on the following criteria, all of which must be fully satisfied:

1. Special conditions and circumstances exist that are peculiar to the land or structure involved and that are not applicable to other lands or structures in the same land use classification.
2. The special conditions and circumstances do not result from the actions of the applicant.
3. The requested variance, if approved, will not confer on the applicant any special privilege that is denied by the provisions of this Code to other lands or structures in the same land use classification.
4. Literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the identical land use classification and will constitute an unnecessary and undue hardship on the applicant.
5. That the variance granted is the minimum variance that will make possible a reasonable use of the land or structure.
6. That the granting of the variance will be in harmony with the general intent of this Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Describe special conditions and circumstances that exist; explain why you feel the variance meets the criteria listed above:

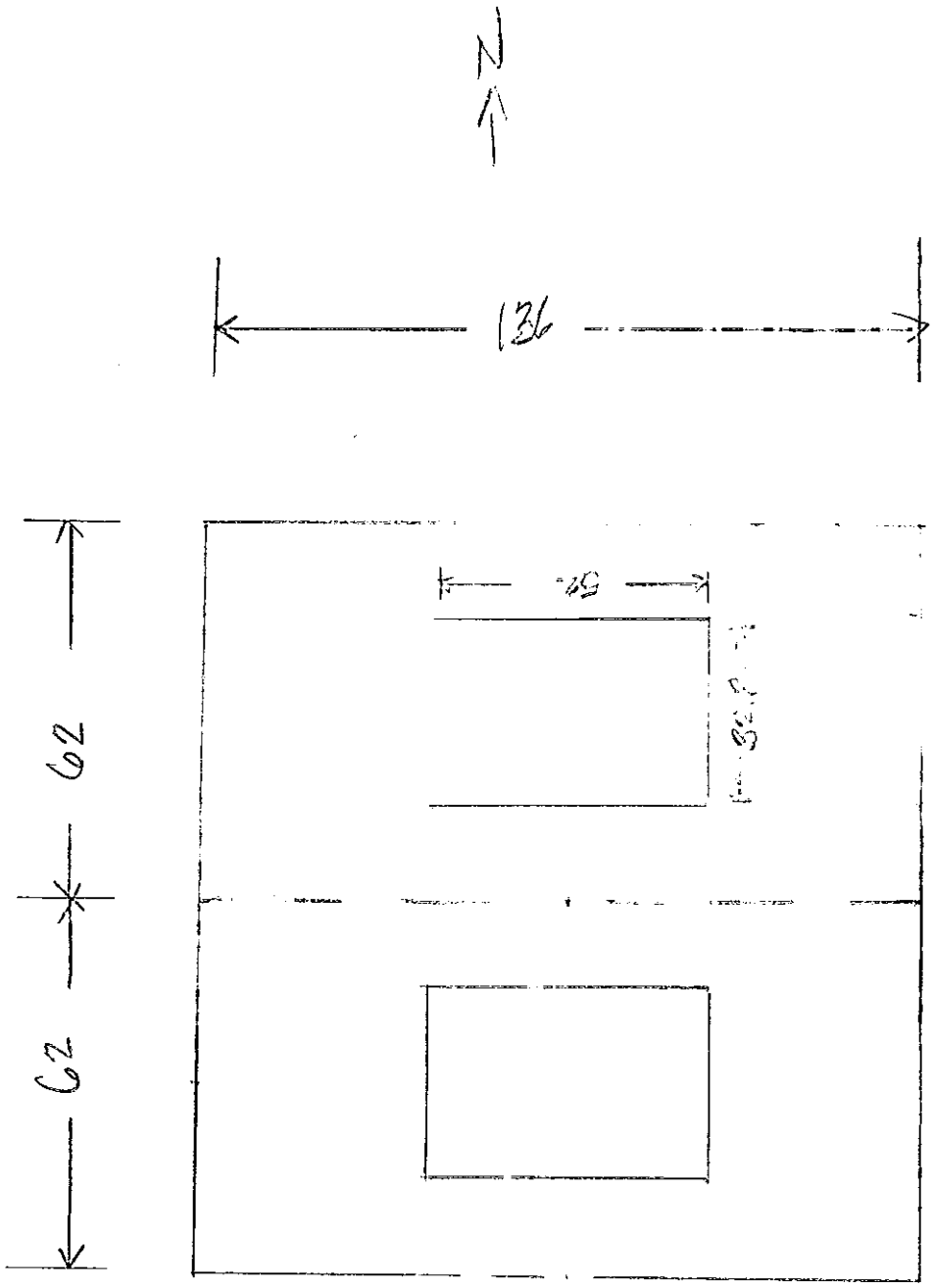
Requesting minimum lot width to be reduced from 75 feet to 62 feet after lot is split.

