



**CITY OF ST. AUGUSTINE CITY COMMISSION
REGULAR MEETING AGENDA
MONDAY, JUNE 24, 2024 - 5:00 PM
ALCAZAR ROOM**

1. CALL TO ORDER

- ◆ Roll Call
- ◆ Moment of Silence and Pledge of Allegiance

2. ADMINISTRATIVE ITEMS

- ◆ Modification and Approval of REGULAR AGENDA

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

- 3.A. Proclamation 2024-24:** Proclaims June 26, 2024 as Greek Landing Day in the City of St. Augustine. *(N. Sikes-Kline, Mayor)*

4. PUBLIC COMMENTS FOR GENERAL PUBLIC COMMENTS OR FOR AGENDA ITEMS NOT REQUIRING A SEPARATE PUBLIC HEARING

- ◆ 3 minutes per individual

5. CONSENT AGENDA

6. APPEALS

7. GENERAL PUBLIC PRESENTATIONS, ITEMS OF GREAT PUBLIC IMPORTANCE, AND OTHER ITEMS REQUIRING PUBLIC HEARINGS

(PRESENTATIONS (MAXIMUM OF 10 MINUTES PER PRESENTATION)). PRESENTATIONS FOR COMMISSION MEETINGS MUST BE PRESENTED TO THE CITY MANAGER FOR APPROVAL NO LATER THAN TEN (10) WORKING DAYS PRIOR TO THE NEXT CITY COMMISSION MEETING. A PRESENTATION SUPPORT SERVICES REQUEST (AVAILABLE ON THE CITY'S WEBSITE) MUST ACCOMPANY ALL PRESENTATIONS.

7.A. General Public Presentations

- 7.A.1.** VCB Tourism Update. *(M. Wissel, Director Communications)*

- 7.A.2. Letter of Support Request for Pena-Peck House National Historic Landmark Designation Letter of Inquiry. *(J. Courtney, Historic Preservation Officer)*

7.B. Items of Great Public Importance

7.C. Other Items Requiring Public Hearing

8. ORDINANCES AND RESOLUTIONS - PUBLIC HEARING REQUIRED

8.A. Ordinances - Second Reading

- 8.A.1. **Ordinance 2024-05:** Updating and Amending the Parking Code for the City of St. Augustine. *(A. Skinner, Planning and Building)*
- 8.A.2. **Ordinance 2024-18:** Extends the non-exclusive natural gas franchise agreement between Peoples Gas System and the City. *(I. Lopez, City Attorney)*
- 8.A.3. **Ordinance 2024-19:** Amends Chapter 28 of the City Zoning Code to add a definition of a Resiliency Facility and to add a defined Resiliency Facility as a permitted use by exception in the CM-2 and IW zoning districts. *(A. Skinner, Director Planning and Building)*
- 8.A.4. **Ordinance 2024-20:** Amends the Police Officer Retirement System pension plan regarding investment of assets. *(I. Lopez, City Attorney)*
- 8.A.5. **Ordinance 2024-21:** Amends the Police Officers Retirement System pension plan to provide for the restoration of forfeited credited service. *(I. Lopez, City Attorney)*
- 8.A.6. **Ordinance 2024-22:** Amends the Police Officers Retirement System regarding the allocation of the Share Plan. *(I. Lopez, City Attorney)*

8.B. Ordinances - First Reading (only if required by law)

8.C. Resolutions - Public Hearing (only if required by law)

9. ORDINANCES AND RESOLUTIONS – NO PUBLIC HEARING REQUIRED

9.A. Ordinances - First Reading

- 9.A.1. **Ordinance 2024-23:** Florida-Friendly Fertilizer Use on Urban Landscapes. *(I. Lopez, City Attorney or A. Owen, Assistant City Attorney)*

9.B. Resolutions

- 9.B.1. **Resolution 2024-22:** Updates the expiration date of the CDBG grant for St. Francis Crisis Shelter. *(A. Foschaar, Grants Administration Coordinator)*

10. STAFF REPORTS AND PRESENTATIONS

- 10.A. Presentation for the FDOT Seawall Replacement Project-Commission Input. *(J. Beach, Chief Resilience Officer)*
- 10.B. Report on 11 Bridge Street Demolition. *(R. Schauland, City Building Official)*

11. ITEMS BY CITY ATTORNEY

- 11.A. Madeira CDD proposed budget and budget schedule-for informational purposes only. *(I. Lopez, City Attorney)*

12. ITEMS BY CITY CLERK

- 12.A.** Notification of one (1) Planning & Zoning Board (PZB) vacancy. *(D. Galambos, City Clerk)*

13. ITEMS BY CITY MANAGER

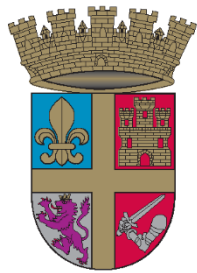
14. ITEMS BY MAYOR AND COMMISSIONERS

15. ADJOURN

NOTICES: In accordance with Florida Statute 286.0105: "if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she 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." ***In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice not later than seven days prior to the proceeding at the address given on the notice. Telephone 904-825-1007; 1-800-955-8771 (TDB) or 1-800-955-8770 (V) via Florida Relay Services. The materials prepared and presented are part of the City's ongoing Florida Public Records and Government in the Sunshine compliance and are not intended to be relied upon or to reach investors or the trading markets.

CONSENT AGENDA -

- CA.1.** Preview of upcoming Commission meetings.
- CA.2.** **THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON DATE: NONE**
- CA.3.** **Reminder of Upcoming Meetings:**
- JULY 8, 2024, 3:00pm, Special City Commission Meeting (Budget Assumptions)
 - JULY 8, 2024, 5:00pm, Regular City Commission Meeting
 - JULY 22, 2024, 5:00pm, Regular City Commission Meeting
 - AUGUST 12, 2024, 5:00pm, Regular City Commission Meeting
- CA.4.** **APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:**
- MAY 13, 2024—Regular City Commission Meeting
- CA.5.** **RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S): NONE.**
- CA.6.** **PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING). NONE.**
- CA.7.** **NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED: NONE.**
- CA.8.** May 31, 2024 Financial Update. *(N. Hall, Deputy Director of Finance)*



Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

PROCLAMATION

WHEREAS Florida is rich in cultural heritage and can be proud of the special contributions of the Greeks who first arrived on the shores of St. Augustine on June 26, 1768, on their way to establish the colony of New Smyrna, along with other people of Mediterranean descent; and

WHEREAS the survivors of that colonization returned in 1777 to St. Augustine in search of refuge, freedom, and justice; and

WHEREAS those, and later waves of Greek settlers to Florida, have made a significant impact in their contributions to the religious, cultural, and economic heritage of our City; and

WHEREAS June 26, 2024, marks the 256th Anniversary of the landing of the Greeks in St. Augustine; and

WHEREAS this event endeavors to draw attention to our Greek American citizens who continue to make a positive difference in our community and who remind us that our city's greatness stems from the diversity of its people who have done much to enrich this community

NOW, THEREFORE, I, Nancy Sikes-Kline, Mayor of the City of St. Augustine do hereby proclaim June 26, 2024, as **GREEK LANDING DAY** in the City of St. Augustine, and urge all our citizens to recognize the valuable contributions our Greek neighbors have made to the unique history of St. Augustine.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of St. Augustine to be affixed this 24th day of June in the year of our Lord two thousand and twenty-four and the four hundred and fifty-eighth year of the founding of St. Augustine, the Nation's Oldest City.

Nancy Sikes-Kline, Mayor

2024-24

"Most Loyal and Valorous"

Title conferred on the Presidio of St. Augustine by King Philip V of Spain, November 26, 1715



CITY OF ST. AUGUSTINE COMMISSION TOURISM UPDATE June 24, 2024

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ST. AUGUSTINE
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FLORIDA'S HISTORIC COAST®



Importance of Tourism

Tourism is one of the world's largest industries, employing millions worldwide. The United States Travel Association (USTA) estimates domestic and international leisure and business travelers generated \$1.8 trillion in economic impact in 2019, and supported 15.8 million jobs.

Tourism, the largest industry in Florida, has long been a major driver of quality of life and economic opportunity. A 2019 study for VISIT FLORIDA® by Rockport Analytics revealed that domestic and international travel accounted for a direct economic contribution of \$96.5 billion annually and supported 1.6 million jobs.

The decline in travel due to COVID-19 devastated our economy and American jobs. The \$500 billion loss in travel spending cost the U.S. \$1.1 trillion in economic output. While the pandemic has had a significant impact on U.S. tourism, Florida's Historic Coast has rebounded and is positioned for strong growth, both short-term and long-term.

How does tourism benefit St. Johns County?

The latest Economic Impact of Tourism Report reflects \$2.5 billion in annual direct visitor spending in St. Johns County. This visitor spending delivered a \$3.8 billion economic impact which supported 32,400 jobs representing \$854.2 million in direct tourism payrolls throughout our local community.

Tourism impacts the local community in other ways. It provides the largest number of private sector jobs in St. Johns County. Those employees use their wages to purchase goods and services, including housing, transportation, food, clothing, healthcare, and entertainment. The money invested into our local economy by tourists circulates throughout our economy several times over, providing an ongoing economic impact which would disappear entirely without tourism. Tourists also pay taxes. Transaction taxes collected from tourists include sales tax, fuel tax, and accommodations tax.

TRAVEL

Direct spending by resident and international travelers in the United States averaged:

\$3.1 billion a day

\$128.6 million an hour

\$2.1 million a minute

\$35,700 a second

Travel Creates Jobs.

One in every 10 American jobs is supported by travel.*

*U.S. Travel Association

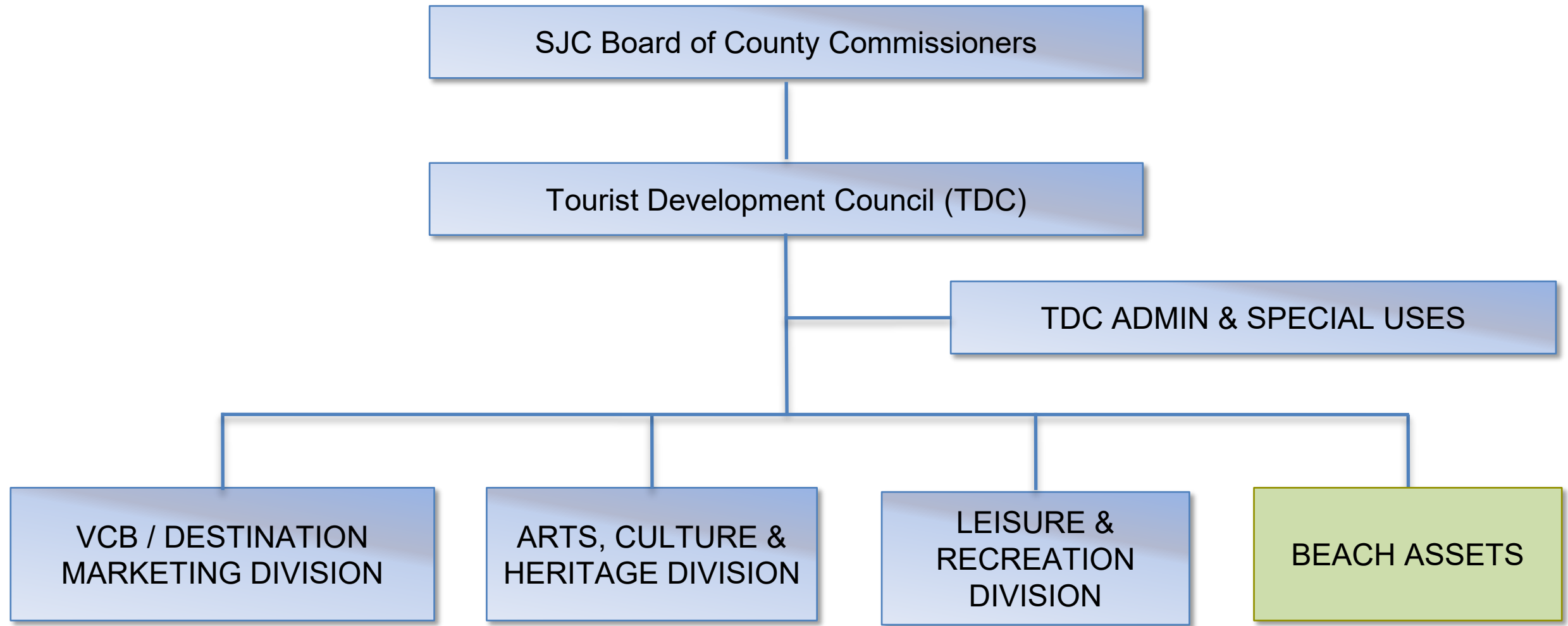
How does tourism benefit St. Johns County?

The latest Economic Impact Report on Tourism in St. Johns County reflected a total impact of \$3.8 billion (up 58.3% from 2017) on an annual visitor spend of \$2.5 billion (up 47.1% from 2017) from July 2021 through June 2022.

This visitor spending supported 32,400 jobs representing \$854.2 million in direct tourism payrolls throughout our local community (up 1.1% from 2017).



SJC Tourism Development



TOURIST DEVELOPMENT TAX COLLECTIONS

\$23,192,092

FY2023 TOURIST DEVELOPMENT TAX COLLECTIONS

+2.4% OVER FY2022

TARGET AUDIENCES

One Umbrella Audience, Two Sub-Segments



YOUNGER PURPOSE PURSUERS

Primarily made up of affluent Millennials, they're diverse, open-minded, and in pursuit of self-discovery



MATURE PURPOSE PURSUERS

Primarily made up of affluent Baby Boomers, they have a youthful spirit and continue to defy conventions

TARGET AUDIENCES

One Umbrella Audience, Two Sub-Segments

A Deeper Dive into our Millennial Sub-Segment:



Sarah & Mike

AGE	TRAVELING FROM	TARGETED HHI
35	ATLANTA	\$100K+
HOUSEHOLD		CORE VALUES
MARRIED TWO CHILDREN		AUTHENTICITY HAVING FUN & ADVENTURE LEARNING & AMBITION ROMANCE
ACTIVITIES/HOBBIES		HOW THEY TRAVEL
LEARNING ABOUT NEW CULTURES READING NOVELS GOING TO THE BEACH		54% BY CAR (140i) 49% BY PLANE (176i)
TRAVEL BRANDS		PLATFORMS + MEDIA BRANDS
MARriott airbnb tripadvisor		facebook instagram youtube tiktok hulu
PAST TRAVEL		PLANS TO VISIT
3 TRIPS/YEAR		ST. AUGUSTINE DISTILLERY PIRATE & TREASURE MUSEUM GTM RESEARCH RESERVE

TARGETAUDIENCES

One Umbrella Audience, Two Sub-Segments

A Deeper Dive into our Baby Boomer Sub-Segment:



Lynne & John

AGE

60

TRAVELING FROM

NEW YORK

TARGETED HHI

\$125K+

HOUSEHOLD

MARRIED/
EMPTY NESTERS

CORE VALUES

AUTHENTICITY
YOUTH
ROMANCE
FULFILLMENT

ACTIVITIES/HOBBIES

VISITING
MUSEUMS

DINING
OUT

GOING TO
THE BEACH

HOW THEY TRAVEL

50%
45%

BY CAR (129i)
BY PLANE (161i)

TRAVEL BRANDS

DELTA

Hilton
HONORS

tripadvisor

PLATFORMS + MEDIA BRANDS

f

in

CNN

The
New York
Times

PAST TRAVEL

7

NIGHTS /
PER TRIP

PLANS TO VISIT

PONTE VEDRA INN & CLUB
SAN SEBASTIAN WINERY
SAWGRASS SPA

TARGET AUDIENCES

One Umbrella Audience, Two Sub-Segments

Secondary & Niche Considerations (Families, Couples, Multi-Generational)

- Hispanic/African American
- Bridal
- LGTBQ
- Culinary
- Heritage Travelers
- Luxury

Secondary (B2B)

B2B prospects continue to include meeting planners, tour operators, travel agents, executive groups, sports, social, fraternal, military, educational, religious, reunions and wedding planners.





“It’s About Time” – Brand Campaign

- The current campaign features print ads in five unique themes: Summer, Nature, Culture, Dining and Outdoor Adventure.

Make Time To Take It All In

In St. Augustine | Ponte Vedra, you'll lose track of time marveling at nearly 500 year old architecture, enjoying world-class cuisine and basking in seaside elegance. So come discover something truly unforgettable — no matter how long it takes.

Visit [FloridasHistoricCoast.com](https://www.floridashistoriccoast.com) to learn more.





RED BOAT TOURS

Recipient, second year, of USA Today's Readers' Choice 10 Best Boat Tours in North America. Offering family-friendly dolphin tours, BYOB adult sunset cruises and the World Famous Nights of Lights cruise. Book your tour today!

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ST. AUGUSTINE LAND AND SEA TOURS

St. Augustine Land and Sea Tours offers narrated boat and electric cart tours in the Nation's Oldest City. History tours are provided in English, Spanish and French. Cart rides are also provided to enjoy the Nights of Lights during Christmas.

904-679-9880 • www.staugustinelandandseatours.com



WHISKEY, WINE & WILDLIFE

A culinary celebration, November 2-5, 2023 with some of northeast Florida's culinary superstars, along with live music and hundreds of wines, beers and spirits in beautiful Vilano Beach. Event tickets are all-inclusive food and drink tasting tickets.

Vilano Beach, St. Augustine • 904-385-9021 • www.whiskeywineandwildlife.com

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Time For A Taste Of The Good

There's so many local and international flavors in St. Augustine | Ponte Vedra you won't know where one starts and the other ends. So come experience world-class cuisine and get a taste of something that's truly unforgettable.





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Vilano Beach, St. Augustine • 904-385-9021 • www.whiskeywineandwildlife.com



ST. AUGUSTINE FOOD & WINE FESTIVAL

"One of Florida's Top 10 Food & Wine Festivals," according to USA Today, May 3-7, 2023, with local and celebrity guest chefs and all-inclusive food and drink tickets. Enjoy great cuisine, hundreds of wines, beers and spirits, live music, cooking demos and more.

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With Unrivaed History		 ST. AUGUSTINE PONTE VEDRA FLORIDA'S HISTORIC COAST® IT'S ABOUT TIME

Lay Back		 ST. AUGUSTINE PONTE VEDRA FLORIDA'S HISTORIC COAST® IT'S ABOUT TIME
Let Time Stand Still		 ST. AUGUSTINE PONTE VEDRA FLORIDA'S HISTORIC COAST® IT'S ABOUT TIME

Time For A Taste	Time For A Taste Of The Good Life
	
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TV





Radio



“It’s About Time”



Facebook/Instagram



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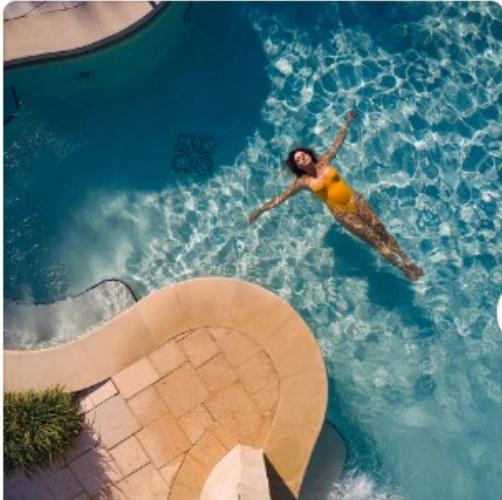
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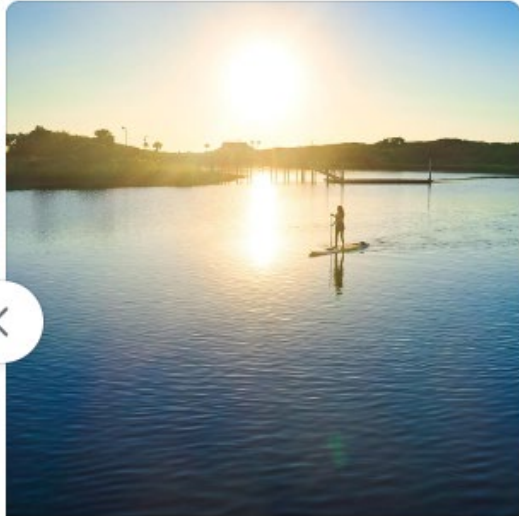
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See millions of lights in America's oldest city





One of Nat Geo's Top 10 Holiday Lights Displays

Free family fun
Old-world enchantment



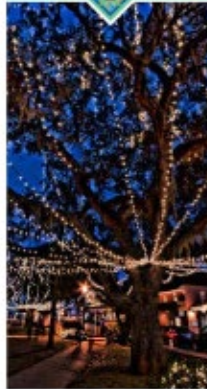
See millions of lights in America's oldest city





One of Nat Geo's Top 10 Holiday Lights Displays

Free family fun
Old-world enchantment





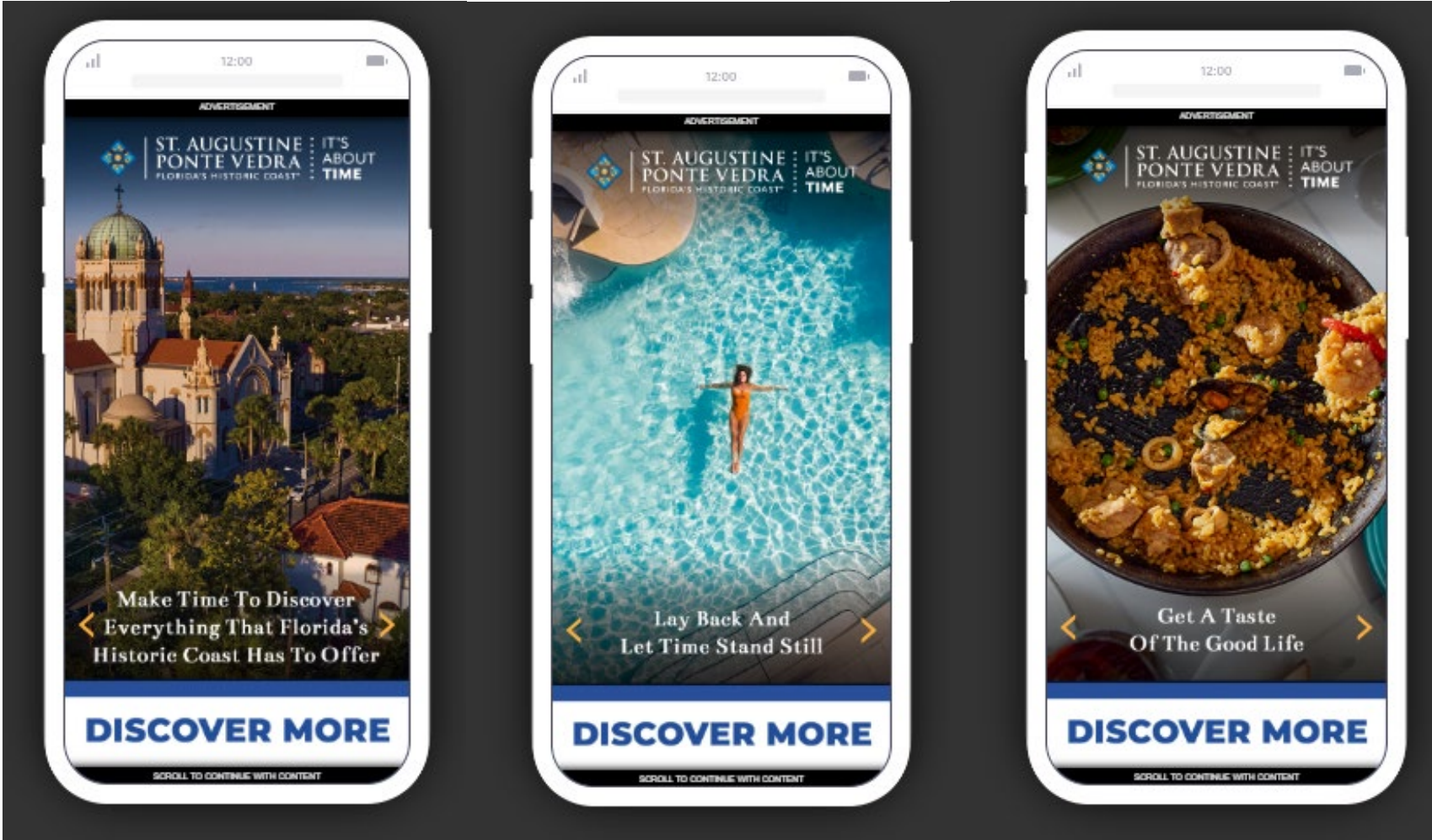
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FLORIDA'S HISTORIC COAST®