ATTACH:

1. Legal description
2. Sketch plan or survey showing property dimensions, proposed location of structures, parking and access, yard areas, landscape, signs, and other improvements.
3. Notarized authorization to apply for variance, from the owner, if different from applicant.

All decisions of the Zoning Board of Appeals (City Council) are final. Variance requests, once acted upon, may not be reheard unless the applicant can demonstrate that the decision resulted from an error in substantive or procedural law, or provides new evidence or information not discoverable prior to the initial hearing. A different or more effective presentation of the same evidence or information shall not be considered grounds for a rehearing.

Any person or persons aggrieved by any decision of the Zoning Board of Appeals (City Council), may, within 30 days after the date of the public hearing at which the decision was rendered, but not thereafter, apply to the courts for relief in the manner provided by the laws of the State of Florida.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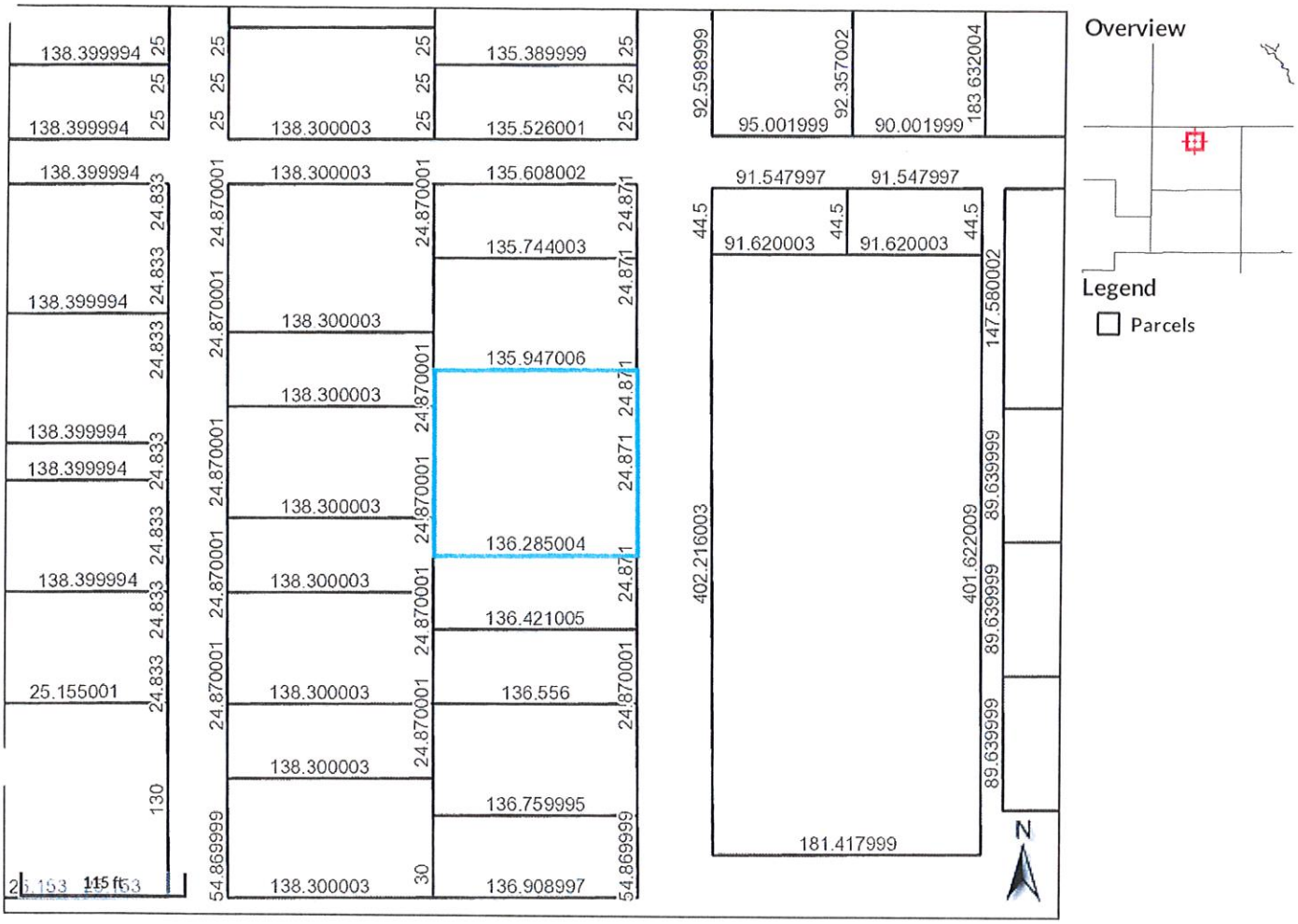
136
62
62