Nights of Lights
ST. AUGUSTINE
FLORIDA
30 YEARS

Nov. 18, 2023 through Jan 28, 2024

Rich Media Display



Rich Media Display



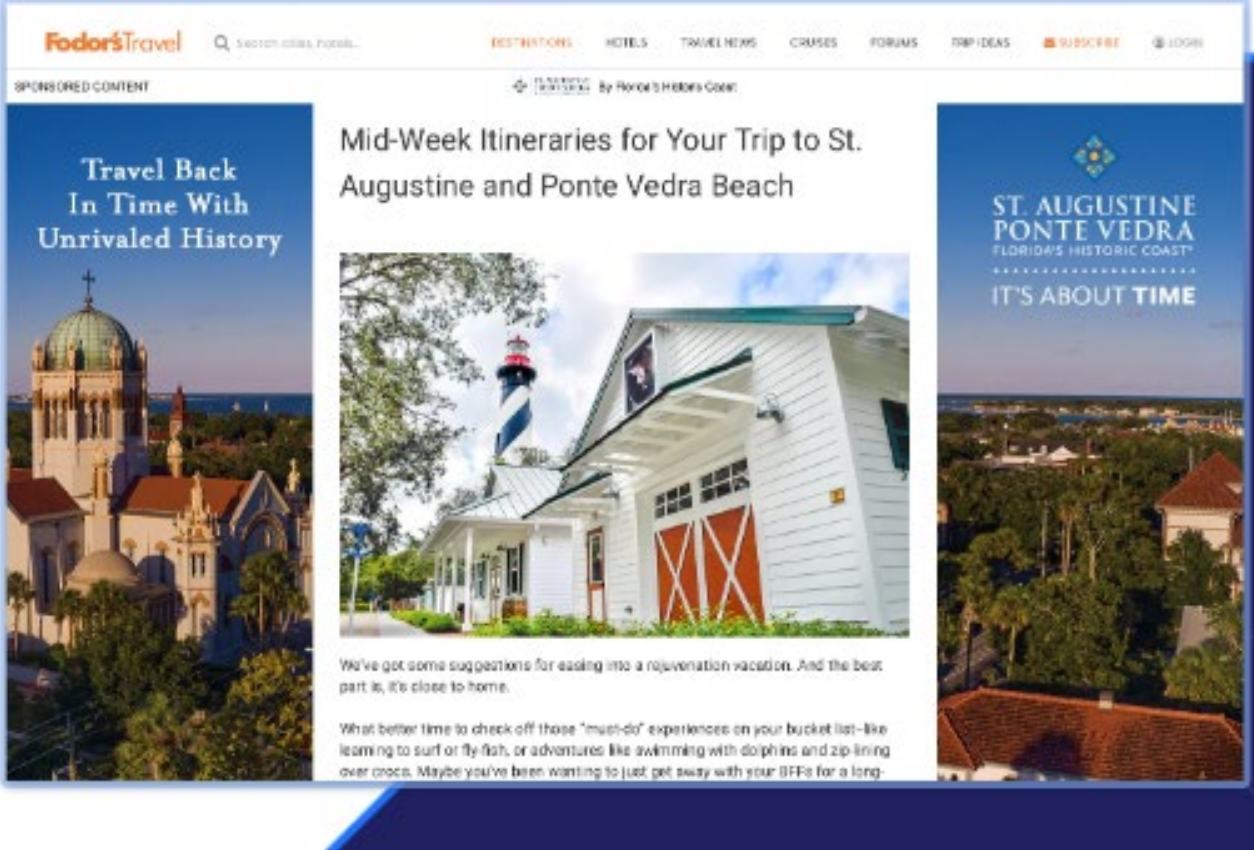
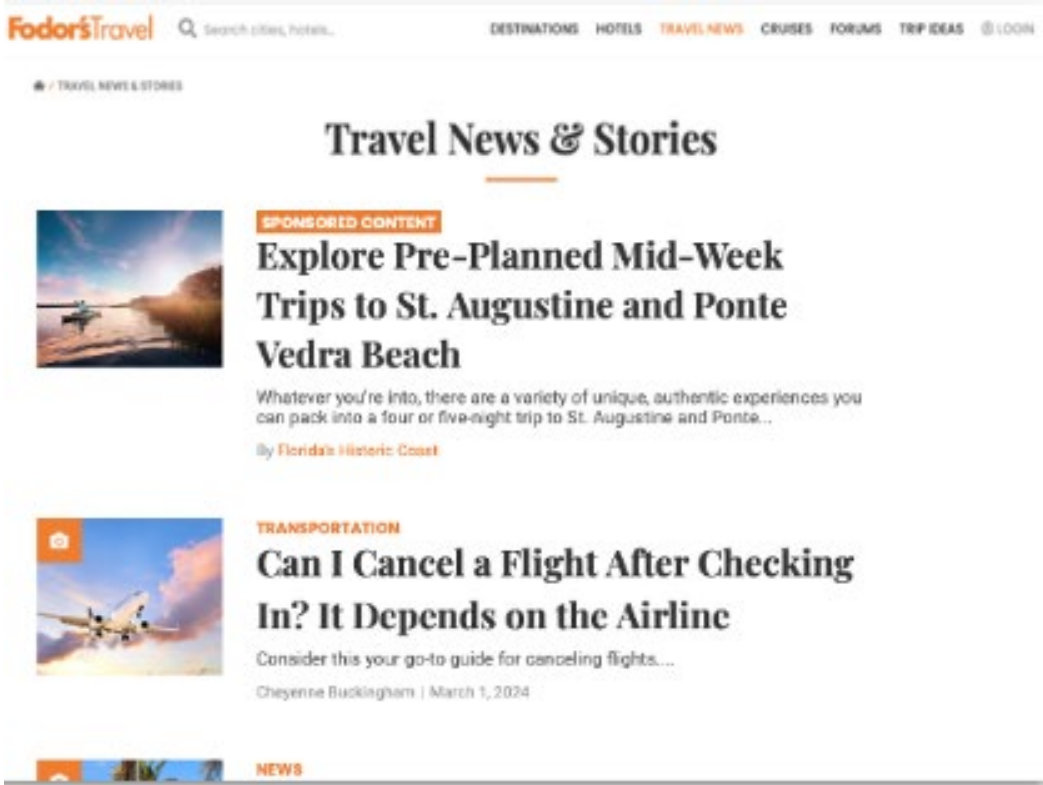
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Nativo Skins



Attractions


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Step back in time to 1874 as you climb 219 steps to the top of this historic beacon, where breathtaking views of the Atlantic Ocean and the charming town of St. Augustine await. Dive into Florida's maritime legacy with engaging exhibits spanning centuries of seafaring adventures.

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👍👎👤 8.6K
341 comments · 975 shares

👍 Like
💬 Comment
➦ Share


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A trip to the St. Augustine Alligator Farm during your next visit is a MUST. 🦎

Slow down and hang out with adorable sloth friends! Discover the beauty of incredible animals through up-close animal encounters, exciting exhibits, and thrilling activities that will have your whole crew talking.

Let the magic of nature unfold before your eyes - and create lasting memories at one of St. Augustine's most beloved destinations. 🐢



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20 comments · 45 shares

👍 Like
💬 Comment
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Founded by renowned pirate aficionado Pat Croca, this immersive museum invites you to explore over 800 authentic artifacts spanning the Golden Age of Piracy. From the daring exploits of Blackbeard to the legends of Captain Kidd, each exhibit brings to life the thrilling tales of history's most infamous pirates. 📖

Experience the thrill of discovering hidden treasure, navigate through interactive displays, and immerse yourself in the rich history of piracy. Whether you're a seasoned pirate enthusiast or a curious explorer, this museum promises an unforgettable journey back in time. ⚔️

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👍👎👤 2.6K
29 comments · 66 shares

👍 Like
💬 Comment
➦ Share


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💬 Comment
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Attractions



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Come experience the enduring legacy of St. Augustine's Spanish heritage firsthand.



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Learn more



6.4K

429 comments

528 shares



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Comment

Share



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Discover an oceanfront playground that has delighted visitors since 1938. Make an ocean of memories as you meet bottlenose dolphins up close, experience the wonder of marine life through exciting educational shows and activities, and even swim with dolphins! 

Plan an unforgettable ocean adventure today. 



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Swim Into Magical Moments at Marineland

Learn more



849

39 comments

91 shares



Like

Comment

Share



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×

⋮

Discover that truth is indeed stranger than fiction at Ripley's Believe It or Not! in St. Augustine. 

Welcoming families and lovers of all things strange since 1950, get ready to experience the excitement for yourself.

- Adventure through 3 floors of bizarre
- Enter the homes of 18 ghostly entities
- Marvel at 800 unique and unusual artifacts
- Hop aboard Ripley's Red Train Tours to explore over 7 miles of St. Augustine
- Play a round of putt-putt at Florida's Oldest mini-golf course

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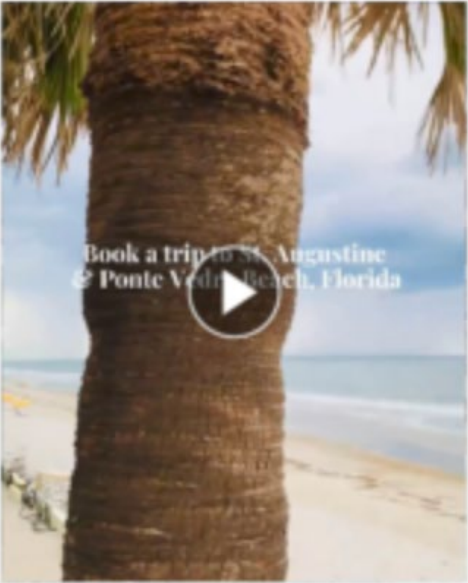
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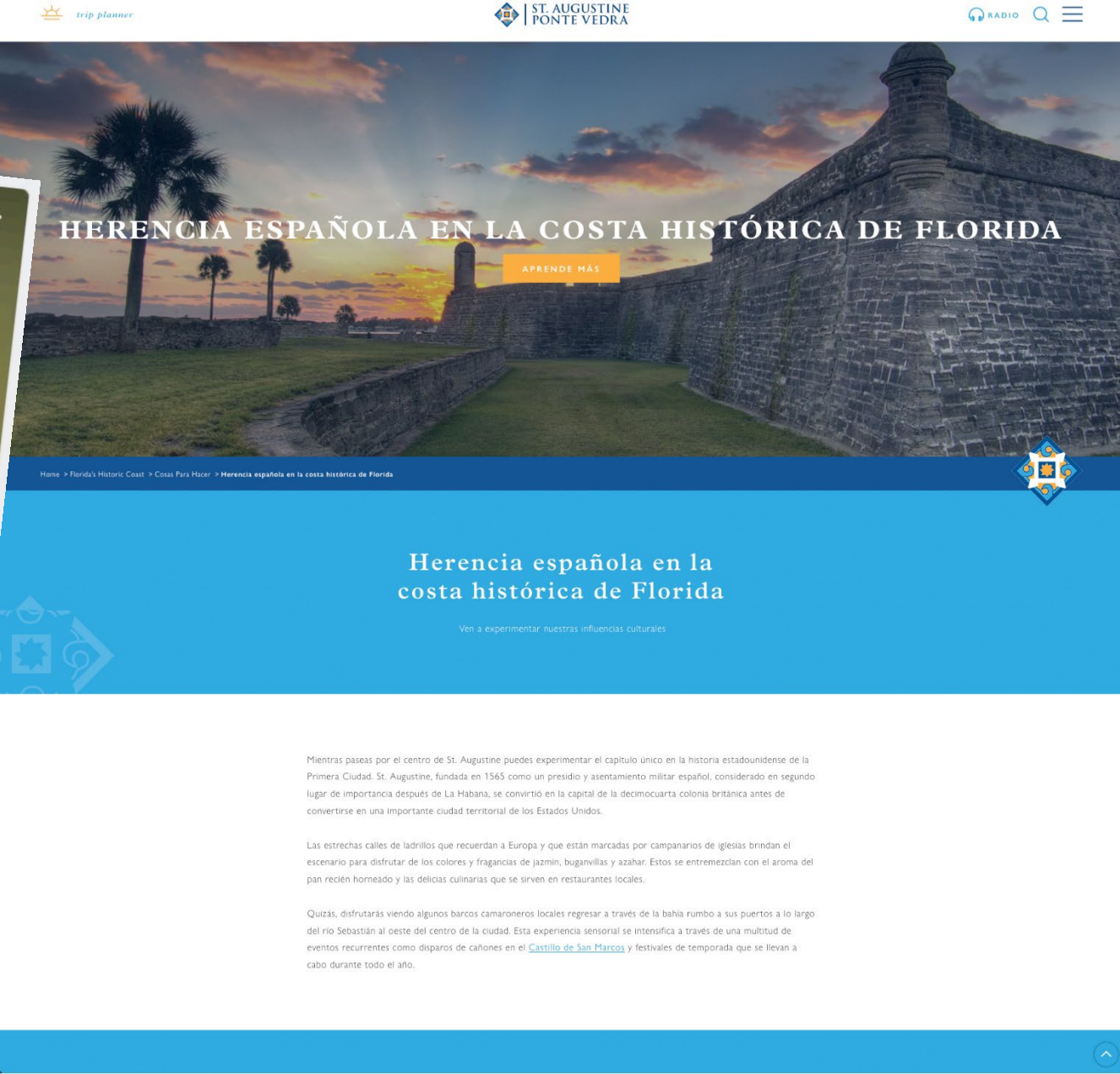
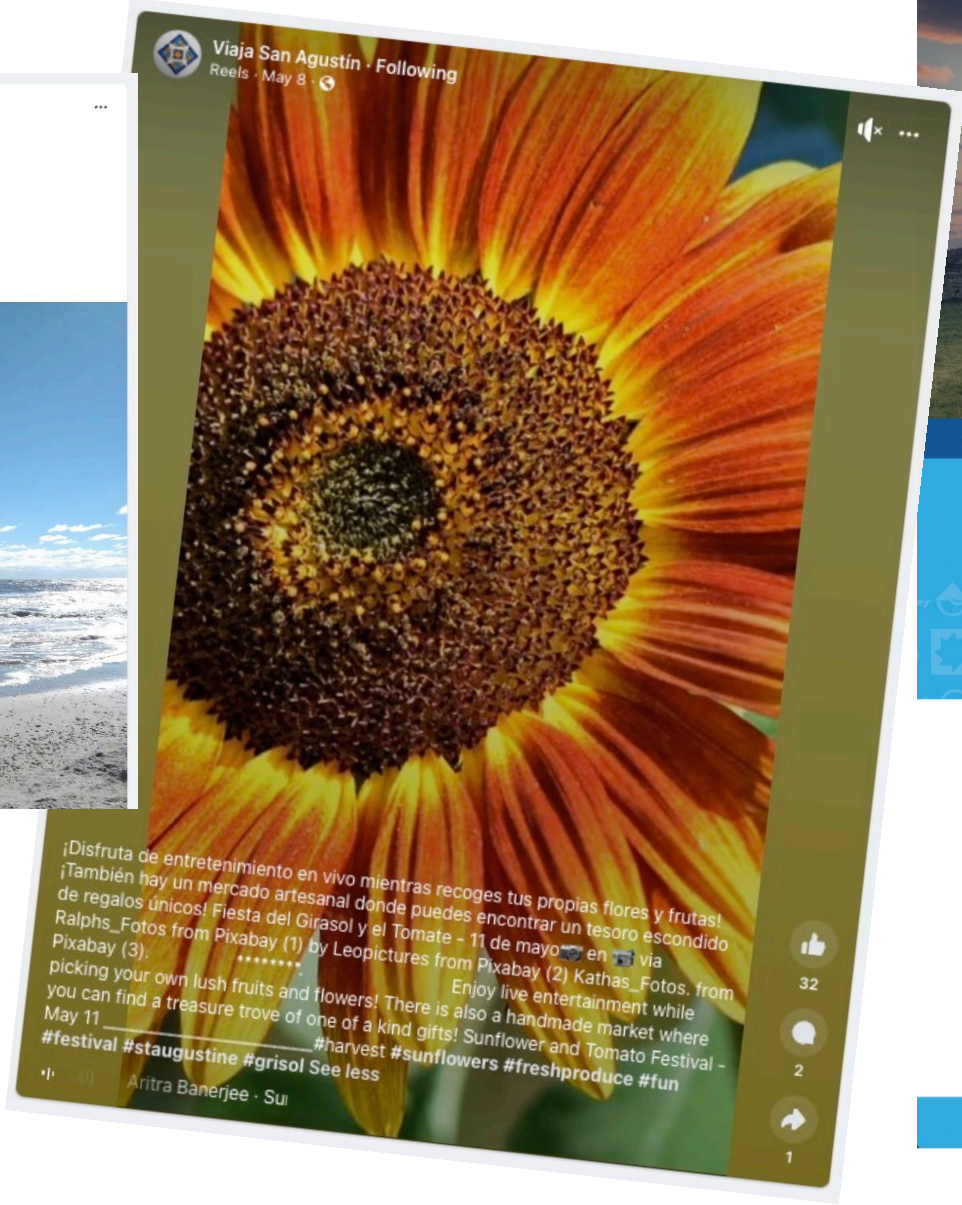
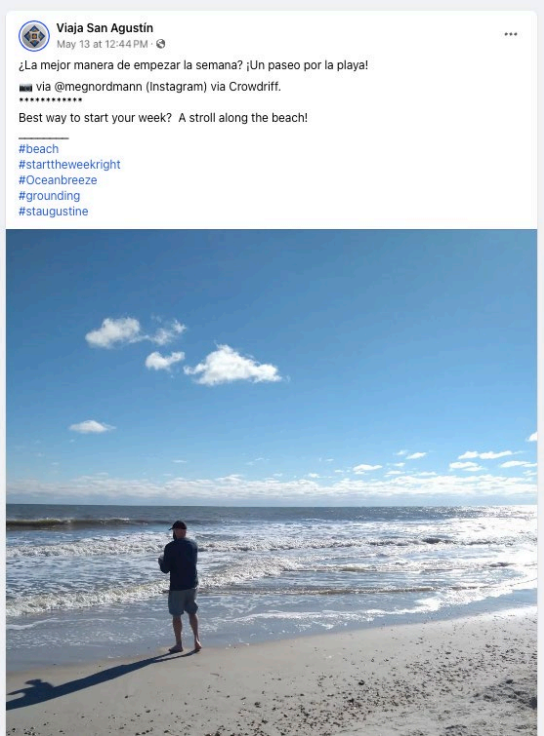
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Viaja St. Augustine



Public Relations

May 23 - Fox News: 3 great American cities for history buffs and patriotic travelers this summer

47 million viewers broadcast and online impressions

2. St. Augustine, Florida

As the oldest city in the United States, this coastal location in [northeastern Florida](#) is a history lover's pick.

The city boasts attractions such as military forts, castles, charming lighthouses, scenic nature trails and more. Be sure to [visit museums](#), embark on scary ghost tours or participate in historical reenactments.



An aerial view of historic St. Augustine, Florida. "You don't just read about history here — you can reach out and touch it." (iStock)

May 23 - Fox News: 7 less touristy alternatives to Miami

1.6 million impressions

6 St. Augustine, Florida

The oldest town in the U.S. combines history and beautiful beaches



St. Augustine is a history buff's dream come true, as it's the oldest continuously occupied city in the U.S. Visitors can explore Castillo de San Marcos, a giant 17th-century Spanish fort, or get lost in the charming streets lined with colonial buildings. It's a different vibe from modern Miami, offering a chance to step back in time with ghost tours, carriage rides, and historic museums.

May 12 - Washington Post: First free Black settlement in U.S., long buried, is being resurrected

50.8 million impressions

RETROPOLIS

First free Black settlement in U.S., long buried, is being resurrected

Fort Mose was first built in the 1700s in Spanish St. Augustine, Fla. A life-size reproduction will soon open.



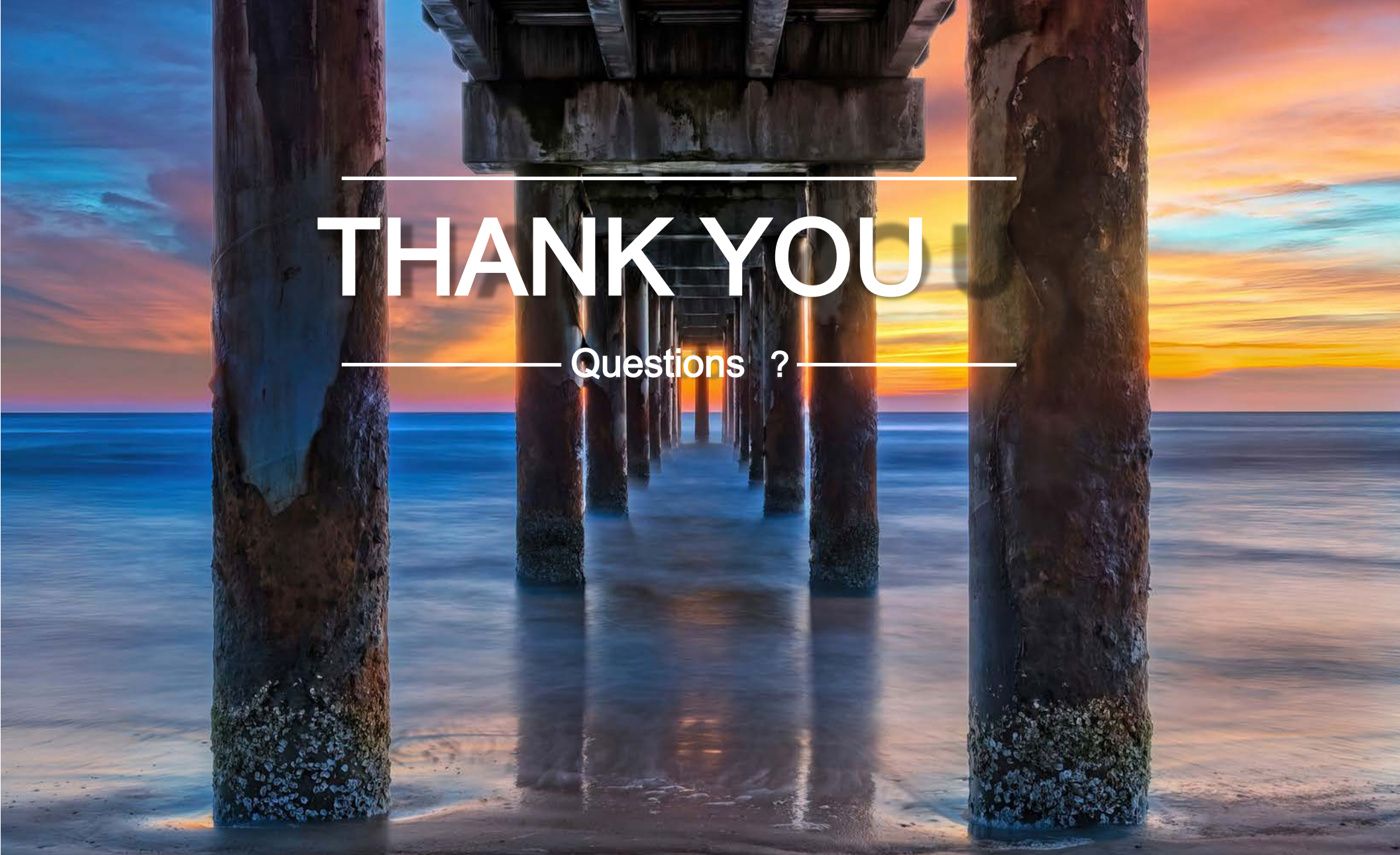
By Sarah Enelow-Snyder

May 12, 2024 at 7:00 a.m. EDT



A historical reenactment of the Fort Mose militia in 2021. (Florida State Parks)





THANK YOU

Questions ?



ST. AUGUSTINE
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CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

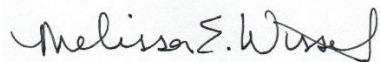
DATE: June 24, 2024

RE: St. Augustine, Ponte Vedra & The Beaches Visitors & Convention Bureau (VCB) Tourism Update

In response to a discussion among commissioners about tourism and marketing of the City of St. Augustine at the City Commission meeting on Monday, May 13, 2024, I have asked Susan Phillips, President and CEO of the St. Augustine, Ponte Vedra & The Beaches Visitors & Convention Bureau to provide a brief presentation.

I request this item to be placed on the agenda for the June 24, 2024, City Commission meeting under General Public Presentations.

Respectfully,

A handwritten signature in black ink, appearing to read "Melissa E. Wissel".

Melissa Wissel, Communications Director

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim
City Manager

DATE: June 24, 2024

RE: **Letter of Support Request for Pena-Peck House National Historic Landmark Designation Letter of Inquiry**

Over the past year, we have met with representatives from the Woman's Exchange regarding their desire to pursue a National Historic Landmark (NHL) designation for the Pena-Peck House. The Woman's Exchange has commissioned preservation consultant, Paul Weaver, President of Historic Property Associates, Inc., to assist them in this process. One of the first steps to initiate the proposed designation process is to submit a Letter of Inquiry (LOI) to the National Park Service. Because the staff of the NHL Program make the initial determination if the designation process should continue, a Letter of Inquiry (LOI) also serves as the way to introduce them to the historic property. The LOI must provide an overview of the property, and key information on the property's historic significance and historic integrity, as well as an indication if the proposed designation has support from the property owner.

Since the City of St. Augustine owns the Pena-Peck House through a deed of trust, the City's support is being requested by the Woman's Exchange, who oversee the Pena-Peck House Museum and Gift Shop. The Woman's Exchange and Mr. Weaver would like to provide the City Commission an update about their progress in the pursuit of a National Historic Landmark designation. A memorandum letter from Mr. Weaver, along with his summary of the significance of the Pena-Peck House, a draft letter of support, and slides from a short presentation they would like to give to the City Commission is attached for your reference.

Please place this request for a letter of support for the Pena-Peck House Letter of Inquiry related to a National Historic Landmark designation on the June 24, 2024 City Commission meeting agenda. If you have any questions or need additional information, please let me know.

Julie Courtney

Julie Courtney
Historic Preservation Officer
Planning and Building Department

To: The Honorable Nancy Sikes-Kline, Mayor, City of St. Augustine

From: Paul Weaver, President Historic Property Associates, Inc.

Date: June 11, 2024

RE: Pena-Peck House, National Historic Landmark Designation, Letter-of-Inquiry

Dear Mayor Sikes-Kline:

On Tuesday, June 4, 2024, I along with President Brooke Gast and Martha Mickler of the Woman's Exchange of St. Augustine met with City Manager David Birchim and Preservation Planners Julie Courtney and Candice Seymour to discuss the above referenced project. As background, the Pena-Peck House was surveyed for possible National Historic Landmark designation in 1959 and in 1964. In 1970, the National Historic Landmark Program designated the Gonzalez-Alvarez (Oldest House); the Fernandez-Llambias House; the Cathedral of St. Augustine; and the Town Plan of St. Augustine as National Historic Landmarks. These properties have been determined to be nationally significant in the areas of history and architecture.

Although clearly nationally significant and worthy of designation, the Pena-Peck House was not designated, perhaps because of its status as a property held in a trust. In working with the Woman's Exchange, we believe the issues of the trust have been resolved and the Exchange has commissioned me to pursue this long overdue designation.

As you are aware, the City of St. Augustine owns the Pena-Peck House through a deed of trust. We are in the final stages of drafting a Letter of Inquiry (LOI) and one of the questions we have to answer is: "Do you have the support of the owner?" We wanted to update you about our work and seek your support and that of the St. Augustine City Commission as you see appropriate. We are requesting a letter-of-support from the city in for the Letter of Inquiry. I am attaching a summary of the significance of the Pena-Peck House for your reference.

Please let me know if you have any questions. I would be happy to speak with you about the application and make a presentation to you and the City Commission. We believe the designation will bring well-deserved recognition to the Pena-Peck House and enhance its eligibility for grants-in-aid and other financial support which will ensure its long-term preservation.