HCPA Hardee County Property Appraiser



Parcel Number	05-33-25-0090-0000H-0009	Building Value	$48,008	Just Value	$55,926	Last 2 Sales			
Mailing Address	HODGES MARSHALL	Misc Value	$254	Assessed Value	$49,238	Date	Price	Vacant	Qual
	PO BOX 1005	Land Value	$7,664	Exempt Value	$0	6/11/2008	$100	N	U
	BOWLING GREEN, FL 33834	Ag Land Value	$0	Taxable Value	$49,238	6/11/2008	$100	N	U
Property Usage	SINGLE FAM	Ag Market Value	$0			MLS			

Date created: 11/18/2019
Last Data Uploaded: 11/15/2019 9:55:11 PM

Developed by Schneider GEOSPATIAL

MOBILE FOOD TRUCK VENDOR PERMIT APPLICATION

PROPERTY OWNER INFORMATION

1. Property Owner Name: _____

Property Owner Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

2. Property Owner Name: _____

Property Owner Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

REQUIRED DOCUMENTATION *** Any required document marked as "NO" or "N/A" will require a written explanation.*	**Attached? ****		
	YES	**NO**	**N/A**
Copy of all permits and licenses required by the State of Florida (e.g., Florida Department of Agriculture and Consumer Services and/or Florida Department of Business and Professional Regulation)			
Copy of fire inspection report from the DeSoto County Fire Department.			
Copy of City of Arcadia Local Business Tax Receipt.			
Color photograph of the mobile food vending truck depicting its current condition.			
Site plan for each vending site, drawn to scale, depicting: a) Property lines of proposed site, including total square footage of the property. b) Location and square footage of the existing principal and accessory uses on site, if applicable. c) Proposed parking location of the mobile food truck. d) Location of ingress/egress to the site. e) Demonstrate ability to provide clear and safe circulation of vehicles and pedestrians within the site. f) Location of parking for patrons of the mobile food truck. Such parking, including parking of the mobile food truck, shall not interfere with parking for other uses.			
Notarized affidavit by each property owner indicating that the applicant has permission to operate on the site and that the property owner will follow all requirements as outlined in City of Arcadia Ordinance 1051.			
Proof of business insurance, issued by an insurance company that is licensed to do business in the state and which protects the applicant from claims for damages to property and bodily injury, including death, which may arise from operations under or in connection with mobile food truck vending. Such insurance shall be in at least the amount of five hundred thousand dollars ($500,000) for occurrence for injury and two hundred thousand dollars ($200,000) per person. The insurance policy shall provide that it may not be cancelled without first providing thirty (30) days written notice to the City.			
Application fee: □ NEW: □ $100 (Oct 1 – Mar 30) □ $75 (Apr 1 – Jun 30) □ $50 (Jul 1 – Aug 30) □ RENEWAL: $100			

MOBILE FOOD TRUCK VENDOR PERMIT APPLICATION

I certify the information contained herein is true and correct to the best of my knowledge, and I have received a copy of Ordinance No. 1051. I understand that any false or misleading information on this application or failure to comply with City of Arcadia Ordinance No. 1051, regulating Mobile Food Trucks, may be issued a civil citation and/or code enforcement citation which may be cause for referral to the county court and/or Special Magistrate for disposition. If at any time, any license or permit required by any other governmental entity or agency to operate the mobile food truck is revoked, cancelled, suspended or expires, the City's mobile food truck permit shall be deemed to have been simultaneously revoked or suspended. Permits are not transferrable upon the sale/transfer of ownership of the mobile vending business.

Applicant Signature	Print Name	Date

FOR OFFICE USE ONLY

Reviewed by: _____

- ☐ Approved
- ☐ Approved with conditions
- ☐ Disapproved

Comments: _____

MOBILE FOOD TRUCK VENDOR PERMIT APPLICATION

I, _____, property owner and authorized representative of
(Printed Name)

_____, whose property is located at
(Business/Corporation Name)

_____, Arcadia, Florida, hereby authorize
(Property Address of Proposed Vending Site)

_____ to operate a mobile food vending business on the
(Name of Vendor/Applicant)

property listed above.

Furthermore as the property owner/authorized representative, I/we shall:

1. Comply will all ordinances regarding solid waste disposal and must provide the mobile food truck vendor access to solid waste collection on the subject property.
2. Require that the mobile food truck vendor meet all applicable federal, state, and local statutes, regulations, laws, ordinances, rules and codes; including but not limited to permitting requirements regarding the specific business.
3. Acknowledge that I/we understand the regulations regarding mobile food truck vendors and operation of mobile food trucks and will be held responsible, along with the mobile food truck vendor for any code violations.

By signing this document, I/we hereby acknowledge that I/we have read and understand the responsibilities regarding Mobile Food Trucks, pursuant to Ordinance No. 1051.

_____	_____	_____
Property Owner/Representative Signature	Title	Date

STATE OF FLORIDA, COUNTY OF DESOTO:

The foregoing instrument was acknowledged before me this _____day of _____, 20____ by

_____ on behalf of the Corporation/LLC/Partnership. He/she is

[ ] personally known to me or [ ] has produced _____ as identification.

_____
NOTARY PUBLIC

Printed Name: _____

MOBILE FOOD TRUCK VENDOR PERMIT APPLICATION

This application is intended for use in requesting a mobile food vending permit to sell food to the general public from a mobile food vending vehicle, located on private property located within the established zoning districts as outlined in Table 4.10.01 of the City's Unified Land Development Code and in accordance with the standards and requirements established in Division 5 of Article II of Chapter 34 of the Code of Ordinances of the City of Arcadia.

APPLICANT INFORMATION

Applicant Name: _____

Applicant Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

Vehicle Owner (if different than the applicant): _____

Vehicle Owner Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

Vending Business Name: _____

Type of food and/or beverages to be sold: _____

Physical address where mobile food truck will be stored when not in use:

Street: _____ City: _____

PROPOSED VENDING INFORMATION

1. Proposed Site Street Address: _____

   Zoning District (circle one): P-1 B-1 B-2 B-3 C-1 M-1 M-2

   Proposed Days and Hours of Business: _____

   Principal Business Located on the Proposed Property: _____

2. Proposed Site Street Address: _____

   Zoning District (circle one): P-1 B-1 B-2 B-3 C-1 M-1 M-2

   Proposed Days and Hours of Business: _____

   Principal Business Located on the Proposed Property: _____

WLawrence

m:	Sam Fite <sfite@bowlinggreenfl.org>
nt:	Sunday, November 24, 2019 10:01 PM
To:	WLawrence
Subject:	Receipts for 2019 Legislative Conference
Attachments:	2019 Fall FLC Legislative Conference and Water Waste Water Research Symposium.pdf

RE: Receipts from 2019 Fall Water and Waste Water Research Symposium and FLC Legislative Conference

Bill,

Attached you should have 3 receipts attached. One from the FLC Conference registration and two from the Embassy for room and parking.