C: David Birchim, City Manager
Brooke Gast, President, Woman's Exchange
Julie Courtney, Historic Preservation Officer, COSA

SIGNIFICANCE OF THE PENA-PECK HOUSE UNDER NATIONAL HISTORIC LANDMARK CRITERION

Criterion 4

Properties that embody the distinguishing characteristics of an architectural type specimen exceptionally valuable for a study of a period, style, or method of construction, or that represent a significant, distinctive and exceptional entity whose components may lack individual distinction.

The Pena-Peck, constructed c. 1750, is a nationally significant example of Spanish colonial architecture in the context of the Spanish Borderlands. The Spanish Borderlands include Florida, lower Alabama and Mississippi, Louisiana, Texas, New Mexico, Arizona and California. The Pena-Peck House is a well-designed, high quality and prototypical official residence of a high-ranking Spanish Crown official in the Presidio of St. Augustine, Florida. Dating from the late First Spanish Period of rule in Florida (1742-1763) it was a *tesoreria*, a building type used as a residence and working office of Spanish Treasurer Juan Esteban Pena. The Spanish Crown built the *tesoreria* for Pena, likely under supervision the Spanish engineer and master of public works using highly skilled royal masons. These masons were master builders who had honed their skills in the construction and maintenance of the Castillo de San Marcos and Ft. Matanzas, both National Historic Landmarks. Architecturally, the Pena-Peck House, along with the houses of the Catholic Bishop's residence and the royal accountant, was one the three most important residential buildings in St. Augustine at the end of the First Spanish Period. The Pena-Peck House is the only surviving building of the three, the other royal residences having long been demolished.

Beyond its significance as a building type, the Pena-Peck House embodies highly significant building materials such as *tapia* and coquina and methods of construction pioneered in the construction of the Castillo de San Marcos. The architecture of the Pena-Peck House and other Spanish colonial buildings in St. Augustine inspired late nineteenth century pioneering experiments in concrete construction and the introduction of Spanish Revival architecture in the United States through the construction of Villa Zorayda, a National Register property and the Ponce de Leon Hotel, a National Historic Landmark. Finally, the site of the Pena-Peck House is an intact example of a *caballeria* or town lot of a socially prominent Spanish subject and an important, largely unaltered element of the St. Augustine Town Plan National Historic Landmark.

Criterion 1

Properties that are associated with events that have made a significant contribution to, and are identified with, or that outstandingly represent, the broad national patterns of United States history and from which an understanding and appreciation of those patterns may be gained.

The Pena-Peck is associated with two events of national significance. The first is the transfer of East Florida from Spain to Great Britain in 1763 under terms of the First Treaty of Paris. Juan Esteban de Pena, as Royal Treasurer of East Florida operating from his official residence, was second only to the Governor of Florida in negotiating and administering the transfer. Pena worked closely with the governor to negotiate the terms of transfer of real property from the Spanish to the British Crown. Through the summer of 1763 until early 1764, Pena helped supervise the evacuation of Spanish subjects and movable property from St. Augustine bound for Cuba and Mexico. On January 21, 1764, Pena abandoned the Spanish Treasury and accompanied the governor and the remnants of the St. Augustine garrison on the last vessel bound for Havana.

The second event was the retrocession of East Florida from Great Britain to Spain during the years 1784-1785.. The Pena-Peck House, then owned by Willaim Panton and Thomas Forbes, served as the residence of British Governor Patrick Tonyn. Tonyn, while residing at the former Spanish Treasury and under terms of the Second Treaty of Paris, oversaw the British departure from East Florida. The departure of Governor Tonyn and the British in 1785 marked the end of British rule in North America outside of Canada.

Criterion 2

Properties that are associated importantly with the lives of persons nationally significant in the history of the United States.

Juan Estevan de Pena

Juan Esteban de Pena was the Spanish Royal Treasurer of the Presidio¹ of St. Augustine from 1742 until the departure of the Spanish from East and West Florida in 1763 as part of the Treaty of Paris. Both within the Spanish Royal Bureaucracy and Spanish Society a Treasurer was of an individual of high rank. Within the Spanish Bureaucracy, he was second in authority only to the Governor. In society he was an *hidalgo* or the son of someone of means and social status.

Pena and his wife held a high position in local society including servicing as godparents to many local inhabitants. The St. Augustine parish archives document Pena and Dona Maria Antonia Odriazola de la Pena as godparents for numerous baptisms and witnesses for weddings. In addition to his royal salary Pena became an entrepreneur engaging in the trade of naval stores such as tar, pitch, and resin found in abundance in the sylvan resources surrounding St. Augustine. As Spanish Treasurer, he maintained good relations and provided gifts to the indigenous population of the Southeastern United States.

The tenure of Juan Esteban de Pena ended in 1763 with the transfer of St. Augustine and Spanish Florida to Great Britain. The province was to be evacuated and transportation was to be provided for some 3,000 Spanish subjects, including slaves, free black residents including those at Fort Mose, and Native Americans, particularly those associated with Spanish missions who had converted to the Catholic faith. The burden of the Florida diaspora fell heavily on Pena as the chief financial officer and, because of the death of Governor Lucac de Palacio in 1762, he was the highest-ranking royal official in the province of East Florida. Through the summer of 1763 until early 1764, helped supervise the evacuation of Spanish subjects from St. Augustine bound for Cuba or Mexico. On January 21, 1764, Pena accompanied the governor and the remnants of the St. Augustine garrison on the last vessel bound for Havana.

John Gordon

The Treaty of Paris provide an eighteen-month window for Spanish subjects to sell their property. This created a buyers' market and forced many property owners to sell their properties at great discount or lose them completely. Juan Esteban de Pena placed his residence in a secret agreement of trust with John Gordon, a personal friend and Catholic merchant from South Carolina. Gordon was a Scottish immigrant from Aberdeenshire. During the 1760s he established a trade network in the British Colonies of South Carolina, Georgia and East Florida. His business laid the foundation for Panton, Leslie and Company which became the largest mercantile firm in the southern frontier. William Panton, Thomas Forbes, John Leslie, William Alexander and Charles McLatchey formed Panton, Leslie and Company at St. Augustine in late 1782 or early 1783.

¹A garrissin out post or military base.

Despite not having clear title, Gordon presented the Pena House as his own and rented the house to Dr. John Moultrie, Jr. from 1772 to 1778. John Gordon pressed his claim to the Pena House until his death in 1778.

Dr. John Moultrie

Dr. John Moultrie, Jr. rented the Spanish Treasury from 1772 to 1778. Moultrie, a physician also from South Carolina, was a distinguished figure during the British Period. He was acting Governor of Florida from 1771 to 1774 and subsequently served as Lieutenant Governor. During most of the period of his service the Pena House or “Old Spanish Treasury” served as his official residence.²

William Panton and Thomas Forbes

John Gordon pressed his claim to the Pena House until his death in 1778. However, British authorities never recognized his claims. In 1778, one of his creditor’s William Clark, a Pensacola merchant forced an official public sale of the house to satisfy debts owed him by Gordon. Henry Yonge, an attorney from Savannah and Attorney General of East Florida under Governor Patrick Tony, obtained clear title and purchased the property. Yonge subsequently sold the property to William Panton and Thomas Forbes, a nephew of John Gordons. Forbes shortly thereafter became a principle in the Indian trading firm of Panton, Forbes and Company, after 1783 known as Panton, Leslie and Company.³ Panton and Forbes owned the Pena or the Spanish Treasury, as it was referred to as in British and Spanish official records, from 1778 to 1785.⁴ During this period Panton and Leslie became the largest mercantile firm in the southeast.

Governor Patrick Tonyn

Spain reacquired sovereignty over Florida and returned to St. Augustine in 1784. The departure of the British extended into 1785. During this period, the Forbes property was occupied by British Governor Patrick Tonyn who oversaw the British departure. The final departure of Governor Tonyn and the British in 1785 marked the end of British rule in North America outside of Canada.

Francis Xavier Sanchez

In 1791, the Spanish Governor sold the Pena House and other crown properties at auction. After several transactions Francis Xavier Sanchez acquired the property that same year. Francisco Xavier Sanchez was a native Floridian and a member of only three families who remained in Florida during the First Spanish, British and Second Spanish periods. He was perhaps Florida’s most important cattle baron. The Spanish introduced cattle to Florida and much of the southeastern United States. He owned a large cattle ranch north of St. Augustine and considerable real estate in and around the city. His son, Joseph S. Sanchez, continued with the family cattle

² SJ00075FN7

³SJ00075FN7

⁴

interests and was prominent in political and civic affairs in St. Augustine. Joseph Sanchez served as a city alderman, mayor, justice of the peace, and St. Johns County Sheriff and tax collector. He was a representative to the legislative council and a delegate to the state constitutional convention when Florida became a state in 1841.⁵

The Pena House remained the property of the Sanchez family until 1821. Francis Sanchez never likely lived in the house. For a time he rented it to the Spanish Crown as the Royal Accountant's Office. In 1795 his daughter by his free black wife Beatriz Piedra, Beatriz Sanchez lived at the house with her Spanish husband, Francisco Perez, the garrison's medical assistant. Later his daughter by his second wife, Maria del Carmen Hill, Rafaela lived in the old Treasury Building with her husband Samuel Miles.⁶ After Sanchez's death in 1807, his daughter, Maria del Carmen Sanchez, lived in the building with her husband Felipe Dewees. Upon the death of Maria del Carmen Hill in 1813, Maria del Carmen Sanchez, her husband and her brother Jose Simeon Sanchez inherited the property.

Jose Mariano Hernandez

In 1821 Spain ceded East Florida to the United States. In March of that year the heirs of Francis Xavier Sanchez sold the property to Jose Mariano Hernandez. Hernandez was perhaps St. Augustine's most prominent resident of the early nineteenth century. He was the son of Martin Hernandez, a native of Minorca and Master of Public during the Second Spanish Period. Under Spanish rule, Jose Hernandez was an attorney and a member of the Town Council created under the 1821 Spanish Constitution of Cadiz. After the United States assumed sovereignty over Florida, President James Monroe named Hernandez to the Florida Territorial Council where he served as President during its inaugural session in 1824. He also served as the first territorial delegate from Florida to the United States Congress during the session of September 30, 1822 to March 3, 1823.⁷ Hernandez was a major landowner and a Brigadier General of the Florida Militia. He is perhaps best known for his capture of the Seminole Indian Chief Osceola under a flag of truce in 1837. Jose M. Hernandez owned the former Spanish Treasure until 1833.

⁵ Florida Master Site File, SJ2501, 1980; St. Augustine Historical Society (SAHS), Sanchez House File, Block 22, Lot 1.

⁶ Waterbury, p. 43.

⁷ Harman, p. 17.

DRAFT LETTER OF SUPPORT FOR MAYOR SIKES-KLINE

Date of letter.

Cynthia Walton
Chief, Cultural Resources, Partnerships and Science; and
Branch Manager, Archeological and Historic Preservation Partnerships
National Park Service, Interior Region 2
100 Alabama St. SW
Atlanta, GA 30303

RE: Peña-Peck House/Spanish Treasury, National Historic Landmark Designation, Letter-of-Inquiry

Dear Ms. Walton:

In 1932, in one of the earliest acts of preservation in the history of St. Augustine, Anna Burt, granddaughter of Dr. Seth Peck, bequeathed the Peña-Peck House, also known as the Spanish Treasury, in a deed of trust to the City of St. Augustine. Since 1932 the City of St. Augustine has maintained the property cooperatively with the Woman's Exchange of St. Augustine.

As Mayor of St. Augustine, I wanted to let you know that I and the St. Augustine City Commission fully support the efforts of the Woman's Exchange to designate the Peña-Peck House/Spanish Treasury as a National Historic Landmark. We believe the designation will bring well-deserved recognition to the property and will ensure its long-term preservation.

Mayor's signature.

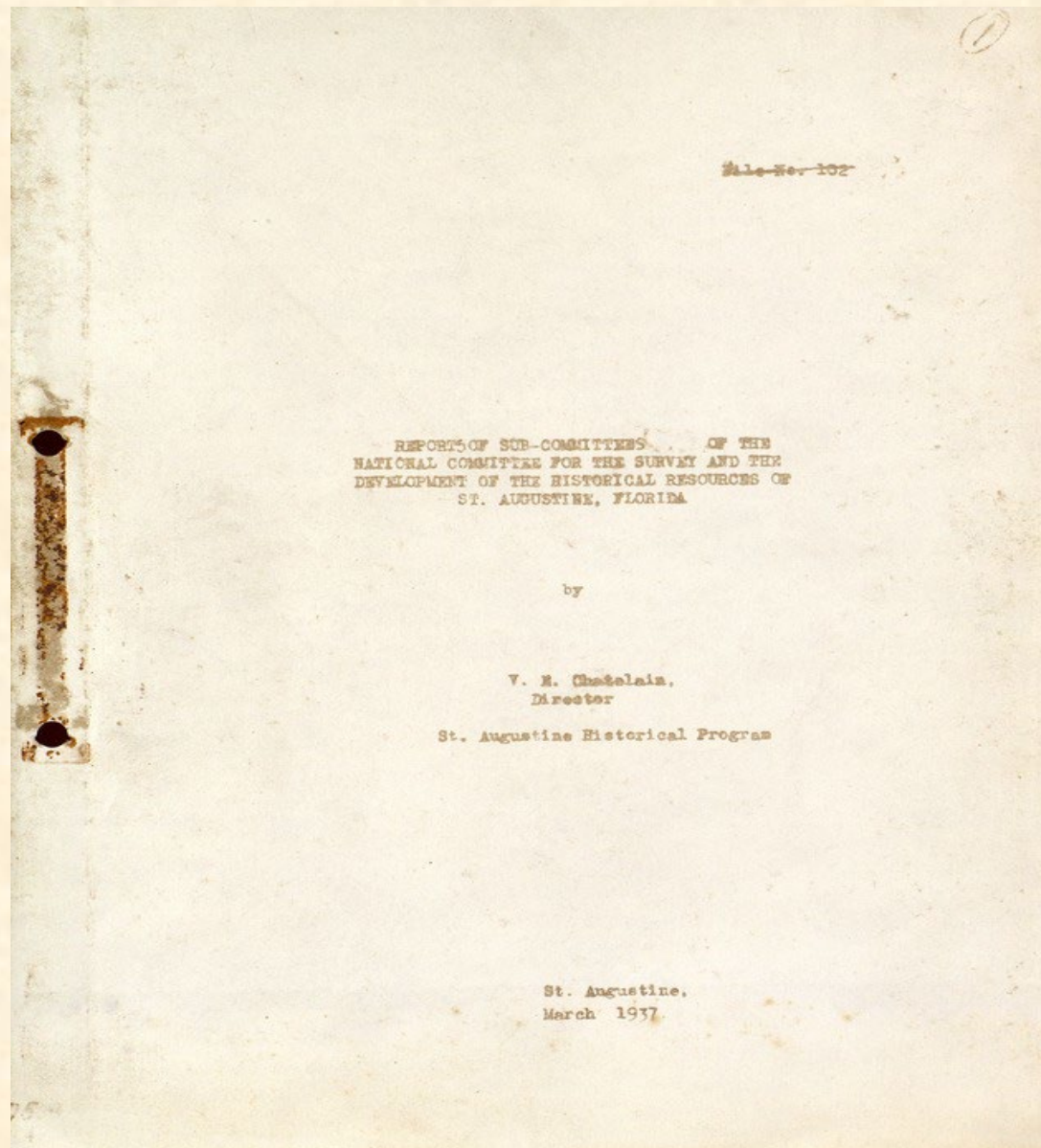
RENDERING OF SPANISH TREAURY, 1764

FIGURE 1



CARNEGIE SURVEY, 1937

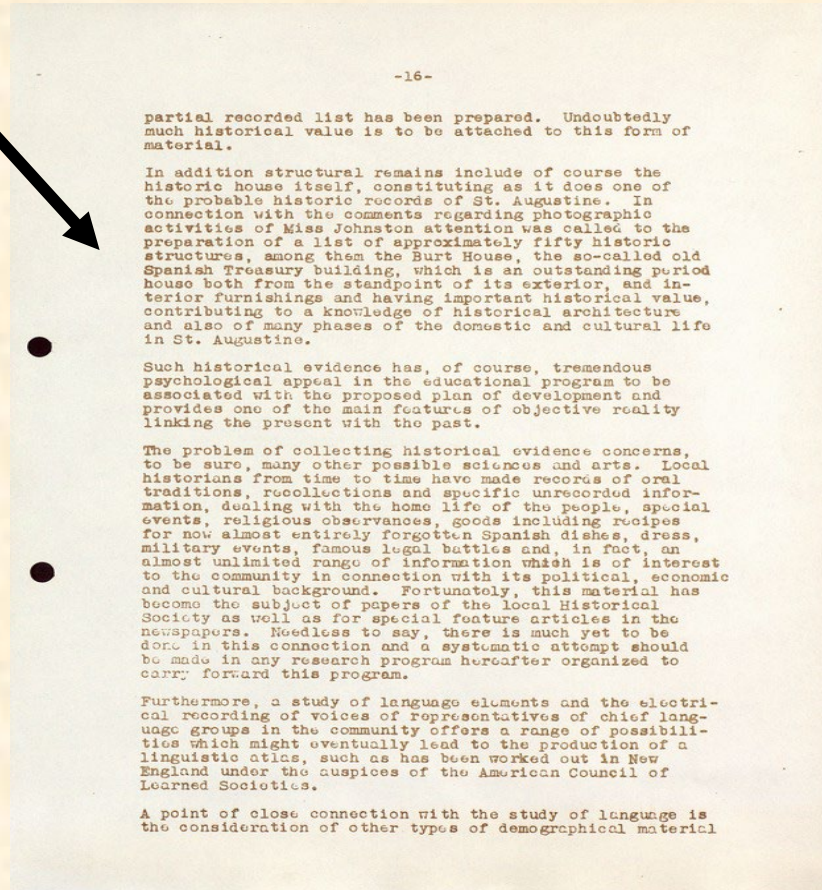
FIGURE 2



CARNEGIE SURVEY, 1937

FIGURE 3

Burt House aka Spanish Treasury only one of the fifty structures to be specifically referenced in Chatelain Report.





LA FLORIDA PROJECT

FIGURE 5

Juan Esteban de la Peña

Sex: male

Mother: -

Place(s) of Origin: -

Earliest Reference: -

Father: -

Additional Documented Name(s): Juan Estevan de Pena

Latest Reference: -

Spouse(s): -

Occupation(s): royal treasury official



hide

Documented Attributes (multi-value data)

Additional Name(s)



info...

Juan Estevan de Pena

Honorific(s)



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Notes for Viewer: On the 1764 evacuation list, he is listed under tl

Occupation(s)



info...

royal treasury official

Place of Residence(s)



info...

Campeche, Campeche, Mexico

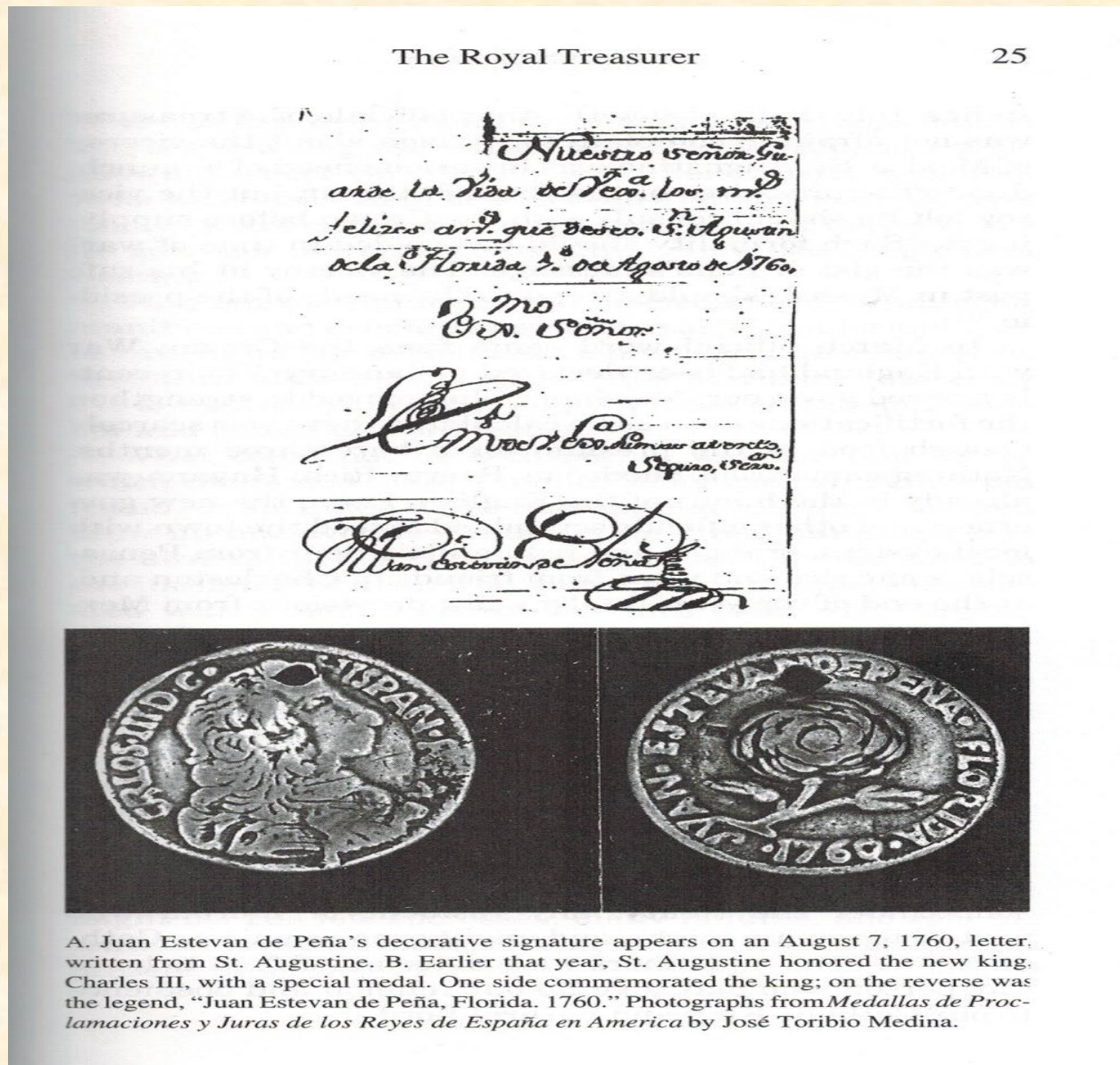
Source(s)



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AGI Santo Domingo 2595 fol. 2r; Eligio de la Puente, Map of St. Al

FIGURE 6



THE SPANISH TREASURY AS IT APPEARED 1763,
FIGURE 7

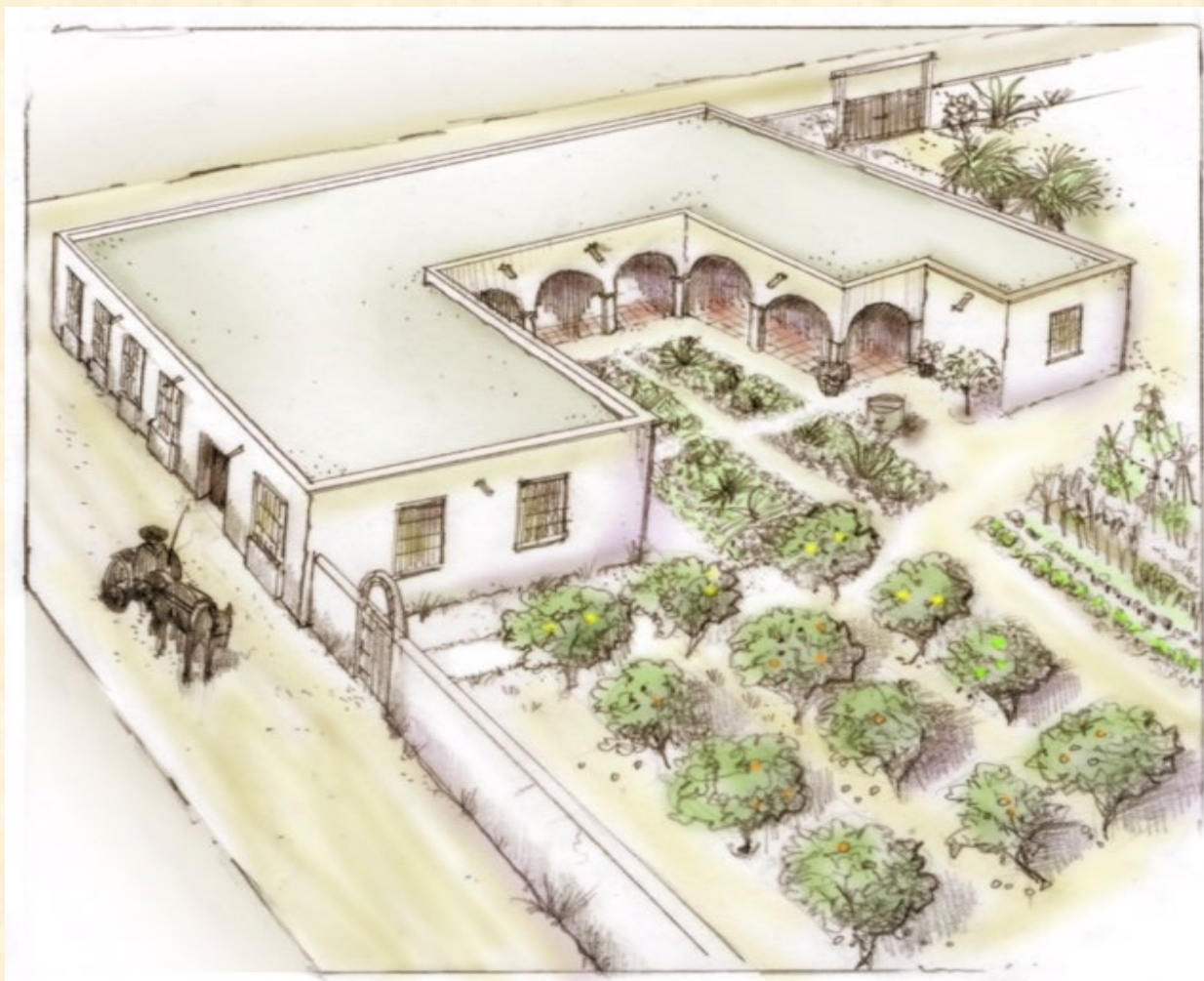


FIGURE 8

PUENTE MAP 1764/ESTEBAN DE PENA HOUSE/SPANISH TREASURY



FIGURE 9

LT. GOVERNOR JOHN MOULTRIE, RESIDENT OF SPANISH TREASURY, 1772-1778



FIGURE 10
PANTON, LESLIE & COMPANY HEADQUARTERS, PENSACOLA/FORMED IN ST.
AUGUSTINE IN 1783

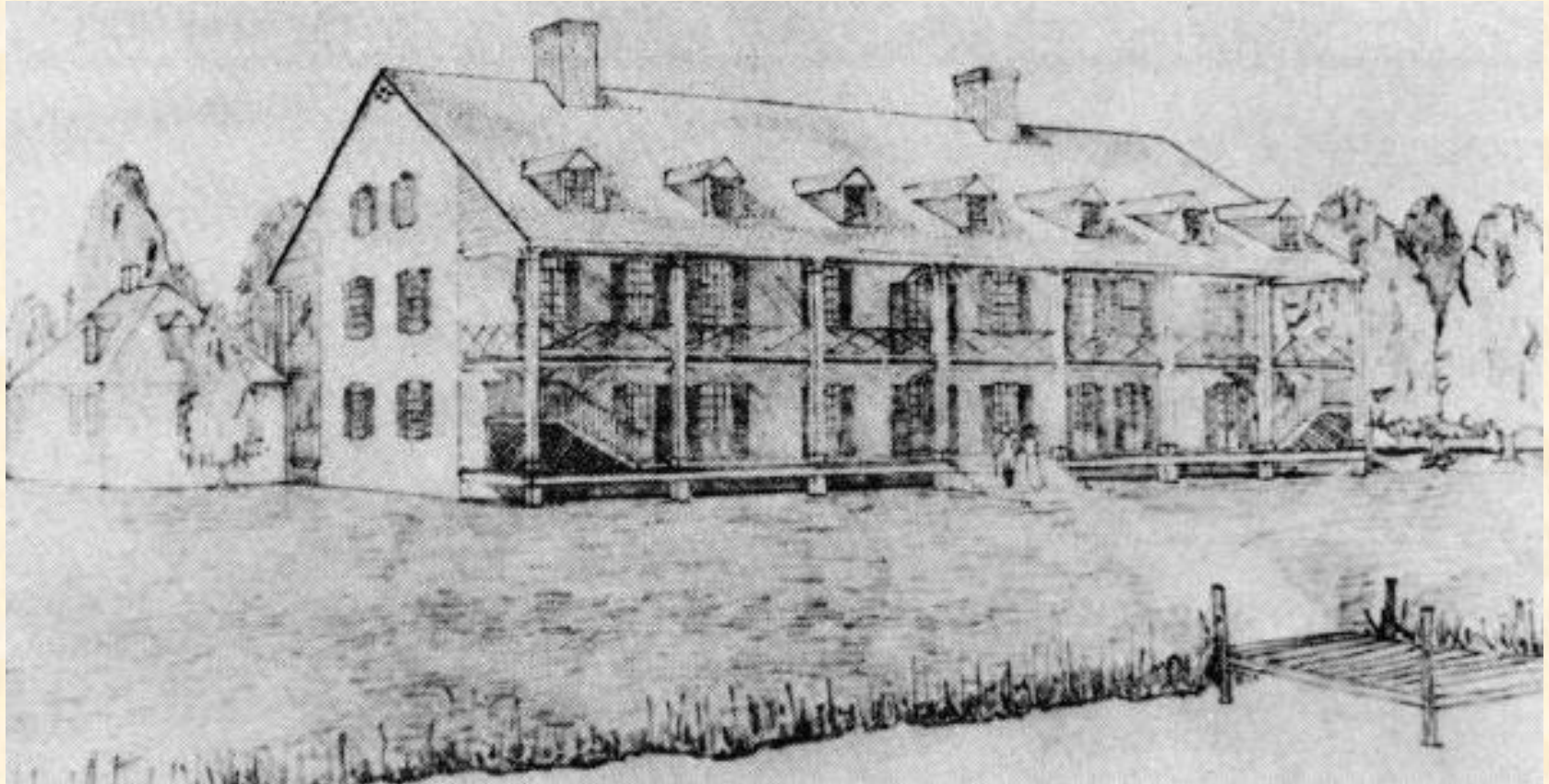


FIGURE 11
GOVERNOR PATRICK TONYN, RESIDENT OF SPANISH TREASURY, 1784-1785



FIGURE 12

JOSE SIMEON SANCHEZ, SON OF FRANCIS XAVIER SANCHEZ, OWNER OF THE
SPANISH TREASURY



FIGURE 13

GENERAL JOSE MARIANO HERNANDEZ, OWNER OF SPANISH TREASURY
FIRST TERRITORIAL DELEGATE TO UNITED STATES CONGRESS



FIGURE 14

SPANISH TREASURY, WING PLAN DESIGN

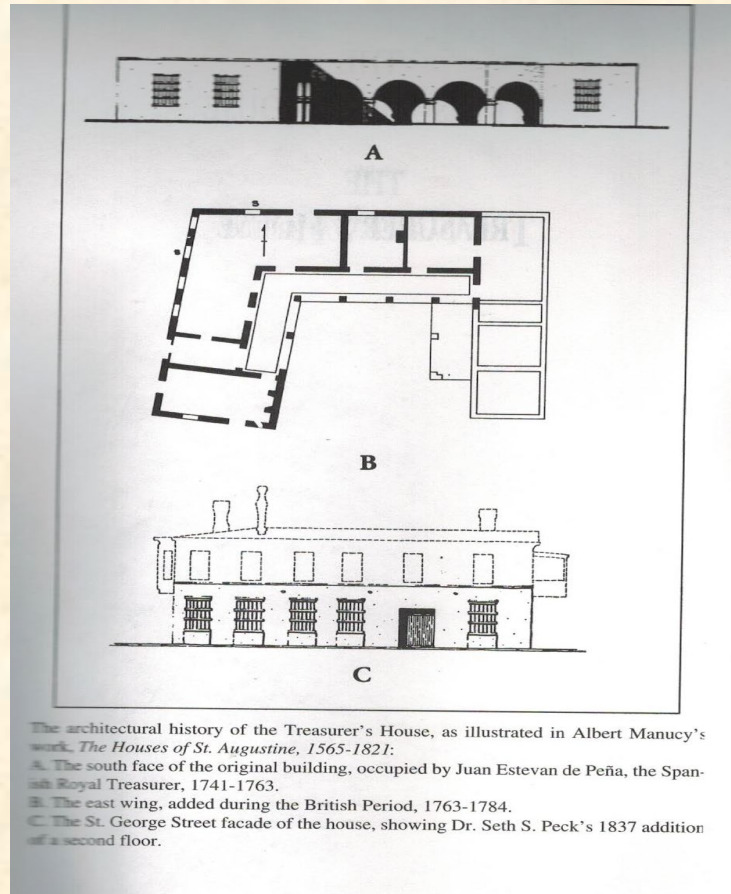


FIGURE 15
MASTER MASONS WORKING ON THE CASTILLO DE SAN MARCOS

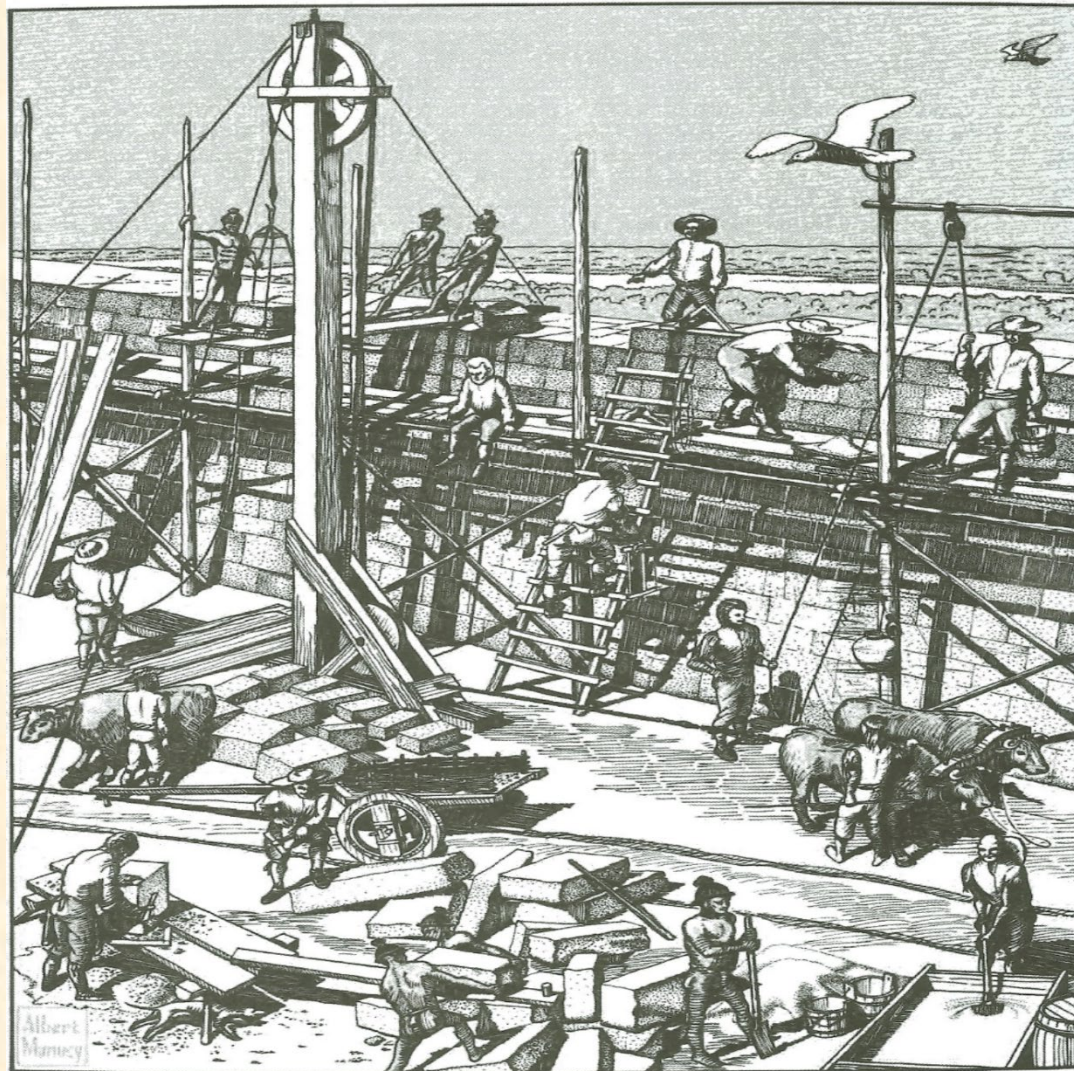


FIGURE 16
PARRISH CHURCH, LATER CATHEDRAL OF ST. AUGUSTINE
DESIGNED BY SPANISH ENGINEER MARIANO DE LA ROQUE, 1797



FIGURE 17
Coquina stone quarries on Anastasia Island.

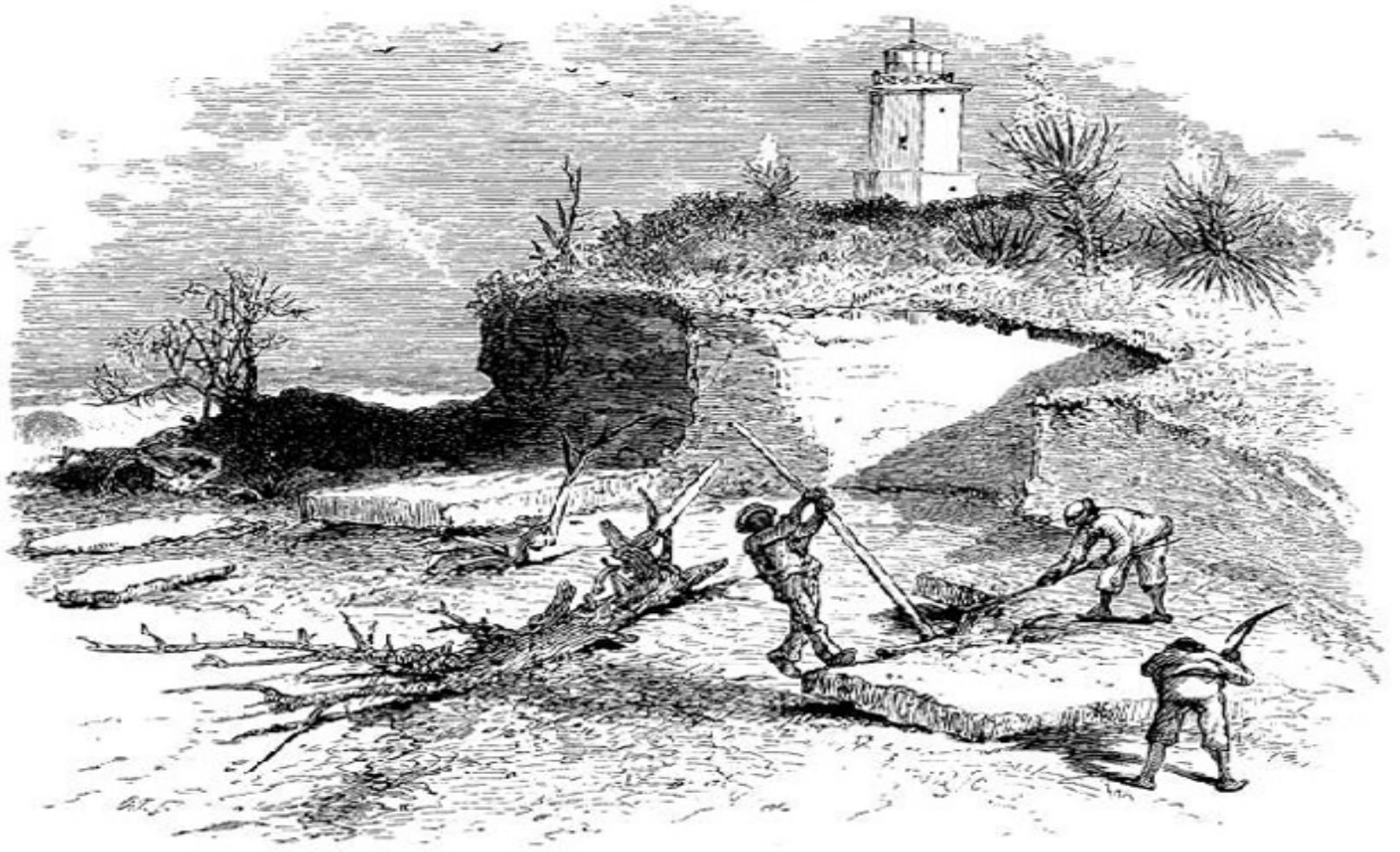


FIGURE 18
TABBY STRUCTURAL WALL



FIGURE 19

1598 Governor Gonzalo Méndez de Canzo reports that the city of St. Augustine is laid out according to Spanish Royal Ordinance

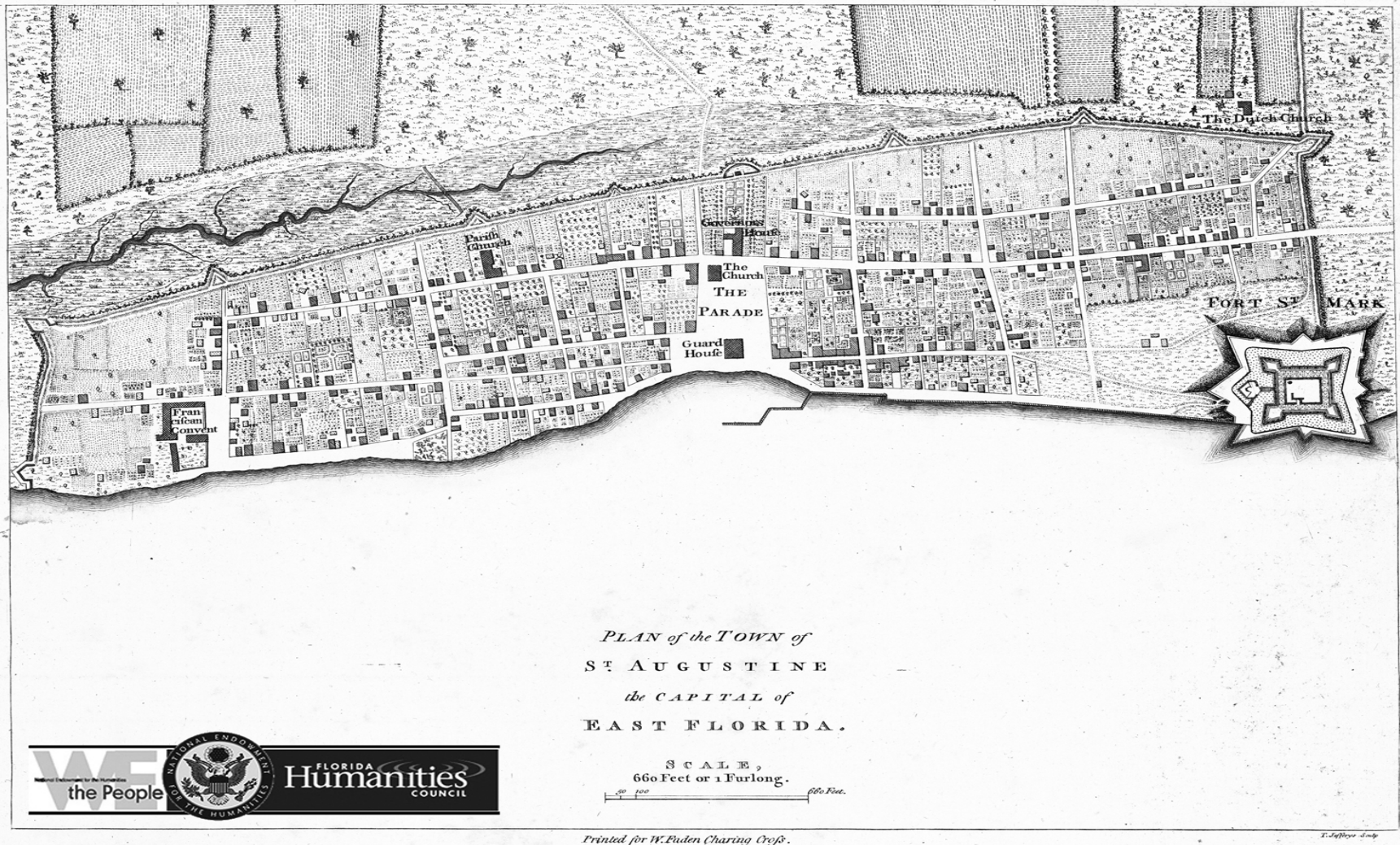


FIGURE 20

Spanish Governor's Palace San Antonio, Texas



The Spanish Governor's Palace, completed ca. 1749
Courtesy of Steven Martin, Flickr's Creative Commons

The Spanish Governor's Palace, a National Historic Landmark, is the last visible trace of the Presidio San Antonio de Bexar and the only remaining example in Texas of an aristocratic 18th-century Spanish Colonial town house. Plans for the building originated as early as 1722. Upon its completion in 1749, the house served as the Commandancia, or residence and working office of the Captain of the Presidio. Later, it became the home of the Spanish governors who lived in San Antonio. The Spanish built the Presidio of San Antonio de Bexar to protect the area's missions, including the San Antonio de Valero Mission (The Alamo) and the missions in San Antonio Missions National Historical Park, as well as the growing Spanish colony. The Spanish Governor's Palace is all that is left of this important and influential presidio.

Soon after the founding of the City of San Antonio by the Spanish viceroy in 1718, Martín de Alarcón, the governor of Coahuila and Texas, established the Presidio San Antonio de Bexar. This presidio served as the center of Spanish defense in Texas and as the accompanying fort to the San Antonio de Valero Mission – later known as The Alamo. The original presidio was on a site a half-mile west of the San Antonio de Valero Mission. By 1722, however, Marqués

de Aguayo relocated the presidio almost directly across the San Antonio River from the San Antonio de Valero Mission. By 1726, there were 45 soldiers stationed and living at the presidio. The families of the soldiers and other settlers lived near the presidio as well. At the time, the total Spanish population in the area was an estimated 200.

By the 1760s, the Presidio San Antonio de Bexar protected five missions and a civil settlement. The presidio also provided escorts for missionaries and other important officials and carried messages from one post to another. In 1772, the importance of the presidio grew when the capital of Spanish Texas moved from the Presidio at Los Adaes, east of Nacogdoches, Texas, to the Villa of San Fernando (San Antonio), the settlement just outside of the presidio. After this move, Spanish governors stayed in the Commandancia, the residence and working office of the Captain of the presidio, and it became known as the "Spanish Governor's Palace."

Throughout the early 1800s, the Presidio San Antonio Bexar's role as a military post slowly declined. The San Antonio de Valero Mission (The Alamo), which the Presidio San Antonio Bexar was to protect, by this time had become the main military building in the area. The Alamo would remain the principal unit of walled defense until the end of Spanish and Mexican Texas. By the early 1820s, the Presidio San Antonio Bexar's days as a major military post were over, and it formally ceased to exist with the Mexican garrison's acknowledgement of Texas independence on June 4, 1836.

Today, the only building that still stands of the Presidio San Antonio Bexar is the Spanish Governor's Palace. It is one of the oldest residential buildings still standing in Texas. The building is a long one-story, U-shaped stone structure covered in stucco that surrounds a traditional Spanish patio and courtyard. The building was likely finished around 1749, the date given on the keystone above the front entrance that bears the carved, double headed eagle from the coat-of-arms of Spanish King Ferdinand VI (or Hapsburg). Visitors can still see this today. Eventually, Ignacio Perez, governor of Texas from 1815 to 1817 and former Spanish captain, purchased the home, and the title remained with his heirs until the City of San Antonio bought it in 1928.

Before the city purchased the home in 1928, the Spanish Governor's Palace's function changed from residential to commercial. Over the years, a variety of business ventures leased the building's different rooms. At different times, the renters included the "Hole-in-the-Wall Bar," which advertised nickel beer; a clothing store; a produce market; a tailor shop; and a school. By 1931, San Antonio had fully restored the building (attempting to preserve as much of the original building as possible) and began operating it as a Museum of Spanish Colonial History furnished with Spanish Colonial pieces. Today, visitors can tour the Spanish Governor's Palace and its grounds and rent the building for special occasions.



The keystone above the front entrance that bears the carved, double headed eagle from the coat-of-arms of Spanish King Ferdinand VI (or Hapsburg).
Courtesy of John Flannagan via Photobucket.com

FIGURE 21
PALACIO DE LOS GOBERNADORES, SANTA FE, NEW MEXICO



FIGURE 22
LLAMBIAS HOUSE, NATIONAL HISTORIC LANDMARK
EXAMPLE OF A ST. AUGUSTINE PLAN DWELLING HOUSE

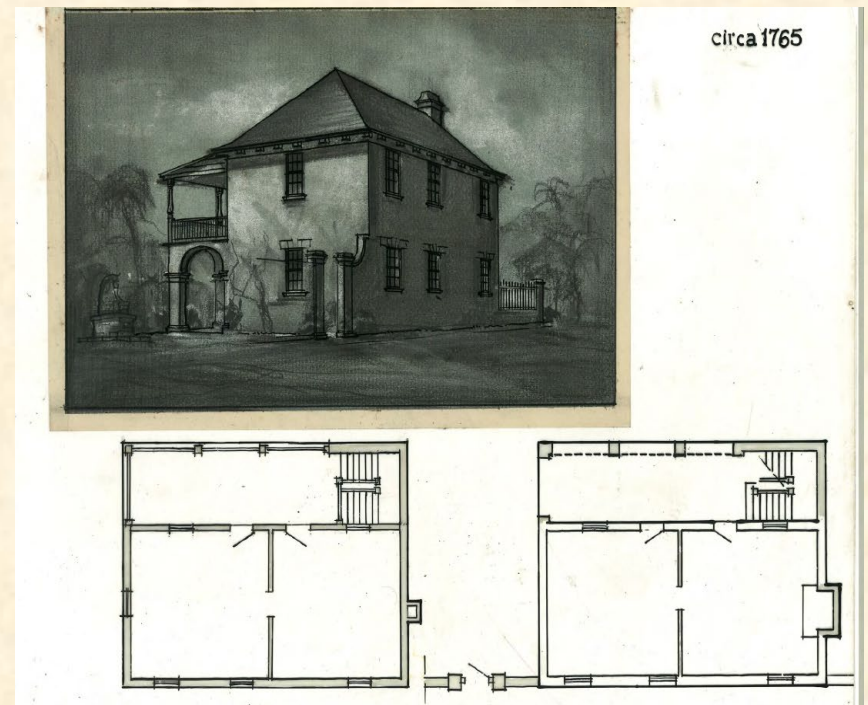
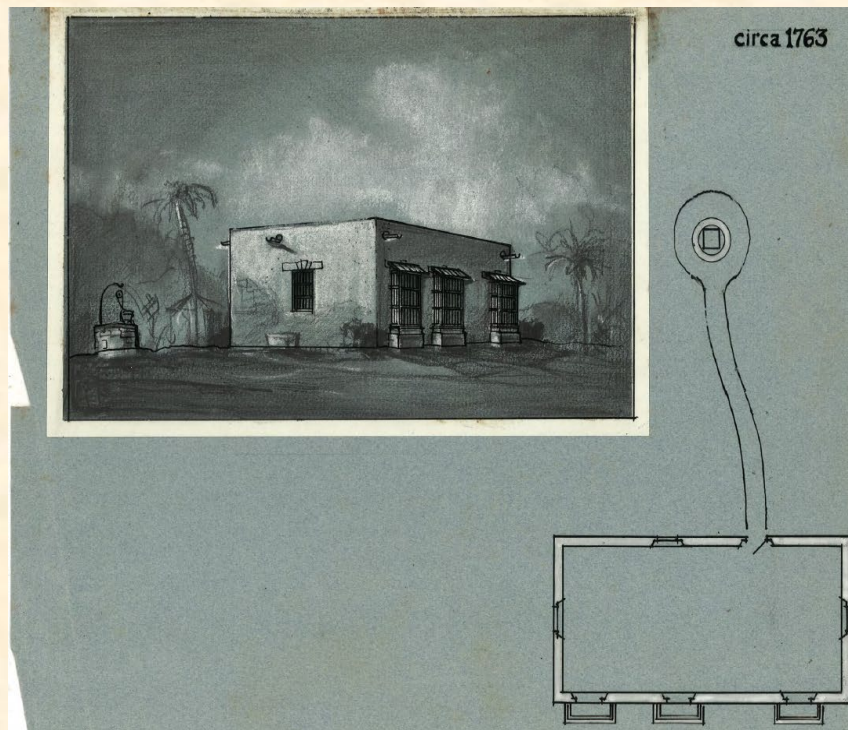


FIGURE 23
GONZALEZ-ALVAREZ HOUSE, NATIONAL HISTORIC LANDMARK
SHOWING POST FIRST SPANISH PERIOD ADDITION



CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: June 13, 2024

RE: **Ordinance 2024-05 Updating and Amending the Parking Code for the City of St. Augustine - Second Reading and Public Hearing**

Please find attached two (2) ordinances. These ordinances are related to the proposed update to the city's Parking Code. The city initiated the update to the Parking Code in January of 2023 to bring the code up to date with the International Transportation Engineering Manual (ITE Manual) and the city's adopted 2040 Comprehensive Plan and Mobility Plan.