If you have any problems with the attachments let me know.

I think Saturday went very well. Larger turnout and the right amount of help. Many hands do make light work of a task.

Have a great Monday.

Sam

Sam Fite, Commissioner
CITY OF BOWLING GREEN, FL

"Where Life Is More Relaxed"
sfite@bowlinggreenfl.org

PLEASE NOTE: Due to Florida's very broad public records law, most written communications "to" or "from" the City of Bowling Green, City of Bowling Green Mayor, Vice Mayor & Commissioners and the City of Bowling Green Employee's regarding any City of Bowling Green business are public records, available to the public and media upon request. Therefore, this email communication may be subject to public disclosure. All correspondence will be retained and archived in compliance with Florida Public Records laws.

EMBASSY SUITES
HOTELS

EMBASSY SUITES ORLANDO/LAKE BUENA VISTA SOUTH, FL
4955 KYNGS HEATH ROAD
KISSIMMEE, FL 34746
United States of America
TELEPHONE 407-597-4000 • FAX 407-597-4201
Reservations
www.hilton.com or 1 800 HILTONS

FITE, ROBERT

4709 DOYLE PARKER AVE

BOWLING GREEN FL 33834
UNITED STATES OF AMERICA

Room No:	731/KSLN
Arrival Date:	11/13/2019 12:02:00 PM
Departure Date:	11/15/2019
Adult/Child:	1/0
Cashier ID:	GRLE
Room Rate:	203.53
AL:	
HH #	869343863 BLUE
VAT #	
Folio No/Che	379497 A

Confirmation Number: 92036904

EMBASSY SUITES ORLANDO/LAKE BUENA VISTA SOUTH, FL 11/14/2019 2:06:00 AM

DATE	REF NO	DESCRIPTION	CHARGES
11/13/2019	1731012	[redacted]	[redacted]
11/13/2019	1731013	[redacted]	[redacted]
11/13/2019	1731024	[redacted]	[redacted]
11/13/2019	1731025	[redacted]	[redacted]
11/13/2019	1731426	SELF PARKING	$12.09
11/13/2019	1731426	MISC - SALES TAX	$0.91
11/14/2019	1732273	SELF PARKING	$12.09
11/14/2019	1732273	MISC - SALES TAX	$0.91
		WILL BE SETTLED TO AX*1005	[redacted]
		EFFECTIVE BALANCE OF	$0.00

$260

11/24/19

Hilton Honors(R) stays are posted within 72 hours of checkout. To check your earnings or book your next stay at more than 5,700 hotels and resorts in 113 countries, please visit Honors.com

Thank you for staying with us. Visit embassysuites.com for more information on hotel packages, subscribe to our E-nnouncements newsletter, or plan your next stay at close to 200 destinations.

WE ARE A FLORIDA GREEN LODGING ESTABLISHMENT. WE CARE ABOUT OUR ENVIRONMENT. GUESTS ARE WELCOME TO MAKE SUGGESTIONS BY UTILIZING OUR COMMENT CARD BOX.

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TELEPHONE 407-597-4000 • FAX 407-597-4201
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www.hilton.com or 1 800 HILTONS

FITE, ROBERT

4709 DOYLE PARKER AVE

BOWLING GREEN FL 33834
UNITED STATES OF AMERICA

Room No:	731/KSLN
Arrival Date:	11/13/2019 12:02:00 PM
Departure Date:	11/15/2019 11:39:00 AM
Adult/Child:	1/0
Cashier ID:	AMOR
Room Rate:	203.53
AL:	
HH #	869343863 BLUE
VAT #	
Folio No/Che	379497 B

Confirmation Number: 92036904

EMBASSY SUITES ORLANDO/LAKE BUENA VISTA SOUTH, FL 11/15/2019
11:38:00 AM

DATE	REF NO	DESCRIPTION	CHARGES
11/13/2019	1730917	HILTON ADVANCE PURCHASE	($462.00)
11/13/2019	1731427	GUEST ROOM	$203.53
11/13/2019	1731427	STATE TAX	$15.26
11/13/2019	1731427	COUNTY TAX	$12.21
11/14/2019	1732274	GUEST ROOM	$203.53
11/14/2019	1732274	STATE TAX	$15.26
11/14/2019	1732274	COUNTY TAX	$12.21
		BALANCE	$0.00

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Thank you for staying with us. Visit embassysuites.com for more information on hotel packages, subscribe to our E-nnouncements newsletter, or plan your next stay at close to 200 destinations.