The first ordinance attached is the original update language as recommended by the Planning and Zoning Board (PZB) in November 2023. This ordinance proposes to update and amend the Parking Code Section of the City of St. Augustine land development code. The PZB made their final recommendations for the changes to the code at its meeting in November after nearly a year of meetings and public outreach.

The updates and amendments are presented in "redline" format. This is an editing format that includes underlining new text and ~~lining out~~ removed text. The changes are indicated in red. Additionally, this proposal also includes changes that have been made to the text, including PZB final recommendations and additional staff changes in green to clearly delineate changes that have been made since the November PZB meeting.

This is also the version of the updated code that was presented to the City Commission for Introduction and First Reading on March 11, 2024. At that meeting the City Commission instructed staff to conduct additional public outreach.

Since March city staff have reached out and met with several neighborhood association groups, and business organizations and concerned citizens. Staff have been available throughout the process to address the public's questions and concerns.

The second ordinance attached is a revised proposed ordinance that incorporates the recommendations from the PZB as submitted in the first draft and includes additional changes based on the public input garnered since March. This is an effort to incorporate changes to address concerns expressed by the public.

Again, the additional changes and updates are presented in “redline” format. This is an editing format that includes underlining new text and ~~lining out~~ removed text. The changes, including those recommended by PZB, are indicated in red. The changes that have been made since March 11th and based on public input are indicated in green.

The Parking Code had not been substantially updated since 1988, which is 36 years ago. The update includes options for alternative surfaces, options to connect parking lots reducing conflicts on adjacent roads, encourages and requires bicycle, motorcycle and scooter parking, valet parking and it encourages the use of compact spaces. And updates parking requirements based on the most recent ITE Manual.

The update also establishes areas to encourage commercial development at a neighborhood scale with reduced or eliminated parking requirements, clarifies shared parking, and establishes a parking fee in-lieu of program as well as mobility hubs as a parking option for private properties. The fee collected would be put into the mobility fund to be incorporated into the implementation effort of the city’s Mobility Plan.

The key changes between the two (2) drafts include:

- The second version removes confusing language on Page 5 related to shared and cross access requirements between properties.
- The second version removes language eliminating parking requirements on the San Marco Avenue corridor and establishes that this provision may be reinstated by Resolution of the City Commission after suitable residential parking programs, parking management plans, and/or other parking provisions are in place. It also recognizes that other neighborhood commercial areas may likewise want to participate if these conditions are met. These changes can be found on Pages 9 and 10.
- Parking requirements for Marinas and Special Event Venues were reformatted into a Note format to simplify the Parking Table, and the parking requirement for marina was updated from 1 parking space per 2 newly constructed boat slips to 1 parking spaces per 4 newly constructed boat slips on Page 14.
- A clarification was added to the Shared Parking section for shared parking to be on the same property or on property directly adjacent so that the parking can function as one (1) common parking area.
- On Page 16 the fee for paying for parking In-Lieu of providing a parking space was set as \$25,000 per space, 75% was set as the maximum amount of parking that could be paid for In-Lieu of providing spaces on site, and it was clarified that the Planning and Building director or designee could approve of a development paying the lesser of five (5) parking spaces or 25% of the total required parking. Any number of spaces over this amount must be reviewed by the Planning and Zoning Board (PZB) as a use by exception, and
- Lastly, a section was added to encourage the supply of Electric Vehicle charging stations on Page 18.

Another positive result of these meetings with neighborhoods, and concerned citizens includes that several residential areas may consider establishing Residential Parking Programs which could be an integral part of resolving some of the traffic and parking problems in downtown residential areas. The city staff encouraged residents to consider this program for their neighborhoods.

I respectfully request that this item be placed on the June 24, 2024, City Commission Agenda for Second Reading and Public Hearing. This ordinance is statutorily exempt from the Business Impact Statement requirement. It is related to a land development code. Additional information from the city's Transportation and Mobility Element Data and Analysis is also attached as well as the graphic figures representing the city's Mobility Plan.

Thank you for your attention to this matter. If you have any questions, please call me at (904) 209-4320 or email at askinner@citystaug.com or Jacob Fredriksson at (904) 209-4331 or email at jfredriksson@citystaug.com.



Amy McClure Skinner, AICP
Director
Planning and Building Department

**#1 - Proposed Ordinance 2024-05 Parking Code Update (text
as recommended by PZB)**

ORDINANCE NO. 2024-05

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING AND UPDATING THE CODE OF ORDINANCES CHAPTER 28, ARTICLE IV SUPPLEMENTARY REGULATIONS, DIVISION II OFF-STREET PARKING AND LOADING; ADDING SECTION 28-372 OFF-STREET PARKING PROVISIONS FOR NEIGHBORHOOD DEVELOPMENT; ADDING ADDITIONAL PARKING PROVISION OPTIONS TO SECTION 28-373; ADDING SECTION 28-376 MOBILITY HUBS; AMENDING SECTION 28-347 SUPPLEMENTARY REGULATIONS FOR CERTAIN USES (3) PARKING LOTS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the Florida Constitution, including the exercise of any power for municipal purposes not expressly prohibited by law; and

WHEREAS, Sections 163.3167 and 163.3177(1), Florida Statutes, requires the City of St. Augustine to maintain a Comprehensive Plan to guide the future development and growth of the city by providing the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements.

WHEREAS, Section 163.3180(5)(f), Florida Statutes, encourages local governments (including municipalities such as the City) to develop tools and techniques including adoption of long-term strategies to facilitate development patterns that support multimodal solutions, adoption of area wide service standards that are not dependent on any single road segment function, and establish multimodal service standards that rely primarily on non-vehicular modes of transportation where existing or planned community design will provide an adequate level of personal mobility; and

WHEREAS, the City in its Transportation and Mobility Element sets out goals, objectives and policies to develop and maintain a safe, convenient, efficient transportation system which: recognizes present need, reflects the Future Land Use Plan, and provides for safe, efficient intermodal transportation linkages; and

WHEREAS, the City is experiencing growth and new development activity that necessitates the addition and expansion of transportation facilities for a variety of modes to meet the person travel demands of new development activity including adequate and efficient multimodal facilities along with different personal and shared mobility options, as well as, amending and updating the parking code; and

WHEREAS, the City of St. Augustine is required by Section 163.3202, Florida Statutes, to adopt or amend and enforce land development regulations that are consistent with and implement the Comprehensive Plan, and that are combined and compiled into a single land development code for the city (the City of St. Augustine's Zoning Code is Chapter 28 of the Code of Ordinances including land development regulations for the provision of off-street parking and loading); and

WHEREAS, Section 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities;

WHEREAS, a sustainable built environment that both preserves the City of St. Augustine's resources and is resilient to extreme weather events such as hurricanes, floods, and heatwaves is a priority of St. Augustine;

WHEREAS, after review, the Planning and Zoning Board recommended approval of these amendments and updates at its November 7, 2023 regular meeting; and

WHEREAS, the City Commission for the City of Saint Augustine finds that it is in the best interest of public health, safety and general welfare that the following amendments be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

SECTION 1. Chapter 28, Article IV and Division II. Chapter 28, Article IV and Division II of the Code of the City of St. Augustine is amended as follows: [Note: ~~striketrough~~ language deleted, underline language added]:

“ DIVISION 2. - OFF-STREET PARKING AND LOADING

Sec. 28-366. - In general.

All new and expanded uses and structures as well as all changes in use shall meet all requirements contained in this section for off-street parking and loading. Where fractional spaces result from parking space requirement calculations, the parking space required shall be the nearest whole number.

Off-street vehicle parking, including public parking facilities, must be designed, constructed and maintained in accordance with the requirements of this section as well as the goals, objectives, and policies of the City’s Comprehensive Plan and Mobility Plan.

Sec. 28-367. - Historic preservation districts requirements.

~~Uses and structures located in historic preservation districts 1, 2, 3 and 4 are not required to provide off-street parking and loading. Any parking facilities within these districts shall meet the specific requirements contained in this section. Parking facilities within historic preservation districts 1, 2 and 3 shall not exceed a maximum of twenty (20) spaces and shall not be located within twenty-five (25) feet of another facility. All parking facilities shall have a fence or wall around the perimeter of the facility. Parking facilities located on the premises of a structure shall meet the height requirements for fences or walls established by the architectural guidelines for historic preservation as appropriate to the era of the structure. Parking facilities located off the premises shall meet the height requirements for pre-1821 construction. No parking garages shall be approved within historic preservation districts 1, 2 and 3, and any parking facility located on a corner lot shall be by exception only.~~

- (a) Parking exemption. Uses and structures located in historic preservation districts 1, 2, 3 and 4 are not required to provide off-street parking and loading.
- (b) Parking requirements. Any parking facilities within historic preservation districts 1, 2, 3 and 4 shall meet the specific requirements contained in this section.

- (c) Maximum spaces. Parking facilities within historic preservation districts 1, 2 and 3 shall not exceed a maximum of twenty (20) spaces and shall not be located within twenty-five (25) feet of another facility.
- (d) Multimodal facilities. Any parking facilities within historic preservation districts 1, 2, 3, and 4 shall provide multi-modal parking consistent with the requirements of Sec. 28-372.
- (e) Fence or walls. All parking facilities shall have a fence or wall around the perimeter of the facility. Parking facilities located on the premises of a structure shall meet the height requirements for fences or walls established by the architectural guidelines for historic preservation as appropriate to the era of the structure. Parking facilities located off the premises shall meet the height requirements for pre-1821 construction.
- (f) Parking garages. No parking garages shall be approved within historic preservation districts 1, 2, and 3.
- (g) Parking visibility. Any parking facility located on a corner lot shall be by exception only. All ingress and egress shall be designed and constructed to ensure pedestrian and bicycle safety. Access connections shall minimize vehicle conflicts, address adequate site visibility, and provide safe pedestrian and bicycle crossing.

Sec. 28-368. - Design standards.

- (a) Approval of plans and specifications. No permits shall be issued for any parking facility until the plans and specifications, including required landscaping, materials and storm drainage, have been submitted to and approved by the planning and building department and the ~~engineering division~~ public works/utilities department(s). These plans and specifications shall include proper drainage and retention, surface materials, curbing and screening as required, clearly marked and dimensioned, with handicap and other special use spaces designated. All entrances, exits and aisles shall be dimensioned, with the traffic pattern indicated.
- (b) Drainage. Off-street parking and loading facilities shall meet city requirements for stormwater retention and drainage to prevent damage to abutting property, the public right-of-way and the adjacent environment. All such facilities shall be paved with erosion-resistant materials in accordance with city specifications. These specifications may include alternative surfaces, pervious surfaces, drainage and retention systems that are sustainably designed according to best management practices and City policy. Drainage from parking facilities into the city drainage system (either overground or direct underground) shall require the approval of the ~~engineering division~~ public works/utilities department(s).
- (c) Lighting. Adequate lighting shall be provided if an off-street parking or loading facility is to be used at night. Such lighting shall be provided to ~~insure~~ ensure user safety and security. Lighting shall be designed and installed to minimize ~~glare~~ light pollution on adjacent property and streets. No source of illumination shall be directed into the windows of any residential building.

- (d) *Landscaping.* Landscaping requirements for parking facilities shall be as required by Chapter 25.
- (e) *Separation from walkways and streets.* Off-street parking and loading facilities shall be separated from walkways, sidewalks, streets or alleys by a wall, fence, curbing, bollards, landscaping or other approved protective device. Such protective devices shall not impair the visibility of pedestrians, bicycles, or vehicles at ~~entrances and exits~~ access connections.
- ~~(f) *Entrances and exits.* The location and design of entrances and exits shall be in accordance with city specifications. The number of curb cuts shall be the minimum required to allow free and safe use of the facility without impairing traffic flow along the street. The use of shared or common curb cuts is encouraged where practical. Trees and appropriate landscaping may be used to define entrances and exits. Landscaping, curbing or other protective devices may be provided to control access and to separate pedestrian and vehicular traffic.~~
- (f) *Access connections.* The location and design of ingress and egress shall be in accordance with city specifications. The number of curb cuts shall be the minimum required to allow free and safe use of the facility without impacting pedestrian and bicycle safety and impairing traffic flow along the street. Trees and appropriate landscaping may be used to define ingress and egress. Landscaping, curbing or other protective devices may be provided to control access and to separate pedestrian and vehicular traffic. Access connections should be designed with the highest priority given to the pedestrian.
- (g) *Shared and cross-access.* Access shall be taken from a shared or common curb cut access connection where such opportunity exists. Multiple uses on a parcel shall share all access connections, unless otherwise prohibited by a development order condition. Where access connections are less than 75 feet from an adjacent parcel, access easements to the property boundary shall be provided to allow for shared access and cross-access. Where a parking lot drive-aisle terminates adjacent to a property boundary, a stub-out or easement shall be provided to the property boundary to allow for cross-access. The City may require shared or cross-access easements to facilitate internal circulation and circulation between adjacent developments to reduce impedance to pedestrian, bicycle, and vehicle mobility along adjacent rights-of-way.
- ~~(g)~~ (h) *Interior driving aisles and maneuverability.* The minimum width of interior driving aisles and maneuverability space within parking facilities shall be related to the angle of the parking spaces and the use of one-way or two-way traffic as follows:

Parking Space Angle in Degrees	One-Way Traffic Aisle Width/Maneuverability Space in Feet	Two-Way Traffic Aisle Width/Maneuverability Space in Feet
0 (Parallel)	13	24
30	13	24

45	13	24
60	18	24
90	24	24
<u>Drive aisles with no parking immediately adjacent</u>	<u>10</u>	<u>20</u>

~~(h)~~ (i) Existing site constraints. For parking facilities to be used in conjunction with existing structures containing physical constraints, such as trees or buildings, making it impractical to provide entrances, exits and interior aisles in accordance with subsections ~~(f) and (g)~~ (f), (g), and (h) hereof, the city planning and building manager ~~may grant a variance from such requirements; provided, however, no variance shall be given by the planning and building manager to the required parking space requirements or required interior maneuverability space.~~ director may grant relief from such requirements.

The city also recognizes that due to the unique layout and design of the existing commercially zoned areas of the city that the parking requirements of this section may not be able to be met based on the existing development or nonconforming lots. When the layout, design, deed restriction or unique condition of an existing lot or building in the existing commercially zoned areas of the city creates a hardship which affects the ability to meet the required number of parking spaces, the following may be allowed:

- a. The number of required spaces may be reduced by the variance process outlined in the land development code.
- b. A reduction of up to 50 percent for required parking spaces may be applied to changes of use or re-model projects to existing buildings within the existing commercially zoned areas of the city; provided that the site plan includes proposed bicycle and/or motorcycle parking for the equivalent of the reduced number of parking spaces, and provided that the proposed site plan includes meeting the current requirements of the landscaping code of the City of St. Augustine. This reduction will not apply to new construction in the existing commercially zoned areas.
- c. New construction in the existing commercially zoned areas of the city may have the number of required parking spaces reduced by up to 25 percent if the lot is considered a nonconforming lot; provided that the site plan includes proposed bicycle and/or motorcycle parking for the equivalent of the reduced number of parking spaces and provided that the proposed site plan includes meeting the current requirements of the landscaping code of the City of St. Augustine.

(j) *Valet Parking.* Off-street parking with a valet service or operator, which allows for attendants to receive, park and deliver the automobiles of occupants, tenants, customers, invitees, and visitors, including tandem parking, may be utilized in lieu of the requirements of this code provided the following requirements are complied with:

- (1) *Agreement.* Any required valet or tandem parking utilized in lieu of the parking requirements set forth in this code shall be governed by an agreement with the City (in such form as may be approved by the City Attorney) and recorded with the St Johns County Clerk of Circuit Court. The agreement shall constitute a covenant running with the land binding upon the owners, heirs, administrators, successors, and assigns. The agreement may be released by the City at such time that site plan approval is obtained for an alternative parking arrangement which satisfies the parking requirements for said use or a fee-in-lieu payment is made to the City.
- (2) *On-site parking management.* A parking professional shall be available for the vehicle retrieval during business hours.
- (3) *Parking space dimensions.* The dimensions for valet and tandem parking spaces shall be a minimum of eight (8) feet wide by sixteen (16) feet deep with a maximum stacking of two vehicles along a one-way drive aisle of twelve (12) feet and a two-way drive-aisle of twenty-four (24) feet.
- (4) *Accessible parking.* Valet parking may be utilized to conform with the number of accessible parking spaces provided that:
 - a. At least two handicapped accessible spaces are provided adjacent to the vehicle queuing area for those vehicles which cannot be operated by the parking professional; and,
 - b. The person's vehicle may be safely operated by aforementioned on-site parking management.
- (5) *Queue.* The required queue is to be provided on private property as opposed to public rights-of-way. The valet drop-off/queuing area must be provided with a minimum length of 100 feet. Greater queuing area may be required as a condition of site plan or use by exception approval based upon the intensity of the use and location. The length of the queuing area may be reduced when supported by a queuing analysis and where potential queue back up would not impact an arterial, collector or entry corridor. Any queuing analysis shall be based on a methodology agreeable to and is subject to approval by the City.

Sec. 28-369. - ~~Compact~~ Parking space standards.

~~A compact parking space shall be at least eight (8) feet wide by eighteen (18) feet in length. All compact spaces shall be indicated by signs. A maximum of twenty five (25) percent of required parking spaces may be compact spaces.~~

- (a) A standard parking space shall be at least nine and one half (9 ½) feet wide by nineteen (19) feet in length.

- (b) A compact parking space shall be at least eight (8) feet wide by eighteen (18) feet in length. All compact spaces shall be indicated by signs. A maximum of fifty (50) percent of required parking spaces may be compact spaces.
- (c) Parking garage space shall be at least nine (9) feet by nineteen (19) feet. When the front of the vehicle is adjacent to a wall, wire or fixed barricade, or mechanical system, the minimum length shall be twenty (20) feet, plus any additional space for protective barricades. Where a wall, structural support, mechanical system, or other fixed object or object that limits site visibility, or where adjacent to a pedestrian access, spaces shall be a minimum of ten (10) feet wide.
- (d) Bicycle racks and weather protected storage units shall be designed, constructed, and maintained to include provisions for the secure storage and locking of bicycles on a hard surface at least seven (7) feet in length. Fixed objects which are intended to serve as bicycle parking facilities shall be clearly labeled as available for bicycle parking.
 - a. A bicycle rack shall mean a fixed object clearly labeled as to secure at least two (2) bicycles.
 - b. A weather protected bicycle storage unit shall mean bicycle parking that is easily accessible to residents, visitors, customers, and employees and covered to protect bicycles from rain and other types of weather.
- (e) Motorcycle spaces shall be a minimum of three (3) feet in width and at least ten (10) feet in length. Concrete, erosion resistant material, or other material that will not be damaged by the motorcycle kickstands is required for the motorcycle parking spaces. Motorcycle parking shall be labeled as such.

Sec. 28-370. - Handicap parking space standards.

Handicap parking spaces shall conform to the standards of the most recently adopted Florida Building Code.

Sec. 28-371. - Location.

- (a) A required off-street parking and loading facility shall be located on the same lot or parcel of land it is intended to serve. However, an off-street parking and loading facility within four hundred (400) feet one thousand three hundred and twenty (1,320) feet, or one quarter mile, of the premises may be allowed as a permitted use by exception.
- (b) The planning and zoning board may grant an exception a permitted use by exception within one thousand three hundred and twenty (1,320) feet, or one quarter mile, when practical difficulties prevent the placing of all or part of the facility on the premises they are designated to serve. The board shall review the proposal for impact upon pedestrian and

vehicular traffic patterns and user safety, impact upon surrounding properties from noise, glare, light pollution, visual quality, nuisance and traffic generation. Exceptions reviewed by the planning and zoning board shall include provisions that promote the City's Mobility Plan. Such provisions may include, but are not limited to, on-site bicycle racks, motorcycle parking, and/or a drop off valet service.

- (c) The planning and building department director, or designee, may permit off-site parking within four hundred (400) feet when such parking facilities provide the number of spaces required for all uses or structures or meet the requirements of Sec. 28-373. – Required off-street parking.

Sec. 28-372. – Joint use of parking facilities.

~~Nothing in this chapter shall be construed to prevent the joint contractual use of off-street parking facilities by two (2) or more structures or uses when such facilities provide the number of spaces required for all uses or structures.~~

Sec. 28-372. – Off-street parking provisions for neighborhood development.

- (a) Intent. The purpose of this section is to reduce parking demand, support the use of multi-modal forms of transportation, encourage redevelopment, preservation of existing buildings, reduce construction costs, and increase the efficiency of taxable land within the City of St. Augustine.
- (b) Parking Space Requirements. For all uses within these specific neighborhood development areas, except for lodging and residential uses, the provision of off-street parking spaces will not be required. Vacation rentals must still comply with Sec. 28-151. – Parking.
- (c) Location. Development which is exempt from providing off-street parking must (1) take place on a property that has a Commercial Low or Commercial Medium Future Land Use designation and (2) be located directly adjacent to the following avenues, streets, and lanes:
 - (1) Uptown San Marco Commercial District
 - i. San Marco Avenue between W San Carlos Avenue and W Castillo Drive.
 - (2) East King Street Commercial District
 - i. E King Street between the San Sebastian River and Granada Street.
 - (3) West City Commercial District
 - i. W King Street between the western most limits of the City of St. Augustine and the San Sebastian River.
 - ii. Pellicer Lane between W King Street and Davis Street.
 - iii. Palmer Street between W King Street and Evergreen Avenue.
 - (4) North Lincolnville Commercial District
 - i. Washington Street between Bridge Street and De Haven Street.
- (d) Minimum Bicycle Parking Requirements.

	<u>Required Number of Bicycle Racks</u>	<u>Required Number of Bicycle Storage Units (Weather Protected)</u>
<u>Residential/Lodging</u>	<u>1 for every twenty units / 1 minimum</u>	<u>1 for each dwelling unit</u>
<u>Civic</u>	<u>1 for every 10,000 square feet of gross floor area / 1 minimum</u>	<u>1 for every 10,000 square feet of gross floor area / 2 minimum</u>
<u>Commercial</u>	<u>1 for every 5,000 square feet of gross floor area / 1 minimum</u>	<u>1 for every 5,000 square feet of gross floor area / 2 minimum</u>
<u>Industrial</u>	<u>1 for every 20,000 square feet of gross floor area / 1 minimum</u>	<u>1 for every 5,000 square feet of gross floor area / 2 minimum</u>

Sec. 28-373. - Required off-street parking.

- (a) *Intent.* The purpose of this section is to ~~insure~~ ensure the reasonable provision of off-street, on-site parking facilities. Any use not listed shall provide off-street parking facilities as required of the use listed which is most closely related to it, as determined by the planning and building department.
- (b) *Continuation required.* Off-street parking or loading facilities shall be maintained and continued as long as the main use continues.
- (1) *Repair.* Conforming buildings and uses existing at the time of adoption of this chapter (June 27, 1988) may be modernized, altered and/or repaired without providing additional facilities, providing there is no increase in area or capacity.
 - (2) *Enlargement.* When a building or use existing at the time of adoption of this chapter is enlarged or increased in area or capacity by adding floor area, volume or seats, off-street parking and loading as required by this chapter shall be provided for the additional floor area, volume, capacity or seats so created or used.
 - (3) *Change in use.* When the use of a building or portion thereof changes and results in an increase in person travel demand above the existing use of the property, the new use shall meet the off-street parking requirements of this section.

~~(c) *Required parking San Marco Avenue Design Standards.* Developments within the San Marco Avenue Design Standards entranceway corridor area, utilizing the residential typology development option, shall receive a twenty-five (25) percent reduction for the total calculated required parking based on (d) Minimum spaces required in order to maintain the appearance of a residential in nature front yard consistent with the intent of the design standards.~~

(c) Required parking and Design Standards:

- a. San Marco Avenue Design Standards. Developments within the San Marco Avenue Design Standards entranceway corridor area, utilizing the residential typology development option, shall receive a twenty-five (25) percent reduction for the total calculated required parking based on (d) Minimum spaces required in order to maintain the appearance of a residential in nature front yard consistent with the intent of the design standards.
- b. King Street Design Standards. Developments adjacent to King Street (East and West), Masters Drive and S. Dixie Highway, utilizing the residential typology development option, shall receive a twenty-five (25) percent reduction for the total calculated required parking based on (d) Minimum spaces required in order to maintain the appearance of a residential in nature front yard consistent with the intent of the design standards.

(d) Minimum spaces required:

	Use	1 Space Per Gross Floor Area (Sq. Ft.)	1 Space Per Rates Patron Capacity	Units, Seats, Rooms, Spaces	Special Requirements
(1)	Amusement/recreation				
	Skating rink	300			
	Indoor recreation		4 patrons or seats		
	Bowling			3 per lane	
	Miniature golf			2 per hole	
	Outdoor recreation		4 patrons or seats		
	Outdoor pool				1 per 75 ft. water area
	Racquet courts				3 per court
(2)	Art gallery, library and museum	400			
(3)	Auditorium			4 seats	
(4)	Auto, boat, equipment sales, rentals	300 500 (buildings)			
(5)	Banks and financial institutions	300		3 per automatic teller machine	
(6)	Barber/hair salon				3 spaces per operator or chair
(7)	Bar, lounge, tavern, nightclub		3 patrons or seats		
(8)	Boarding and rooming houses, and hostels			1 per bed	and 2 per resident manager

(9)	Bus/transportation depot	300			
(10)	Church/funeral home			4 seats	(for churches based on largest group assembly room)
(11)	Community center	250 <u>500</u>			
(12)	Clinic	<u>400</u>			5 per doctor/ dentist
(13)	Clubs, lodges	250			(includes outside assembly/recreation)
(14)	Convention center	200			
(15)	Daycare, child care facility				1 per employee
(16)	Furniture, clothing, appliance store	500			
(17)	Garage, repair			3 per bay	
(18)	Gym, spa	200			
(19)	Hospital			1.5 per 3 beds	plus as required for accessory uses
(20)	Hotel/motel/inn		3 (for meeting or banquet rooms) and	4 (for meeting or banquet rooms) and 1 per room	75% as required for accessory uses
(21)	Industrial manufacturing	1,000 devoted to manufacturing, shipping or receiving			and 1 per stored company vehicle and as required for office use
(22)	Shopping center	300 <u>500</u> (nonstorage area)			
(23)	Marina			1 per 2 newly constructed wet boat slips, excluding those used for charter boats, plus 1 per 10 dry boat storage spaces. Wet slips used for charter boats (including those for fishing, shelling, diving, and sightseeing purposes) are computed at 1 per 3 boat passengers	and as required for accessory uses

				based on the maximum number of passengers, and charter boats used for dining are computed at 1 per 2 boat passengers based on the maximum number of passengers. Each parking space provided to meet the marina's boat slip or dry storage parking requirements may also be credited towards meeting 100 square feet of the parking requirements for the marina or permitted marina-related activities, excluding restaurants, lounges/bars and private clubs. Uses not receiving credit from parking provided for boat slips or dry storage spaces shall provide parking at the normal rate for those uses as required within this Code.	
(24)	Mobile home			2 per unit	
(25)	Multifamily residential/apartments				

	1 bedroom			1.5 <u>1</u> per unit	
	2 bedrooms			2 <u>1.5</u> per unit	
	3 or more bedrooms			2.25 <u>2</u> per unit	
(26)	Office use medical/dental	<u>400</u>			3 per doctor
	Veterinary	<u>400</u>			3 per doctor
	Professional/business office	400			
	Real estate, property rental/management, employment office	300 <u>400</u>			
(27)	Restaurant	75 <u>100</u> patron area (nonfixed seating)	or 4 patrons (fixed seating)		and 1 per 200 sq. ft. nonpatron area
(28)	Restaurant, fast food or drive-through, <u>coffee shop or café</u>	75 <u>100</u> patron area (nonfixed seating)	or 3 patrons (fixed seating)		and 1 per 100 <u>200</u> sq. ft. nonpatron area
(29)	Schools				
	Elementary			2 per classroom, office and kitchen	
	Jr. high/high			2 per classroom, office and kitchen	and 1 per 6 auditorium or gym seats
	College/university/technical or vocational school		2 for every 3 employees, and 1 for every 5 students not residing on campus	1 per classroom, and 1 per 4 students at average capacity class attendance	and 10% as required for accessory uses including libraries, book stores, athletic facilities and cafeterias or restaurants
(30)	Single-family/duplex			2 per unit	
(31)	Recreational vehicle park/campground			1 per space	and as required for office use
(32)	Nursing home			1 per 6 beds	and 1 per employee
(33)	Retirement home/adult congregate living facility		2 patrons	or 1 per bedroom	
(34)	Service station	200 (buildings)			
(35)	Wholesale distribution	1,500			and as required for office

(36)	Warehouse storage	2,000			and as required for office
(37)	Mini-warehouse and self-storage facility			1 per 10 storage units	2 per office plus 2 per caretaker's unit
(38)	Convenience store	100 <u>200</u>			
(39)	Theatre		4 seats		
(40)	Grocery/supermarket	200 <u>300</u>			
(41)	Business, commercial, or service establishments	300 <u>500</u>			
(42)	Outdoor market	100 <u>300</u> (sale/display area)			
(43)	Public service				1 per employee plus 1 per stored company vehicle
(44)	Winery	450			
(45)	Winery with restaurant				
	a. Winery area	450			
	b. Restaurant area				
	1. Patron area	75 <u>100</u>	or 4 patrons or seats		
	2. Non-patron area (kitchen, etc.)	100			
(46)	Bed and breakfast			1 per room	2 for owner/resident manager
(47)	College dormitory			1 per bed <u>2 per 3 residential students</u>	and 10% as required for accessory uses provided as part of the dormitory
(48)	Special event venue			One (1) parking space per four (4) seats, except for special event venue space in hotels and motels as below, and If the special event venue is an accessory or ancillary use to a hotel or motel one (1) parking space per two hundred (200)	

				square feet of special event venue space, and One (1) parking space per two hundred (200) square feet for designated special event venue outdoor standing patron areas and if accessory or ancillary to other uses (other than hotel and motel requirements above) 75% of calculated required parking for the special event venue use shall be provided on-site in addition to other required parking.	
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- (e) Parking management. To encourage a park once environment and encourage the use of multimodal transportation, this division includes provisions for shared parking, mobility hubs, fee-in-lieu of programs and introduction of new parking technologies to reduce the number of off-street parking spaces.
- (f) Shared Parking. Nothing in this chapter shall be construed to prevent the shared contractual use of off-street parking facilities by two (2) or more structures or uses subject to the conditions below:
- (1) With shared entrances, exits, driveways, and/or drive aisles that meet requirements based on an analysis submitted by the applicant, or
 - (2) Are located within four hundred (400) feet of each other.
 - (3) If the above criteria are met the total number of parking spaces may be reduced up to twenty-five (25) percent.
 - (4) Parking requirements for shared uses shall be reviewed by city staff using the parking matrix below:

<u>Use</u>	<u>Weekday</u>			<u>Weekend</u>	
	<u>Night</u> <u>Midnight to</u> <u>6:00 a.m.</u>	<u>Day</u> <u>6:00 a.m. to</u> <u>6:00 p.m.</u>	<u>Evening</u> <u>6:00 p.m. to</u> <u>Midnight.</u>	<u>Day</u> <u>9:00 a.m. to</u> <u>4:00 p.m.</u>	<u>Evening</u> <u>6:00 p.m. to</u> <u>Midnight.</u>
<u>Residential</u>	<u>90%</u>	<u>50%</u>	<u>90%</u>	<u>70%</u>	<u>90%</u>
<u>Office</u>	<u>5%</u>	<u>90%</u>	<u>10%</u>	<u>5%</u>	<u>5%</u>
<u>Commercial/Retail</u>	<u>5%</u>	<u>50%</u>	<u>80%</u>	<u>80%</u>	<u>70%</u>
<u>Hotel</u>	<u>80%</u>	<u>60%</u>	<u>90%</u>	<u>80%</u>	<u>90%</u>
<u>Restaurant</u>	<u>10%</u>	<u>50%</u>	<u>80%</u>	<u>50%</u>	<u>90%</u>
<u>Entertainment/Recreational</u> <u>(theatres, bowling alleys,</u> <u>etc.)</u>	<u>10%</u>	<u>40%</u>	<u>80%</u>	<u>80%</u>	<u>90%</u>
<u>Other</u>	<u>80%</u>	<u>90%</u>	<u>50%</u>	<u>70%</u>	<u>70%</u>

(g) In-Lieu of Parking Fees. Developments required to provide off-street parking shall have the option of providing spaces through payment to the City of an in-lieu parking fee. Payment of a fee in-lieu of required parking shall be pursuant to the following provisions:

- (1) Capital improvements program. Prior to allowing payment in-lieu of parking, the City shall include one or more off-street parking facilities specific projects from the city's Mobility Plan in the Capital Improvement Plan (CIP).
- (2) Authorization. The payment of an in-lieu of parking fee is authorized in the City as established by adoption of this ordinance updating the City of Saint Augustine's parking code on [DATE]. The fee adopted per required off-street parking space is [DOLLAR AMOUNT].
- (3) Parking facilities. To establish a payment of an in-lieu parking fee program requires the city maintain the collection of Mobility Fees as per Chapter 21 in the land development code in addition to the in-lieu parking fee program and maintain a Mobility Plan and subsequent annual update to the adopted CIP related to the provision of parking and alternative forms of transportation. establishment of areas, districts or zones to provide either a structured or surface off-street parking facility. The service area for each facility is dependent upon the funding of a micromobility (electric scooters and/or electric bikes) program or a frequent transit circulator program offering frequencies of 15 minutes or less or an on-demand program. The service areas for these facilities shall meet the following criteria:
 - a. Off-street surface parking facility with out a programmed micromobility or transit circulator program should not serve an area greater than a one thousand three hundred and twenty (1,320) foot, or one quarter mile, radius measured from each project access;
 - b. Off-street surface parking facility with a programmed micromobility or transit circulator program should not serve an area greater than a five thousand two

City Commission 03-11-2024

Ordinance 2024-05 (PB)

Proposed City of St. Augustine Parking Code Update

Page 17

- hundred and eighty (5,280) foot, or one mile, radius measured from each project access;
- ~~c. Off-street structured parking facilities with 250 or less parking spaces and with-out a programmed micromobility or transit circulator program should not serve an area greater than a two thousand six hundred and forty (2,640) foot, or half mile, radius measured from each project access;~~
 - ~~d. Off-street structured parking facilities with 250 or less parking spaces with a programmed micromobility or transit circulator program should not serve an area greater than a five thousand two hundred and eight (5,280) foot, or one mile, radius measured from each project access; or~~
 - ~~e. Off-street structured parking facilities with more than 250 shall be required to have a programmed micromobility or transit circulator program and can serve an area up to a 2 mile radius measured from each project access;~~
- (4) Parking off-set. Developments may elect to pay an in-lieu of parking fee for all or a portion of required off-street parking. The following uses shall be required to provide drop-off and pick-up areas or valet service for motor vehicles where the payment in-lieu of option is used for more than 10% of the required off-street parking:
- a. Any use for overnight accommodations such as a hotel, motel or bed and breakfast shall provide space to accommodate at least two vehicles, plus one space per 50 rooms, for drop-off and pick-up. Any use that provides overnight accommodations where the parking facility entrance is more than four hundred (400) feet from the front entrance of the use, valet service shall be provided.
 - b. Any residential use shall provide space to accommodate at least two vehicles, plus one space per 50 units, for drop-off and pick-up.
 - c. Adequate queuing space shall be provided, and the City may require a traffic analysis, depending on the type of use and location, to demonstrate that adequate queuing space is provided.
 - d. The dimensions for drop-off and pick-up areas shall be the same as those for parking spaces and required type of drive-aisle access provided. The drop-off and pick-up areas may be provided on a drive-aisle, so long as there is a drive-aisle provided and required parking spaces are not blocked.
 - e. The Planning and Building director, or designee, is authorized to approve a reduction in total required off-street parking spaces up to the lesser of five (5) spaces or fifty (50) percent. Any amount above this provision requires approval from the Planning and Zoning Board in the form of a use by exception request.
- (5) Use of funds. All proceeds from such a fee shall fund the City of St. Augustine's Mobility Plan Projects to encourage accessible, energy efficient, sustainable and economically viable transportation options that meet the needs of residents, employers, employees and visitors through a variety of innovative methods that are sensitive to the environmental, historical, and cultural resources of the City of St. Augustine.
- (6) Fee Payment. For property owners opting to pay in full, or lessees of properties, payment of the in-lieu fee is due upon issuance of a building permit or equivalent.
- (7) Installment Payment. The in-lieu fee may also be paid in installments. Applicants for an in-lieu fee which is not paid in full at the time of permit issuance or equivalent, must enter into an In-Lieu of Parking Fee Agreement with the City prior to or upon issuance of a building permit or equivalent subject to the following:

- a. Such agreement shall be recorded in public records with the St. Johns County Clerk of Circuit Court;
- b. The obligations imposed by such an In-Lieu of Parking Fee Agreement constitute a restrictive covenant upon a property, and shall bind successors, heirs and assigns. The restrictive covenant shall be released upon full payment of the in-lieu parking fees including attorneys' fees and costs;
- c. In-Lieu of Parking Fee Agreements shall only be made between the City and the Owner(s) of the subject property;
- d. If an In-Lieu of Parking Fee Agreement is entered into, installment payments shall be made over a period not to exceed five (5) years with payments made at least twice a year. The first installment shall be 25 percent of the total fee and is to be paid upon signing the agreement. Additional installments shall be based upon the total number of years of the installment agreement and the required number of annual payments; and
- e. There shall be no interest due under this payment schedule for installment agreements of three (3) years in length or less. For installment agreements greater than three (3) years, the interest shall be based on the annual maximum percentage on bond payments made by the City, or 5%, annually, whichever is less.
- (8) Record of program utilization. The Director of the Planning and Building Department, or designee, shall maintain a record of the developments that utilize the in-lieu of parking fee program and the number of spaces allocated to the program for each programmed public parking facility.
- ~~(9) Operating hours. The operating hours of the programmed public parking facility are at the sole discretion of the governmental entity that owns the facility and shall not be affected by parking spaces intended for commercial tenants of the development. The programmed public parking facility shall be accessible twenty-four hours if funds are collected from overnight accommodation or residential uses.~~
- (10) (9) Biennial fee review. The in-lieu of parking fee shall be reviewed at a minimum every two years and the fee adjusted as warranted.
- (h) Multimodal Parking Requirements. In addition to any off-street parking provided for vehicles the following requirements for multi-modal transportation must also be met.
 - (1) Bicycle, scooter and micromobility device parking. One rack accommodating two bicycles, scooters, micromobility devices or some combination thereof shall be provided per the following:
 - a. One (1) rack for every ten (10) off-street parking spaces provided for non-residential uses.
 - b. One (1) rack per dwelling unit for multifamily uses with three or more dwelling units and one (1) rack per every ten (10) off-street parking spaces provided for visitors. In addition, for common area structures, such as a clubhouse, or per every ten (10) off-street parking spaces provided or one for every 1,000 sq. ft. of common area structure, whichever is greater.
 - (2) Additional bicycle, scooter, micromobility device or some combination thereof provided may be used to offset required vehicle parking at a rate of one for one, up to ten (10) percent of the total requirement.

- (i) Motorcycle moped and motorized scooter parking. One space for the parking of a motorcycle, moped, motorized scooter or similar vehicle that requires license and registration by Florida Statute shall be provided for every 20 off-street parking spaces provided.

Sec. 28-374. - Off-street stacking requirements.

- (a) Whenever a structure or use requires the off-loading of passengers or allows for use without exiting the vehicle, stacking or off-loading lanes and spaces will be required on-site as follows:

- ~~(1) Drive-through uses. Three (3) stacking spaces per window.~~
- ~~(2) Child care facilities. One (1) stacking space per eight (8) students up to a minimum of five (5) spaces.~~
- ~~(3) Schools. One (1) stacking space per fifteen (15) students up to a maximum of ten (10) spaces.~~
- ~~(4) Hotel/motel office. Two (2) stacking spaces.~~
- ~~(5) Automatic/mechanical car wash. Three (3) stacking spaces per individual unit.~~
- ~~(6) Hand car wash/auto detailing. Two (2) stacking spaces per individual unit or work station.~~
- ~~(7) Dumpsters/trash receptacles. One (1) stacking space per dumpster or receptacle location, oriented to allow loading without requiring access or maneuvering through parking spaces.~~

- a. Fast food drive-thru. A methodology meeting is required to identify three (3) existing locations for the same fast-food use or equivalent and that the queue provided be the maximum of the three (3) sites, unless otherwise approved by the City's Planning and Building Department.
 - b. Car wash drive-thru. A methodology meeting is required to identify three (3) existing locations for the same car wash use or equivalent and that the queue provided be the maximum of the three (3) sites, unless otherwise approved by the City's Planning and Building Department.
 - c. Non car wash or fast-food drive-through uses. Three (3) stacking spaces per window.
 - d. Childcare facilities. One (1) stacking space per eight (8) students up to a maximum of five (5) spaces.
 - e. Schools. One (1) stacking space per fifteen (15) students up to a maximum of ten (10) spaces.
 - f. Hotel/motel office. Two (2) stacking spaces.
 - g. Automatic/mechanical car wash. Three (3) stacking spaces per individual unit.
 - h. Hand car wash/auto detailing. Two (2) stacking spaces per individual unit or workstation.
 - i. Dumpsters/trash receptacles. One (1) stacking space per dumpster or receptacle location, oriented to allow loading without requiring access or maneuvering through parking spaces.
- (b) A stacking space shall be a minimum of twelve (12) by twenty (20) feet and shall be located so as not to obstruct, endanger or interfere with either on-site or off-site access, maneuvering

or traffic patterns. Stacking lanes shall be marked or separated to prevent use as access and to protect users while off-loading or waiting.

Sec. 28-375. - Off-street loading requirements.

Whenever a structure or use requires the loading or off-loading of supplies or materials, loading zones or spaces will be required on-site as follows:

- (1) Multiple office building, motel, hotel, hospital, auditorium, theatre or similar use. One (1) space if aggregate floor area is over five thousand (5,000) square feet but not greater than forty thousand (40,000) square feet, plus one (1) space for each additional sixty thousand (60,000) square feet or major fraction thereof.
- (2) Retail or service establishment, wholesale establishment, mini-warehouse and self-storage facilities, industrial uses and restaurant. One (1) space if the gross floor area is not greater than twenty thousand (20,000) square feet; two (2) spaces if the aggregate floor area is more than twenty thousand (20,000) square feet but not greater than sixty thousand (60,000) square feet; plus one (1) space for each additional sixty thousand (60,000) square feet or major fraction thereof.
- (3) In no case shall the required off-street loading space be less than the following:
 - a. Auditoriums, theatres, hotels, motels, hospitals, industrial uses, warehouse uses, multiple office buildings or individual offices of greater than four thousand (4,000) square feet; retail stores, restaurants and all other commercial buildings shall have at least one (1) space.
 - b. Shopping centers or shopping plazas shall provide at least one (1) space for every two (2) stores or businesses located so as to service both locations.
- (4) In no case shall the required off-street loading space be part of the area used to satisfy the off-street parking requirements of this chapter. The off-street loading space required for the uses mentioned in this section shall in all cases be on the same lot or parcel of land use as the structures or use it is intended to serve.
- (5) A loading space shall be located so as to facilitate loading and off-loading and so as not to obstruct, endanger or interfere with either on-site or off-site access, maneuvering or traffic patterns. Loading spaces or loading zones shall be marked or located to prevent use as access or parking and to protect users while loading or off-loading.
- (6) A loading space or loading zone may be located adjacent to a building to allow parallel parking when use of such space or zone is limited to fifteen (15) minutes or less, when this time limit is clearly indicated, and when other parking is prohibited.
- (7) A loading space or loading zone shall be a minimum of twelve (12) feet by twenty-five (25) feet and shall be oriented so as to allow loading and off-loading without requiring access or maneuvering through parking spaces.

- (8) A loading space or loading zone for ride share uses must be designed in a manner to ensure safety of pedestrians and convenience for users meaning they must be located adjacent to a building or a sidewalk and must be consistent with Sec. 28-376. – Mobility hubs.

Sec. 28-376. – Mobility hubs.

- (a) Mobility hub. A new development, redevelopment, or change of use may propose the planning, design and construction of a mobility hub. Mobility hubs are intended to serve multimodal transportation and can include:
- (1) A covered, ADA accessible facility that is amenitized, lighted, provides for air circulation and connectivity to adjacent multimodal facilities and land uses;
 - (2) Designated drop-off and pick-up areas for ride-share, ride-hail, transit, trolley, and deliveries;
 - (3) Parking spaces for car share and low speed vehicles;
 - (4) Micromobility racks, corrals, charging or docking stations;
 - (5) Charging stations for electric vehicles and mobile devices;
 - (6) Sponsorship of the City’s micromobility program;
 - (7) If located in a Historic Preservation zoning district, the mobility hub facility shall meet historic district architectural requirements and be compatible with surrounding land uses;
 - (8) The City may consider allowing for the naming or branding of the facility after the development or an appropriate name. Any naming or signs shall conform to all requirements of the City code; and
 - (9) The size, scale, amenities, and any agreements with the City provided with the mobility hub shall be used to determine how many required parking spaces maybe off-set. The maximum off-set available would be 40% of the total required parking, subject to review by the Planning and Building Department director.

Secs. 28-376 – 28-399. – Reserved.

Secs. 28-377 – 28-399. - Reserved. “

SECTION 2. Amending Chapter 28, Section 28-347(3). Chapter 28, Section 28-347(3) of the Code of the City of St. Augustine is hereby amended as follows: [Note: ~~striketrough~~ language deleted, underline language added]

Sec. 28-347. – Supplementary regulations for certain uses.

“...

(3) Parking lots. Off-street parking lots shall be a permissible use by exception in all districts where such lots are ~~within four hundred (400) feet~~ one thousand three hundred and twenty (1,320) feet, or one quarter mile, of ~~the~~ premises requiring off-street parking; those within four hundred (400) feet can be approved by the Planning and Building department director, or designee as per Sec. 28-371. such Parking lots in residential districts shall also conform to the following:

- a. A six-foot solid masonry wall or fence shall be erected along all property lines adjunct to residentially zoned property.
- b. No source of illumination for such lots shall be directly visible from any window in any residence in the residential district.
- c. There shall be no movement of any vehicles on such lots between the hours of 11:00 p.m. and 7:00 a.m.
- d. There shall be no sales or service activity of any kind on such lots.
- e. Vehicles prohibited from being parked in residential districts by section 28-336 shall not be permitted to be parked on such lot.
- f. All parking lots shall be paved with erosion-resistant material in accordance with city specifications (see division 2 of this article).

...”

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

SECTION 5. This ordinance shall be effective ten (10) days after passage, pursuant to s. 166.041(5), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this
_____ day of _____, 2024.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

#2 - Proposed Ordinance 2024-05 Parking Code Update (text revised since March 2024)

ORDINANCE NO. 2024-05

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING AND UPDATING THE CODE OF ORDINANCES CHAPTER 28, ARTICLE IV SUPPLEMENTARY REGULATIONS, DIVISION II OFF-STREET PARKING AND LOADING; ADDING SECTION 28-372 OFF-STREET PARKING PROVISIONS FOR NEIGHBORHOOD DEVELOPMENT; ADDING ADDITIONAL PARKING PROVISION OPTIONS TO SECTION 28-373; ADDING SECTION 28-376 MOBILITY HUBS; AMENDING SECTION 28-347 SUPPLEMENTARY REGULATIONS FOR CERTAIN USES (3) PARKING LOTS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the Florida Constitution, including the exercise of any power for municipal purposes not expressly prohibited by law; and

WHEREAS, Sections 163.3167 and 163.3177(1), Florida Statutes, requires the City of St. Augustine to maintain a Comprehensive Plan to guide the future development and growth of the city by providing the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements.

WHEREAS, Section 163.3180(5)(f), Florida Statutes, encourages local governments (including municipalities such as the City) to develop tools and techniques including adoption of long-term strategies to facilitate development patterns that support multimodal solutions, adoption of area wide service standards that are not dependent on any single road segment function, and establish multimodal service standards that rely primarily on non-vehicular modes of transportation where existing or planned community design will provide an adequate level of personal mobility; and

WHEREAS, the City in its Transportation and Mobility Element sets out goals, objectives and policies to develop and maintain a safe, convenient, efficient transportation system which: recognizes present need, reflects the Future Land Use Plan, and provides for safe, efficient intermodal transportation linkages; and

WHEREAS, the City is experiencing growth and new development activity that necessitates the addition and expansion of transportation facilities for a variety of modes to meet the person travel demands of new development activity including adequate and efficient multimodal facilities along with different personal and shared mobility options, as well as, amending and updating the parking code; and

WHEREAS, the City of St. Augustine is required by Section 163.3202, Florida Statutes, to adopt or amend and enforce land development regulations that are consistent with and implement the Comprehensive Plan, and that are combined and compiled into a single land development code for the city (the City of St. Augustine's Zoning Code is Chapter 28 of the Code of Ordinances including land development regulations for the provision of off-street parking and loading); and

WHEREAS, Section 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities;

WHEREAS, a sustainable built environment that both preserves the City of St. Augustine's resources and is resilient to extreme weather events such as hurricanes, floods, and heatwaves is a priority of St. Augustine;

WHEREAS, after review, the Planning and Zoning Board recommended approval of these amendments and updates at its November 7, 2023 regular meeting; and

WHEREAS, the City Commission for the City of Saint Augustine finds that it is in the best interest of public health, safety and general welfare that the following amendments be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

SECTION 1. Chapter 28, Article IV and Division II. Chapter 28, Article IV and Division II of the Code of the City of St. Augustine is amended as follows: [Note: ~~striketrough~~ language deleted, underline language added]:

“ DIVISION 2. - OFF-STREET PARKING AND LOADING

Sec. 28-366. - In general.

All new and expanded uses and structures as well as all changes in use shall meet all requirements contained in this section for off-street parking and loading. Where fractional spaces result from parking space requirement calculations, the parking space required shall be the nearest whole number.

Off-street vehicle parking, including public parking facilities, must be designed, constructed and maintained in accordance with the requirements of this section as well as the goals, objectives, and policies of the City’s Comprehensive Plan and Mobility Plan.

Sec. 28-367. - Historic preservation districts requirements.

~~Uses and structures located in historic preservation districts 1, 2, 3 and 4 are not required to provide off-street parking and loading. Any parking facilities within these districts shall meet the specific requirements contained in this section. Parking facilities within historic preservation districts 1, 2 and 3 shall not exceed a maximum of twenty (20) spaces and shall not be located within twenty five (25) feet of another facility. All parking facilities shall have a fence or wall around the perimeter of the facility. Parking facilities located on the premises of a structure shall meet the height requirements for fences or walls established by the architectural guidelines for historic preservation as appropriate to the era of the structure. Parking facilities located off the premises shall meet the height requirements for pre-1821 construction. No parking garages shall be approved within historic preservation districts 1, 2 and 3, and any parking facility located on a corner lot shall be by exception only.~~

- (a) Parking exemption. Uses and structures located in historic preservation districts 1, 2, 3 and 4 are not required to provide off-street parking and loading.
- (b) Parking requirements. Any parking facilities within historic preservation districts 1, 2, 3 and 4 shall meet the specific requirements contained in this section.