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Title	Mayor
Affiliation	Bowling Green
E-mail	commissionerfite@gmail.com

Registration Details

You are registered for the following:

FLC 2019 Legislative Conference
Embassy Suites Orlando - Lake Buena Vista South
4955 Kyngs Heath Rd.
Kissimmee, FL 34746
November 14-15, 2019

Options:
You are registered for the following:

- Registration Fee ($250.00)

Payment Receipt

Order Number:	79124
Registration Date:	10/30/2019
Payment Method:	American Express **********1005
Total charges:	250.00
Total payments:	250.00
Balance due:	0.00

11/24/19
2019 Legislative Conference and FAU Research Symposium "Water/WWTP"

This is an automated e-mail. Please do not reply to this message.

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WLawrence

›m: Sam Fite <commissionerfite@gmail.com>
ɔent: Monday, November 25, 2019 9:52 AM
To: WLawrence
Subject: Re: Receipts for 2019 Legislative Conference

Understand... shouldn't be an issue as it is a standard and customary practice.

Thanks,
Sam

On Mon, Nov 25, 2019 at 8:54 AM WLawrence <wlawrence@bowlinggreenfl.org> wrote:

Sam,

-

I'll be asking the other commissioners for approval to reimburse for the Conference. I'm sure it will not be an issue.

-

The weekend went great!

-

William Lawrence, City Manager

104 E.Main St.

PO Box 608

Bowling Green, FL

863-375-2255

-

FROM: Bill Lawrence, City Manager
DATE: December 6, 2019
TO: Commissioners
SUBJECT: Nano Filter Water System & DEP Permitting

It had come to my attention a couple of weeks ago that the DEP Permitting for a Nano Filter Water System would require staffing of a Class B Water Operator 16 hours a day for 7 days a week. This was based on 2,000,000 gallons a day usage. The usage was based on our well's capacity.

I found out through my research and the help of Jim Hall at Pennoni, that prior to my arrival, Jerry and Pennoni met with DEP and negotiated the terms of the permit based on 200,000 gallons a day usage. The permit requires a Class C Water Operator and 6 hours of coverage a day Monday through Friday with weekend spot checks.

Our current contract with the County is with a Class C Operator for 4 hrs. a day for both plants. This contract is set to expire in July 2020. The City can terminate this contract with the county with a 90 day written notice. Since the DEP water permit will require more hours from the Class C operator, I would expect the county fees to go up. Currently we are spending $83,265 for water and wastewater class C operator plus overtime beyond 4 hours a day. See the attached spread sheet.

Options:

1. Stay with the County and expect fees to go up.

2. Negotiate with the City of Wauchula. (*They said they could cover us with this new DEP Permit)*
   The cost is unknown currently.

3. Place and advertisement to hire our own class C Water Operator. We would be in complete control.
   I am not sure what the advertisement will produce for qualified operators until we try?

See the attached spread sheet on the cost.

Class C Water Operator	Current Cost	Proposed Cost
Water Operator's Salary		42,000
Health Insurance		8,262.24
FICA		2,520
Retirement		1,260
Overtime		3,000
Total		57,042
Wastewater Operator salary	32,000	42,000
Health Insurance		8,262.24
FICA		2,520
Retirement	1,260	1,260
Overtime	3,000	3,000
Total		57,042
County's Contract 4hrs M-F		
Water Plus Overtime	32,730	
Sewer plus Overtime	50,535	
Total	**83,265**	**114,084**
Waste Water Operator	32,000	
Contract labor	28,125	28,125
Total Cost Current Salalries	143,390	142,209