- (c) Maximum spaces. Parking facilities within historic preservation districts 1, 2 and 3 shall not exceed a maximum of twenty (20) spaces and shall not be located within twenty-five (25) feet of another facility.
- (d) Multimodal facilities. Any parking facilities within historic preservation districts 1, 2, 3, and 4 shall provide multi-modal parking consistent with the requirements of Sec. 28-372.
- (e) Fence or walls. All parking facilities shall have a fence or wall around the perimeter of the facility. Parking facilities located on the premises of a structure shall meet the height requirements for fences or walls established by the architectural guidelines for historic preservation as appropriate to the era of the structure. Parking facilities located off the premises shall meet the height requirements for pre-1821 construction.
- (f) Parking garages. No parking garages shall be approved within historic preservation districts 1, 2, and 3.
- (g) Parking visibility. Any parking facility located on a corner lot shall be by exception only. All ingress and egress shall be designed and constructed to ensure pedestrian and bicycle safety. Access connections shall minimize vehicle conflicts, address adequate site visibility, and provide safe pedestrian and bicycle crossing.

Sec. 28-368. - Design standards.

- (a) Approval of plans and specifications. No permits shall be issued for any parking facility until the plans and specifications, including required landscaping, materials and storm drainage, have been submitted to and approved by the planning and building department and the ~~engineering division~~ public works/utilities department(s). These plans and specifications shall include proper drainage and retention, surface materials, curbing and screening as required, clearly marked and dimensioned, with handicap and other special use spaces designated. All entrances, exits and aisles shall be dimensioned, with the traffic pattern indicated.
- (b) Drainage. Off-street parking and loading facilities shall meet city requirements for stormwater retention and drainage to prevent damage to abutting property, the public right-of-way and the adjacent environment. All such facilities shall be paved with erosion-resistant materials in accordance with city specifications. These specifications may include alternative surfaces, pervious surfaces, drainage and retention systems that are sustainably designed according to best management practices and City policy. Drainage from parking facilities into the city drainage system (either overground or direct underground) shall require the approval of the ~~engineering division~~ public works/utilities department(s).
- (c) Lighting. Adequate lighting shall be provided if an off-street parking or loading facility is to be used at night. Such lighting shall be provided to ~~insure~~ ensure user safety and security. Lighting shall be designed and installed to minimize light pollution on adjacent property and streets. No source of illumination shall be directed into the windows of any residential building.

- (d) *Landscaping.* Landscaping requirements for parking facilities shall be as required by Chapter 25.
- (e) *Separation from walkways and streets.* Off-street parking and loading facilities shall be separated from walkways, sidewalks, streets or alleys by a wall, fence, curbing, bollards, landscaping or other approved protective device. Such protective devices shall not impair the visibility of pedestrians, bicycles, or vehicles at ~~entrances and exits~~ access connections.
- ~~(f) *Entrances and exits.* The location and design of entrances and exits shall be in accordance with city specifications. The number of curb cuts shall be the minimum required to allow free and safe use of the facility without impairing traffic flow along the street. The use of shared or common curb cuts is encouraged where practical. Trees and appropriate landscaping may be used to define entrances and exits. Landscaping, curbing or other protective devices may be provided to control access and to separate pedestrian and vehicular traffic.~~
- (f) *Access connections.* The location and design of ingress and egress shall be in accordance with city specifications. The number of curb cuts shall be the minimum required to allow free and safe use of the facility without impacting pedestrian and bicycle safety and impairing traffic flow along the street. Trees and appropriate landscaping may be used to define ingress and egress. Landscaping, curbing or other protective devices may be provided to control access and to separate pedestrian and vehicular traffic. Access connections should be designed with the highest priority given to the pedestrian.
- (g) *Shared and cross-access.* Access shall be taken from a shared or common curb cut access connection where such an opportunity exists. Multiple uses on a parcel shall share all access connections, unless otherwise prohibited by a development order condition. ~~Where access connections are less than 75 feet from an adjacent parcel, access easements to the property boundary shall be provided to allow for shared access and cross access. Where a parking lot drive aisle terminates adjacent to a property boundary, a stub out or easement shall be provided to the property boundary to allow for cross access.~~ The city may require shared or cross-access easements to facilitate internal circulation and circulation between adjacent developments to reduce impedance to pedestrian, bicycle, and vehicle mobility along adjacent rights-of-way.
- ~~(g)~~ (h) *Interior driving aisles and maneuverability.* The minimum width of interior driving aisles and maneuverability space within parking facilities shall be related to the angle of the parking spaces and the use of one-way or two-way traffic as follows:

Parking Space Angle in Degrees	One-Way Traffic Aisle Width/Maneuverability Space in Feet	Two-Way Traffic Aisle Width/Maneuverability Space in Feet
0 (Parallel)	13	24
30	13	24

45	13	24
60	18	24
90	24	24
<u>Drive aisles with no parking immediately adjacent</u>	<u>10</u>	<u>20</u>

~~(h)~~ (i) Existing site constraints. For parking facilities to be used in conjunction with existing structures containing physical constraints, such as trees or buildings, making it impractical to provide entrances, exits and interior aisles in accordance with subsections ~~(f) and (g)~~ (f), (g), and (h) hereof, the city planning and building manager ~~may grant a variance from such requirements; provided, however, no variance shall be given by the planning and building manager to the required parking space requirements or required interior maneuverability space.~~ director may grant relief from such requirements.

The city also recognizes that due to the unique layout and design of the existing commercially zoned areas of the city that the parking requirements of this section may not be able to be met based on the existing development or nonconforming lots. When the layout, design, deed restriction or unique condition of an existing lot or building in the existing commercially zoned areas of the city creates a hardship which affects the ability to meet the required number of parking spaces, the following may be allowed:

- a. The number of required spaces may be reduced by the variance process outlined in the land development code.
- b. A reduction of up to 50 percent for required parking spaces may be applied to changes of use or re-model projects to existing buildings within the existing commercially zoned areas of the city; provided that the site plan includes proposed bicycle and/or motorcycle parking for the equivalent of the reduced number of parking spaces, and provided that the proposed site plan includes meeting the current requirements of the landscaping code of the City of St. Augustine. This reduction will not apply to new construction in the existing commercially zoned areas.
- c. New construction in the existing commercially zoned areas of the city may have the number of required parking spaces reduced by up to 25 percent if the lot is considered a nonconforming lot; provided that the site plan includes proposed bicycle and/or motorcycle parking for the equivalent of the reduced number of parking spaces and provided that the proposed site plan includes meeting the current requirements of the landscaping code of the City of St. Augustine.

(j) *Valet Parking.* Off-street parking with a valet service or operator, which allows for attendants to receive, park and deliver the automobiles of occupants, tenants, customers, invitees, and visitors, including tandem parking, may be utilized in lieu of the requirements of this code provided the following requirements are complied with:

- (1) *Agreement.* Any required valet or tandem parking utilized in lieu of the parking requirements set forth in this code shall be governed by an agreement with the City (in such form as may be approved by the City Attorney) and recorded with the St Johns County Clerk of Circuit Court. The agreement shall constitute a covenant running with the land binding upon the owners, heirs, administrators, successors, and assigns. The agreement may be released by the City at such time that site plan approval is obtained for an alternative parking arrangement which satisfies the parking requirements for said use or a fee-in-lieu payment is made to the City.
- (2) *On-site parking management.* A parking professional shall be available for the vehicle retrieval during business hours.
- (3) *Parking space dimensions.* The dimensions for valet and tandem parking spaces shall be a minimum of eight (8) feet wide by sixteen (16) feet deep with a maximum stacking of two vehicles along a one-way drive aisle of twelve (12) feet and a two-way drive-aisle of twenty-four (24) feet.
- (4) *Accessible parking.* Valet parking may be utilized to conform with the number of accessible parking spaces provided that:
 - a. At least two handicapped accessible spaces are provided adjacent to the vehicle queuing area for those vehicles which cannot be operated by the parking professional; and,
 - b. The person's vehicle may be safely operated by aforementioned on-site parking management.
- (5) *Queue.* The required queue is to be provided on private property as opposed to public rights-of-way. The valet drop-off/queuing area must be provided with a minimum length of 100 feet. Greater queuing area may be required as a condition of site plan or use by exception approval based upon the intensity of the use and location. The length of the queuing area may be reduced when supported by a queuing analysis and where potential queue back up would not impact an arterial, collector or entry corridor. Any queuing analysis shall be based on a methodology agreeable to and is subject to approval by the City.

Sec. 28-369. - Compact Parking space standards.

~~A compact parking space shall be at least eight (8) feet wide by eighteen (18) feet in length. All compact spaces shall be indicated by signs. A maximum of twenty-five (25) percent of required parking spaces may be compact spaces.~~

- (a) A standard parking space shall be at least nine and one half (9 ½) feet wide by nineteen (19) feet in length.

- (b) A compact parking space shall be at least eight (8) feet wide by eighteen (18) feet in length. All compact spaces shall be indicated by signs. A maximum of fifty (50) percent of required parking spaces may be compact spaces.
- (c) Parking garage space shall be at least nine (9) feet by nineteen (19) feet. When the front of the vehicle is adjacent to a wall, wire or fixed barricade, or mechanical system, the minimum length shall be twenty (20) feet, plus any additional space for protective barricades. Where a wall, structural support, mechanical system, or other fixed object or object that limits site visibility, or where adjacent to a pedestrian access, spaces shall be a minimum of ten (10) feet wide.
- (d) Bicycle racks and weather protected storage units shall be designed, constructed, and maintained to include provisions for the secure storage and locking of bicycles on a hard surface at least seven (7) feet in length. Fixed objects which are intended to serve as bicycle parking facilities shall be clearly labeled as available for bicycle parking.
 - a. A bicycle rack shall mean a fixed object clearly labeled as to secure at least two (2) bicycles.
 - b. A weather protected bicycle storage unit shall mean bicycle parking that is easily accessible to residents, visitors, customers, and employees and covered to protect bicycles from rain and other types of weather.
- (e) Motorcycle spaces shall be a minimum of three (3) feet in width and at least ten (10) feet in length. Concrete, erosion resistant material, or other material that will not be damaged by the motorcycle kickstands is required for the motorcycle parking spaces. Motorcycle parking shall be labeled as such.

Sec. 28-370. - Handicap parking space standards.

Handicap parking spaces shall conform to the standards of the most recently adopted Florida Building Code.

Sec. 28-371. - Location.

- (a) A required off-street parking and loading facility shall be located on the same lot or parcel of land it is intended to serve. However, an off-street parking and loading facility within ~~four hundred (400) feet~~ one thousand three hundred and twenty (1,320) feet, or one quarter mile, of the premises may be allowed as a permitted use by exception.
- (b) The planning and zoning board may grant ~~an exception~~ a permitted use by exception within one thousand three hundred and twenty (1,320) feet, or one quarter mile, when practical difficulties prevent the placing of all or part of the facility on the premises they are designated to serve. The board shall review the proposal for impact upon pedestrian and

vehicular traffic patterns and user safety, impact upon surrounding properties from noise, glare, light pollution, visual quality, nuisance and traffic generation. Exceptions reviewed by the planning and zoning board shall include provisions that promote the City's Mobility Plan. Such provisions may include, but are not limited to, on-site bicycle racks, motorcycle parking, and/or a drop off valet service.

- (c) The planning and building department director, or designee, may permit off-site parking within four hundred (400) feet when such parking facilities provide the number of spaces required for all uses or structures or meet the requirements of Sec. 28-373. – Required off-street parking.

Sec. 28-372. – Joint use of parking facilities.

~~Nothing in this chapter shall be construed to prevent the joint contractual use of off-street parking facilities by two (2) or more structures or uses when such facilities provide the number of spaces required for all uses or structures.~~

Sec. 28-372. – Off-street parking provisions for neighborhood development.

- (a) Intent. The purpose of this section is to reduce automobile parking demand, support the use of multi-modal forms of transportation, encourage redevelopment, preservation of existing buildings, reduce construction costs, and increase the efficiency of taxable land within the City of St. Augustine.
- (b) Parking Space Requirements. For all uses within these specific neighborhood development areas, except for lodging and residential uses, the provision of off-street automobile parking spaces will not be required. Vacation rentals must still comply with Sec. 28-151. – Parking.
- (c) Locations and Land Use Requirements. Development which is exempt from providing off-street parking must (1) take place on a property that has a Commercial Low or Commercial Medium Future Land Use designation and (2) be located directly adjacent to the following avenues, streets, and lanes:
- ~~(1) Uptown San Marco Commercial District~~
 - ~~i. San Marco Avenue between W San Carlos Avenue and W Castillo Drive.~~
 - ~~(2) (1) East King Street Commercial District~~
 - ~~i. E King Street between the San Sebastian River and Granada Street.~~
 - ~~(3) (2) West City Commercial District~~
 - ~~i. W King Street between the western most limits of the City of St. Augustine and the San Sebastian River.~~
 - ~~ii. Pellicer Lane between W King Street and Davis Street.~~
 - ~~iii. Palmer Street between W King Street and Evergreen Avenue.~~
 - ~~(4) (3) North Lincolnville Commercial District~~
 - ~~i. Washington Street between Bridge Street and De Haven Street.~~
- (4) There are other areas of the city that may be considered for this neighborhood development parking exemption in the future. These areas are not exempt from parking requirements until a residential parking program, residential parking management plan

or other parking provision option consistent with the Mobility Plan is adopted by resolution of the City Commission.

(5)When residential parking programs or parking management programs are established and/or parking is provided by another option consistent with the Mobility Plan and adopted by resolution the neighborhood development parking exemption for these areas is established for the commercial corridors outlined below.

i. The Uptown San Marco Commercial District including San Marco Avenue between W San Carlos Avenue and W Castillo Drive.

ii. The Anastasia Boulevard Commercial Corridor District from the east end of the Bridge of Lions to Comares Avenue.

(d) Minimum Bicycle Parking Requirements.

	<u>Required Number of Bicycle Racks</u>	<u>Required Number of Bicycle Storage Units (Weather Protected)</u>
<u>Residential/Lodging</u>	<u>1 for every twenty units / 1 minimum</u>	<u>1 for each dwelling unit</u>
<u>Civic</u>	<u>1 for every 10,000 square feet of gross floor area / 1 minimum</u>	<u>1 for every 10,000 square feet of gross floor area / 2 minimum</u>
<u>Commercial</u>	<u>1 for every 5,000 square feet of gross floor area / 1 minimum</u>	<u>1 for every 5,000 square feet of gross floor area / 2 minimum</u>
<u>Industrial</u>	<u>1 for every 20,000 square feet of gross floor area / 1 minimum</u>	<u>1 for every 5,000 square feet of gross floor area / 2 minimum</u>

Sec. 28-373. - Required off-street parking.

- (a) *Intent.* The purpose of this section is to ~~insure~~ ensure the reasonable provision of off-street, on-site parking facilities. Any use not listed shall provide off-street parking facilities as required of the use listed which is most closely related to it, as determined by the planning and building department.
- (b) *Continuation required.* Off-street parking or loading facilities shall be maintained and continued as long as the main use continues.
- (1) *Repair.* Conforming buildings and uses existing at the time of adoption of this chapter (June 27, 1988) may be modernized, altered and/or repaired without providing additional facilities, providing there is no increase in area or capacity.
- (2) *Enlargement.* When a building or use existing at the time of adoption of this chapter is enlarged or increased in area or capacity by adding floor area, volume or seats,

off-street parking and loading as required by this chapter shall be provided for the additional floor area, volume, capacity or seats so created or used.

- (3) *Change in use.* When the use of a building or portion thereof changes and results in an increase in person travel demand above the existing use of the property, the new use shall meet the off-street parking requirements of this section.

~~(e) *Required parking San Marco Avenue Design Standards.* Developments within the San Marco Avenue Design Standards entranceway corridor area, utilizing the residential typology development option, shall receive a twenty-five (25) percent reduction for the total calculated required parking based on (d) Minimum spaces required in order to maintain the appearance of a residential in nature front yard consistent with the intent of the design standards.~~

(c) *Required parking and Design Standards:*

- a. San Marco Avenue Design Standards. Developments within the San Marco Avenue Design Standards entranceway corridor area, utilizing the residential typology development option, shall receive a twenty-five (25) percent reduction for the total calculated required parking based on (d) Minimum spaces required in order to maintain the appearance of a residential in nature front yard consistent with the intent of the design standards.
- b. King Street Design Standards. Developments adjacent to King Street (East and West), Masters Drive and S. Dixie Highway, utilizing the residential typology development option, shall receive a twenty-five (25) percent reduction for the total calculated required parking based on (d) Minimum spaces required in order to maintain the appearance of a residential in nature front yard consistent with the intent of the design standards.

(d) *Minimum spaces required:*

	Use	1 Space Per Gross Floor Area (Sq. Ft.)	1 Space Per Rates Patron Capacity	Units, Seats, Rooms, Spaces	Special Requirements
(1)	Amusement/recreation				
	Skating rink	300			
	Indoor recreation		4 patrons or seats		
	Bowling			3 per lane	
	Miniature golf			2 per hole	
	Outdoor recreation		4 patrons or seats		
	Outdoor pool				1 per 75 ft. water area
	Racquet courts				3 per court
(2)	Art gallery, library and museum	400			

(3)	Auditorium			4 seats	
(4)	Auto, boat, equipment sales, rentals	300 <u>500</u> (buildings)			
(5)	Banks and financial institutions	300		3 per automatic teller machine	
(6)	Barber/hair salon				3 spaces per operator or chair
(7)	Bar, lounge, tavern, nightclub		3 patrons or seats		
(8)	Boarding and rooming houses, and hostels			1 per bed	and 2 per resident manager
(9)	Bus/transportation depot	300			
(10)	Church/funeral home			4 seats	(for churches based on largest group assembly room)
(11)	Community center	250 <u>500</u>			
(12)	Clinic	<u>400</u>			5 per doctor/ dentist
(13)	Clubs, lodges	250			(includes outside assembly/recreation)
(14)	Convention center	200			
(15)	Daycare, child care facility				1 per employee
(16)	Furniture, clothing, appliance store	500			
(17)	Garage, repair			3 per bay	
(18)	Gym, spa	200			
(19)	Hospital			1.5 per 3 beds	plus as required for accessory uses
(20)	Hotel/motel/inn		3 (for meeting or banquet rooms) and	4 (for meeting or banquet rooms) and 1 per room	75% as required for accessory uses
(21)	Industrial manufacturing	1,000 devoted to manufacturing, shipping or receiving			and 1 per stored company vehicle and as required for office use
(22)	Shopping center	300 <u>500</u> (nonstorage area)			
(23)	Marina			<u>See Note #1 below</u>	and as required for accessory uses
(24)	Mobile home			2 per unit	
(25)	Multifamily residential/apartments				

	1 bedroom			1.5 <u>1</u> per unit	
	2 bedrooms			2 <u>1.5</u> per unit	
	3 or more bedrooms			2.25 <u>2</u> per unit	
(26)	Office use medical/dental	400			3 per doctor
	Veterinary	400			3 per doctor
	Professional/business office	400			
	Real estate, property rental/management, employment office	300-400			
(27)	Restaurant	75 <u>100</u> patron area (nonfixed seating)	or 4 patrons (fixed seating)		and 1 per 200 sq. ft. nonpatron area
(28)	Restaurant, fast food or drive-through, coffee shop or café	75 <u>100</u> patron area (nonfixed seating)	or 3 patrons (fixed seating)		and 1 per 100 <u>200</u> sq. ft. nonpatron area
(29)	Schools				
	Elementary			2 per classroom, office and kitchen	
	Jr. high/high			2 per classroom, office and kitchen	and 1 per 6 auditorium or gym seats
	College/university/technical or vocational school		2 for every 3 employees, and 1 for every 5 students not residing on campus	1 per classroom, and 1 per 4 students at average capacity class attendance	and 10% as required for accessory uses including libraries, book stores, athletic facilities and cafeterias or restaurants
(30)	Single-family/duplex			2 per unit	
(31)	Recreational vehicle park/campground			1 per space	and as required for office use
(32)	Nursing home			1 per 6 beds	and 1 per employee
(33)	Retirement home/adult congregate living facility		2 patrons	or 1 per bedroom	
(34)	Service station	200 (buildings)			
(35)	Wholesale distribution	1,500			and as required for office

(36)	Warehouse storage	2,000			and as required for office
(37)	Mini-warehouse and self-storage facility			1 per 10 storage units	2 per office plus 2 per caretaker's unit
(38)	Convenience store	100 <u>200</u>			
(39)	Theatre		4 seats		
(40)	Grocery/supermarket	200 <u>300</u>			
(41)	Business, commercial, or service establishments	300 <u>500</u>			
(42)	Outdoor market	100 <u>300</u> (sale/display area)			
(43)	Public service				1 per employee plus 1 per stored company vehicle
(44)	Winery	450			
(45)	Winery with restaurant				
	a. Winery area	450			
	b. Restaurant area				
	1. Patron area	75 <u>100</u>	or 4 patrons or seats		
	2. Non-patron area (kitchen, etc.)	100			
(46)	Bed and breakfast			1 per room	2 for owner/resident manager
(47)	College dormitory			1 per bed <u>2 per 3 residential students</u>	and 10% as required for accessory uses provided as part of the dormitory
(48)	Special event venue			See Note #2 below	

Note: (1) Marina parking requirement: 1 per 2 4 newly constructed wet boat slips, excluding those used for charter boats, plus 1 per 10 dry boat storage spaces. Wet slips used for charter boats (including those for fishing, shelling, diving, and sightseeing purposes) are computed at 1 per 3 boat passengers based on the maximum number of passengers, and charter boats used for dining are computed at 1 per 2 boat passengers based on the maximum number of passengers. Each parking space provided to meet the marina's boat slip or dry storage parking requirements may also be credited towards meeting 100 square feet of the parking requirements for the marina or permitted marina-related activities, excluding restaurants, lounges/bars and private clubs. Uses not receiving credit from parking provided for boat slips or dry storage spaces shall provide parking at the normal rate for those uses as required within this Code.

Note: (2) Special Event Venue: One (1) parking space per four (4) seats, except for special event venue space in hotels and motels as below, and If the special event venue is an accessory or ancillary use to a hotel or motel one (1) parking space per two hundred (200) square feet of special event venue space, and One (1) parking space per two hundred (200) square feet for designated special event venue outdoor standing patron areas and if accessory or ancillary to other uses (other than hotel and motel requirements above) 75% of calculated required parking for the special event venue use shall be provided on-site in addition to other required parking.

- (e) Parking management. To encourage a park once environment and encourage the use of multimodal transportation, this division includes provisions for shared parking, mobility hubs, fee-in-lieu of programs and introduction of new parking technologies to reduce the number of off-street parking spaces.
- (f) Shared Parking. Nothing in this chapter shall be construed to prevent the shared contractual use of off-street parking facilities by two (2) or more structures or uses subject to the conditions below:
- (1) With shared entrances, exits, driveways, and/or drive aisles that meet requirements based on an analysis submitted by the applicant, or
 - (2) Are located within four hundred (400) feet of each other on the same property or directly adjacent to the property to function as one (1) common development area.
 - (3) If the above criteria are met the total number of parking spaces may be reduced up to twenty-five (25) percent.
 - (4) Parking requirements for shared uses shall be reviewed by city staff using the parking matrix below:

<u>Use</u>	<u>Weekday</u>			<u>Weekend</u>	
	<u>Night</u>	<u>Day</u>	<u>Evening</u>	<u>Day</u>	<u>Evening</u>
	<u>Midnight to 6:00 a.m.</u>	<u>6:00 a.m. to 6:00 p.m.</u>	<u>6:00 p.m. to Midnight.</u>	<u>9:00 a.m. to 4:00 p.m.</u>	<u>6:00 p.m. to Midnight.</u>
<u>Residential</u>	<u>90%</u>	<u>50%</u>	<u>90%</u>	<u>70%</u>	<u>90%</u>
<u>Office</u>	<u>5%</u>	<u>90%</u>	<u>10%</u>	<u>5%</u>	<u>5%</u>
<u>Commercial/Retail</u>	<u>5%</u>	<u>50%</u>	<u>80%</u>	<u>80%</u>	<u>70%</u>
<u>Hotel</u>	<u>80%</u>	<u>60%</u>	<u>90%</u>	<u>80%</u>	<u>90%</u>
<u>Restaurant</u>	<u>10%</u>	<u>50%</u>	<u>80%</u>	<u>50%</u>	<u>90%</u>
<u>Entertainment/Recreational (theatres, bowling alleys, etc.)</u>	<u>10%</u>	<u>40%</u>	<u>80%</u>	<u>80%</u>	<u>90%</u>
<u>Other</u>	<u>80%</u>	<u>90%</u>	<u>50%</u>	<u>70%</u>	<u>70%</u>

(g) In-Lieu of Parking Fees. Developments required to provide off-street parking shall have the option of providing spaces through payment to the City of an in-lieu parking fee. Payment of a fee in-lieu of required parking shall be pursuant to the following provisions:

- (1) Capital improvements program. Prior to allowing payment in-lieu of parking, the City shall include one or more specific projects from the city's Mobility Plan in the Capital Improvement Plan (CIP).
- (2) Authorization. The payment of an in-lieu of parking fee is authorized in the City as established by adoption of this ordinance updating the City of Saint Augustine's parking code on June 24, 2024. The fee adopted per required off-street parking space is \$25,000 per space.
- (3) (3) Parking facilities. To establish a payment of an in-lieu parking fee program requires the city maintain the collection of Mobility Fees as per Chapter 21 in the land development code in addition to the in-lieu parking fee program and maintain a Mobility Plan and subsequent annual update to the adopted CIP related to the provision of parking and alternative forms of transportation.
- (4) Parking off-set. Developments may elect to pay an in-lieu of parking fee for ~~all or a portion of required off-street parking~~ up to a maximum of 75% of the required off-street parking. The following uses shall be required to provide drop-off and pick-up areas or valet service for motor vehicles where the payment in-lieu of option is used for more than 10% of the required off-street parking:
 - a. Any use for overnight accommodations such as a hotel, motel or bed and breakfast shall provide space to accommodate at least two vehicles, plus one space per 50 rooms, for drop-off and pick-up. Any use that provides overnight accommodations where the parking facility entrance is more than four hundred (400) feet from the front entrance of the use, valet service shall be provided.
 - b. Any residential use shall provide space to accommodate at least two vehicles, plus one space per 50 units, for drop-off and pick-up.
 - c. Adequate queuing space shall be provided, and the City may require a traffic analysis, depending on the type of use and location, to demonstrate that adequate queuing space is provided.
 - d. The dimensions for drop-off and pick-up areas shall be the same as those for parking spaces and required type of drive-aisle access provided. The drop-off and pick-up areas may be provided on a drive-aisle, so long as there is a drive-aisle provided and required parking spaces are not blocked.
 - e. The Planning and Building director, or designee, is authorized to approve a ~~reduction a fee in-lieu payment in for total~~ required off-street parking spaces up to the lesser of five (5) spaces or ~~fifty (50) percent~~ 25% of the total required. Any amount above this provision requires approval from the Planning and Zoning Board in the form of a use by exception request.
- (5) Use of funds. All proceeds from such a fee shall fund the City of St. Augustine's Mobility Plan Projects to encourage accessible, energy efficient, sustainable and economically viable transportation options that meet the needs of residents, employers, employees and visitors through a variety of innovative methods that are sensitive to the environmental, historical, and cultural resources of the City of St. Augustine.
- (6) Fee Payment. For property owners opting to pay in full, or lessees of properties, payment of the in-lieu fee is due upon issuance of a building permit or equivalent.

- (7) Installment Payment. The in-lieu fee may also be paid in installments. Applicants for an in-lieu fee which is not paid in full at the time of permit issuance or equivalent, must enter into an In-Lieu of Parking Fee Agreement with the City prior to or upon issuance of a building permit or equivalent subject to the following:
- a. Such agreement shall be recorded in public records with the St. Johns County Clerk of Circuit Court;
 - b. The obligations imposed by such an In-Lieu of Parking Fee Agreement constitute a restrictive covenant upon a property, and shall bind successors, heirs and assigns. The restrictive covenant shall be released upon full payment of the in-lieu parking fees including attorneys' fees and costs;
 - c. In-Lieu of Parking Fee Agreements shall only be made between the City and the Owner(s) of the subject property;
 - d. If an In-Lieu of Parking Fee Agreement is entered into, installment payments shall be made over a period not to exceed five (5) years with payments made at least twice a year. The first installment shall be 25 percent of the total fee and is to be paid upon signing the agreement. Additional installments shall be based upon the total number of years of the installment agreement and the required number of annual payments; and
 - e. There shall be no interest due under this payment schedule for installment agreements of three (3) years in length or less. For installment agreements greater than three (3) years, the interest shall be based on the annual maximum percentage on bond payments made by the City, or 5%, annually, whichever is less.
- (8) Record of program utilization. The Director of the Planning and Building Department, or designee, shall maintain a record of the developments that utilize the in-lieu of parking fee program and the number of spaces allocated to the program for each programmed public parking facility.
- (9) Biennial fee review. The in-lieu of parking fee shall be reviewed at a minimum every two years and the fee adjusted as warranted.
- (h) Multimodal Parking Requirements. In addition to any off-street parking provided for vehicles the following requirements for multi-modal transportation must also be met.
- (1) Bicycle, scooter and micromobility device parking. One rack accommodating two bicycles, scooters, micromobility devices or some combination thereof shall be provided per the following:
 - a. One (1) rack for every ten (10) off-street parking spaces provided for non-residential uses.
 - b. One (1) rack per dwelling unit for multifamily uses with three or more dwelling units and one (1) rack per every ten (10) off-street parking spaces provided for visitors. In addition, for common area structures, such as a clubhouse, or per every ten (10) off-street parking spaces provided or one for every 1,000 sq. ft. of common area structure, whichever is greater.
 - (2) Additional bicycle, scooter, micromobility device or some combination thereof provided may be used to offset required vehicle parking at a rate of one for one, up to ten (10) percent of the total requirement.

(i) Motorcycle moped and motorized scooter parking. One space for the parking of a motorcycle, moped, motorized scooter or similar vehicle that requires license and registration by Florida Statute shall be provided for every 20 off-street parking spaces provided.

(j) Electric Vehicle Supply Equipment Requirements.

a. Definitions.

- i. Electric Vehicle or EV shall mean any vehicle that operates either partially or exclusively on electrical energy from an off-board source that is stored on-board for motive purpose.
- ii. Electric Vehicle Supply Equipment or EVSE shall mean a unit of fueling infrastructure that supplies electric energy for the recharging of electric vehicles and plug-in hybrid vehicles.
- iii. EVSE Space shall mean a parking space equipped with, at a minimum, Level 2 EVSE that is capable of charging electric vehicles.
- iv. EVSE-Ready Space shall mean a parking space with full circuitry installed in accordance with the Florida Building Code and ready for the charger to be connected.

b. EVSE Parking Requirements.

- i. Ten (10) percent of any commercial parking facility providing eleven (11) or more automobile parking spaces shall be an EVSE Space or EVSE-Ready Space.
OR
- ii. An EVSE Space or EVSE-Ready Space may count towards ½ of a space in the calculation for minimum parking spaces that are required.
- iii. For commercial parking facilities providing a number of automobile parking spaces higher than the minimum amount required for the use it serves twenty-five (25) percent of the excess automobile parking spaces shall be EVSE Spaces or EVSE-Ready Spaces.
- iv. A minimum of one (1) electric vehicle parking space must be located adjacent to a required accessible parking space such that the electric vehicle charging station can be shared between an accessible parking space and electric vehicle parking space. A minimum five (5) feet wide accessway must be provided by the accessible electric vehicle parking space if the accessway is not already provided as part of the planned accessible parking space.

c. Signage.

- i. Information shall be posted identifying voltage and amperage levels and any time of use, fees, or safety information related to the electric vehicle charging station.
- ii. Each electric vehicle charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. For purposes of this subsection, “charging” means that an electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging station equipment and is actively charging.
- iii. Restrictions shall be included on the signage, if removal provisions are to be enforced by the property owner pursuant to state statutes.

Sec. 28-374. - Off-street stacking requirements.

- (a) Whenever a structure or use requires the off-loading of passengers or allows for use without exiting the vehicle, stacking or off-loading lanes and spaces will be required on-site as follows:
- ~~(1) Drive-through uses. Three (3) stacking spaces per window.~~
 - ~~(2) Child care facilities. One (1) stacking space per eight (8) students up to a minimum of five (5) spaces.~~
 - ~~(3) Schools. One (1) stacking space per fifteen (15) students up to a maximum of ten (10) spaces.~~
 - ~~(4) Hotel/motel office. Two (2) stacking spaces.~~
 - ~~(5) Automatic/mechanical car wash. Three (3) stacking spaces per individual unit.~~
 - ~~(6) Hand car wash/auto detailing. Two (2) stacking spaces per individual unit or work station.~~
 - ~~(7) Dumpsters/trash receptacles. One (1) stacking space per dumpster or receptacle location, oriented to allow loading without requiring access or maneuvering through parking spaces.~~
- a. Fast food drive-thru. A methodology meeting is required to identify three (3) existing locations for the same fast-food use or equivalent and that the queue provided be the maximum of the three (3) sites, unless otherwise approved by the City's Planning and Building Department.
 - b. Car wash drive-thru. A methodology meeting is required to identify three (3) existing locations for the same car wash use or equivalent and that the queue provided be the maximum of the three (3) sites, unless otherwise approved by the City's Planning and Building Department.
 - c. Non car wash or fast-food drive-through uses. Three (3) stacking spaces per window.
 - d. Childcare facilities. One (1) stacking space per eight (8) students up to a maximum of five (5) spaces.
 - e. Schools. One (1) stacking space per fifteen (15) students up to a maximum of ten (10) spaces.
 - f. Hotel/motel office. Two (2) stacking spaces.
 - g. Automatic/mechanical car wash. Three (3) stacking spaces per individual unit.
 - h. Hand car wash/auto detailing. Two (2) stacking spaces per individual unit or workstation.
 - i. Dumpsters/trash receptacles. One (1) stacking space per dumpster or receptacle location, oriented to allow loading without requiring access or maneuvering through parking spaces.
- (b) A stacking space shall be a minimum of twelve (12) by twenty (20) feet and shall be located so as not to obstruct, endanger or interfere with either on-site or off-site access, maneuvering or traffic patterns. Stacking lanes shall be marked or separated to prevent use as access and to protect users while off-loading or waiting.

Sec. 28-375. - Off-street loading requirements.

Whenever a structure or use requires the loading or off-loading of supplies or materials, loading zones or spaces will be required on-site as follows:

- ~~(1)~~ (1) Multiple office building, motel, hotel, hospital, auditorium, theatre or similar use. One (1) space if aggregate floor area is over five thousand (5,000) square feet but not greater than forty thousand (40,000) square feet, plus one (1) space for each additional sixty thousand (60,000) square feet or major fraction thereof.
- ~~(2)~~ (2) Retail or service establishment, wholesale establishment, mini-warehouse and self-storage facilities, industrial uses and restaurant. One (1) space if the gross floor area is not greater than twenty thousand (20,000) square feet; two (2) spaces if the aggregate floor area is more than twenty thousand (20,000) square feet but not greater than sixty thousand (60,000) square feet; plus one (1) space for each additional sixty thousand (60,000) square feet or major fraction thereof.
- ~~(3)~~ (3) In no case shall the required off-street loading space be less than the following:
 - a. Auditoriums, theatres, hotels, motels, hospitals, industrial uses, warehouse uses, multiple office buildings or individual offices of greater than four thousand (4,000) square feet; retail stores, restaurants and all other commercial buildings shall have at least one (1) space.
 - b. Shopping centers or shopping plazas shall provide at least one (1) space for every two (2) stores or businesses located so as to service both locations.
- ~~(4)~~ (4) In no case shall the required off-street loading space be part of the area used to satisfy the off-street parking requirements of this chapter. The off-street loading space required for the uses mentioned in this section shall in all cases be on the same lot or parcel of land use as the structures or use it is intended to serve.
- ~~(5)~~ (5) A loading space shall be located so as to facilitate loading and off-loading and so as not to obstruct, endanger or interfere with either on-site or off-site access, maneuvering or traffic patterns. Loading spaces or loading zones shall be marked or located to prevent use as access or parking and to protect users while loading or off-loading.
- ~~(6)~~ (6) A loading space or loading zone may be located adjacent to a building to allow parallel parking when use of such space or zone is limited to fifteen (15) minutes or less, when this time limit is clearly indicated, and when other parking is prohibited.
- ~~(7)~~ (7) A loading space or loading zone shall be a minimum of twelve (12) feet by twenty-five (25) feet and shall be oriented so as to allow loading and off-loading without requiring access or maneuvering through parking spaces.
- ~~(8)~~ (8) A loading space or loading zone for ride share uses must be designed in a manner to ensure safety of pedestrians and convenience for users meaning they must be located

adjacent to a building or a sidewalk and must be consistent with Sec. 28-376. – Mobility hubs.

Sec. 28-376. – Mobility hubs.

- (a) Mobility hub. A new development, redevelopment, or change of use may propose the planning, design and construction of a mobility hub. Mobility hubs are intended to serve multimodal transportation and can include:
- (1) A covered, ADA accessible facility that is amenitized, lighted, provides for air circulation and connectivity to adjacent multimodal facilities and land uses;
 - (2) Designated drop-off and pick-up areas for ride-share, ride-hail, transit, trolley, and deliveries;
 - (3) Parking spaces for car share and low speed vehicles;
 - (4) Micromobility racks, corrals, charging or docking stations;
 - (5) Charging stations for electric vehicles and mobile devices;
 - (6) Sponsorship of the City’s micromobility program;
 - (7) If located in a Historic Preservation zoning district, the mobility hub facility shall meet historic district architectural requirements and be compatible with surrounding land uses;
 - (8) The City may consider allowing for the naming or branding of the facility after the development or an appropriate name. Any naming or signs shall conform to all requirements of the City code; and
 - (9) The size, scale, amenities, and any agreements with the City provided with the mobility hub shall be used to determine how many required parking spaces maybe off-set. The maximum off-set available would be 40% of the total required parking, subject to review by the Planning and Building Department director.

Secs. 28-376 – 28-399. – Reserved.

Secs. 28-377 – 28-399. - Reserved. “

SECTION 2. Amending Chapter 28, Section 28-347(3). Chapter 28, Section 28-347(3) of the Code of the City of St. Augustine is hereby amended as follows: [Note: ~~strikethrough~~ language deleted, underline language added]

Sec. 28-347. – Supplementary regulations for certain uses.

“ ...

- (3) Parking lots. Off-street parking lots shall be a permissible use by exception in all districts where such lots are ~~within four hundred (400) feet~~ one thousand three hundred and twenty (1,320) feet, or one quarter mile, of the premises requiring off-street parking; those within four hundred (400) feet can be approved by he Planning and Building

department director, or designee as per Sec. 28-371. such Parking lots in residential districts shall also conform to the following:

- a. A six-foot solid masonry wall or fence shall be erected along all property lines adjunct to residentially zoned property.
- b. No source of illumination for such lots shall be directly visible from any window in any residence in the residential district.
- c. There shall be no movement of any vehicles on such lots between the hours of 11:00 p.m. and 7:00 a.m.
- d. There shall be no sales or service activity of any kind on such lots.
- e. Vehicles prohibited from being parked in residential districts by section 28-336 shall not be permitted to be parked on such lot.
- f. All parking lots shall be paved with erosion-resistant material in accordance with city specifications (see division 2 of this article).

...”

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

SECTION 5. This ordinance shall be effective ten (10) days after passage, pursuant to s. 166.041(5), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this
_____ day of _____, 2024.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

Background Summary

Key points of Mobility Plan

Why did we need one? Since the 1980's car oriented

- 2013 state legislature encourages local governments to adopt alternative mobility plans – cars are not working

Look at different way(s) of managing traffic

Starting to see commuter train discussion all over the state

- 2018 the city started working on a mobility plan and updating the comprehensive plan and talking about encouraging walking, cycling and other ways of moving people and creating better choices

Freedom of choice and making moving around the city safer and more enjoyable for all modes of transportation

- 2020 city adopts new comp plan looking out to 2040, a mobility plan and mobility fees to help pay for improvements

The plan:

has 4 parts to it:

- Walking and bicycling plan
- Transit circulator plan – the city just implemented the STAR circulator around downtown which is the first of 5 different proposed routes
- Multimodal ways plan talking about peripheral parking garages, and upgrading streets to better accommodate safety and options for different types of travel
- Streets plan talking about upgrading to complete streets referencing quality of service

See attached graphics representing the adopted Mobility Plan and list of projects associated with the Mobility Plan

The overarching goal is to transition from moving cars towards a multimodal system focused on enhancing mobility choices encouraging walking, biking, riding a shuttle or circulator or other forms of transportation.

- 2020 Adopted an updated transportation and mobility element of the Comprehensive Plan
- May 2022 Adopted the mobility fee ordinance – close to \$900,000 in it specifically for improving sidewalks, pedestrian and bicycle improvements and other projects (See attached)

We don't want a plan to just sit on a shelf so

- January 2023, we started working with the Planning and Zoning Board to update the parking code section of the land development code – this is the code that is enforced on a daily basis if it is contrary to the adopted plans the status quo will not change, and traffic will get worse over time
- The adopted plans like the vision (2014), comp plan, mobility plan set the direction and keep us unique these efforts are what brought us to the parking code update
- Want people to come into the city not through the city, and want the streets and roads to function for the residents

Summary

Encourage pedestrian connections and upgrade existing conditions

Encourage bike connections and bike parking

Reduce parking requirements to eliminate excess pavement to promote highest and best use and move toward resiliency

Create attractive, active and safe streets

Key points of the PZB recommended parking code update

The city parking code has not been updated significantly since 1988.

The proposed update brings the parking code in line with the adopted 2020 Mobility Plan.

Specific Updates

1 - Update to overall design standards for parking lots (Pages 4-8)

- Adding reference to alternative surfaces to encourage more sustainable design especially related to best management practices for stormwater management.
- Encourage shared and cross connections to reduce traffic conflicts.
- Recognize existing site constraints to allow flexibility with site design.

2 - Add options to encourage creativity in the provision of parking (Pages 7, 8, 11)

- Encourage provision of parking for bicycle, motorcycle, and other forms of transportation besides cars
- Establish standards for Valet parking.
- Encourage design standards for San Marco Avenue and King Street and including Masters Drive and South Dixie Highway related to the conversion of residential structures to commercial uses by maintaining a front yard.
- Expand distance option for off-site parking (Also Page 23).

3 - Update required parking based on most recent International Transportation Engineers manual (ITE manual) (Pages 11-16)

- Update parking requirements for select uses to be more consistent with the current ITE manual.

4 - Introduce parking management concepts (Pages 16-20, 22)

- Shared parking – change standards to encourage truly shared parking.
- Parking fee-in-lieu – establish an option to pay a fee per required parking space that is not provided. Fee goes into Mobility fund.
- Multimodal parking requirements – establish requirements for parking other forms of transportation like bicycle, motorcycle, scooter and other devices.
- Mobility hubs – establish standards for on-site drop-off and pick-up areas.

5 - And add a new section for neighborhood development (Pages 9-10)

- Intent – to reduce parking demand, support other forms of transportation, encourage redevelopment, preservation of existing buildings, reduce construction costs, and increase the efficiency of taxable land.
- Must be commercially zoned, a commercial use and directly adjacent to the corridor(s).
- Proposed areas:
 1. Uptown San Marco between W Castillo Drive north to W San Carlos Avenue
 2. East King Street between Granada Street to the San Sebastian River
 3. West City - West King Street between the San Sebastian River to the western city limits, including Pellicer Lane to Davis Street and Palmer Street to Evergreen Avenue
 4. North Lincolnville – Washington Street between Bridge Street and De Haven Street
- No Parking requirements in these areas except the parking exemption does not apply to residential uses, short-term rental properties, and lodging uses.
- It must also have a Commercial Low or Commercial Medium land use designation.
- Proposed uses must provide bicycle racks according to certain square footage requirements outlined in the proposed code.

Note: this is development related, this is not automatic. It will only apply as properties propose new development or a change to the existing development on a property. All other development requirements apply, such as, but not limited to, building and fire codes, public works and utility review and fees, as well as any mobility fees applicable based on the proposed development.

Key points Summarized

Update design standards

Add flexibility

Update required parking based on most recent ITE manual

Introduce parking management concepts – shared parking, mobility hubs, fee-in-lieu, multimodal parking requirements

And add section for neighborhood development – intent, to encourage local commercial uses and businesses, must be commercially zoned, a commercial use and directly adjacent to the corridor – does not apply to residential and lodging uses

Mobility Plan and Land Use discussion excerpted from the 2024 Comprehensive Plan Transportation and Mobility Element Data and Analysis

“Mobility Plan

Since the City no longer intends to implement transportation concurrency and since it cannot widen roads to provide more capacity, the updated comprehensive plan seeks to eliminate segment specific roadway LOS standards and to not adopt areawide roadway LOS standards. The updated comprehensive plan includes a unique approach to evaluating the quality of service (QOS) on a street/road. This QOS is based upon the street/road speed limit. The design speed limit is one of the most important factors in determining the design of a street or road. The lower the speed limit, the greater the emphasis on the safe movement of people, whether they are walking, bicycling, or driving. For purposes of the proposed Goals, Objectives and Policies (GOPs), the quality of service standards will use posted speed limits which is more readily available data than original design speeds. The proposed street QOS are focused on making it safer to walk and bicycle, and they more appropriately reflect the function of different classifications of streets and roads, especially within the historic districts (for purposes of mobility, the historic districts have been included in an overall proposed multimodal district, See Figure 1).

For local streets and shared streets which emphasize walking and bicycling and provide direct access to homes and businesses, quality of service (QOS) standards will be set at either QOS of “A”, which would be equivalent to a posted speed limit of 15 MPH or less, or a QOS of “B”, which would be equivalent to a posted speed limit of 20 MPH. Collector streets, which connect local and shared streets to arterial roads, will be set at either QOS of “B”, which would be equivalent to a posted speed limit of 20 MPH, or a QOS of “C”, which would be equivalent to a posted speed limit of 25 MPH.

Arterial roads, which are focused on moving higher volumes of traffic and consist of roads maintained and owned by the Florida Department of Transportation (FDOT), will have either a QOS of “C”, “D” or “E”. Arterial roads within the historic downtown district would have a QOS standard of “C”. Arterial roads on the periphery of the multimodal district would have a QOS of “C” or a QOS standard of “D”, which would be equivalent to a posted speed limit of 30 MPH. Arterials outside of the multimodal district, which are intended to carry higher volumes of traffic and serve more through movements, would have either a QOS of “D” or a QOS standard of “E”, which would be equivalent to a posted speed limit of 35 MPH or greater. For arterial roads with a QOS Standard of “E”, design speeds are typically between 5 to 10 MPH above the posted speed limit.

Establishing QOS standards based on posted speed limits more accurately reflects the intended purpose of a street or road and the desired level of people walking and bicycling, along with access to adjacent land uses. The lower the speed, the greater the accessibility to adjacent land uses and an emphasis on safely walking and bicycling. The higher the speed limit, access to adjacent land uses becomes more restrictive, with a greater emphasis on the movement of vehicles. The proposed

QOS standards also more accurately reflect the speed of travel that motorists should expect to achieve during normal travel. Motorists should not expect to be able to achieve posted speed limits during peak hours or special events.

The following are the proposed street/road QOS standards based upon posted speed limit included in the Goals, Objectives and Policies (GOPs):

Table 3: Speed limit Quality of Service Standards

<u>Posted Speed Limit</u>	<u>Street and Road Quality of Service Standard</u>
15 MPH or less	<u>A</u>
20 MPH	<u>B</u>
25 MPH	<u>C</u>
30 MPH	<u>D</u>
35 MPH or greater	<u>E</u>

Source: City of St. Augustine, 2040 Mobility Plan, NUE Urban Concepts, 2019

The establishment of street and road QOS standards provides an opportunity for the City to implement street and road designs that can create safer conditions for people to walk and bicycle and allow for smaller lane widths, shared streets, Complete Streets and innovative designs to lower motor vehicle speeds. The QOS standards also allow for greater levels of neighborhood traffic calming to improve safety and potentially reduced cut through traffic. The following table provides the street and road QOS for major local, collectors and arterials within the City:

Table 4: Roadway Quality of Service Standards

Road	From	To	Posted Speed Limit	Street & Road QOS
King Street	City Limits	Palmer Street	25	C
King Street	Palmer Street	Ponce De Leon Blvd (US 1)	25	C
King Street	Ponce De Leon Blvd (US 1)	Riberia Street	25	C
King Street	Riberia Street	Cordova Street	25	C
King Street	Cordova Street	Avenida Menendez	25	C
Bridge of Lions (A1A)	Avenida Menendez	Dolphin Drive	30	D
Anastasia Blvd (A1A)	Dolphin Drive	Arredondo Avenue	30	D
Anastasia Blvd (A1A)	Arredondo Avenue	Comares Avenue	40	E
Anastasia Blvd (A1A)	Comares Avenue	SR 312	40	E
Dixie Hwy (US 1)	SR 312	SR 207	45	E

Ponce De Leon Blvd (US 1)	SR 207	Lewis Blvd	45	E
Ponce De Leon Blvd (US 1)	Lewis Blvd	King Street	35	E
Ponce De Leon Blvd (US 1)	King Street	Castillo Drive	35	E
Ponce De Leon Blvd (US 1)	Castillo Drive	May Street	40	E
Ponce De Leon Blvd (US 1)	May Street	SR 16	40	E
Ponce De Leon Blvd (US 1)	SR 16	San Marco Avenue	45	E
Ponce De Leon Blvd (US 1)	San Marco Avenue	Lewis Speedway	45	E
Avenida Menendez (A1A)	St. Francis Street	King St	20	B
Avenida Menendez (A1A)	King Street	Cuna Street	25	C
Castillo Drive (A1A)	Cuna Street	San Marco Avenue	25	C
Castillo Drive	San Marco Avenue	Ponce De Leon Blvd (US 1)	25	C
San Marco Avenue (A1A)	Castillo Drive	May Street	25	C
San Marco Avenue	May Street	Ponce De Leon Blvd (US 1)	30	D
Cordova Street	St. George Street	King Street	20	B
Cordova Street	King Street	Orange Street	20	B
Bridge Street	Cordova Street	Riberia Street	20	B
South Street	Marine Street	Riberia Street	20	B
Orange Street	Castillo Drive (A1A)	Ponce De Leon Blvd (US 1)	20	B
ML King Avenue	South Street	King Street	20	B
Riberia Street	South Street	King Street	25	C
Riberia Street	King Street	Orange Street	20	B
Riberia Street	Orange Street	Castillo Drive (A1A)	25	C
May Street (A1A)	San Marco Avenue (A1A)	Magnolia Avenue	30	D
May Street (A1A)	Magnolia Avenue	Coastal Highway (A1A)	40 / 45	E
SR 312	Dixie Hwy (US 1)	Matanzas River	45	E

SR 312	Matanzas River	Anastasia Blvd (A1A)	50	E
SR 16	Lewis Speedway	Ponce De Leon Blvd (US 1)	35	E
Picolata Drive	Ponce De Leon Blvd (US 1)	San Marco Avenue	35	E
Dixie Highway	SR 207	Pellicer Lane	25	C
Pellicer Lane	Dixie Highway	King Street	25	C
Palmer Street	King Street	Evergreen Avenue	25	C
Evergreen Avenue	Palmer Street	Masters Drive	25	C
Masters Drive	Evergreen Avenue	SR 16	25	C

Source: City of St. Augustine, 2040 Mobility Plan, NUE Urban Concepts, 2019

Florida Statute 163.3180 (5)(f)(5) identifies the establishment of multimodal service standards as part of an alternative to transportation concurrency. The proposed GOPs establish multimodal QOS standards for sidewalks, paths and trails that accommodate travel demand for people walking, jogging, running, skating, riding a bicycle, scooter or micromobility device based on the width of the facility and the type of physical separation from motor vehicle travel lanes. The proposed GOPs also establish multimodal QOS for bike lanes that accommodate travel demand for people skating, riding a bicycle, scooter, skateboard, or micromobility device based on the width of the facility and either the level of physical separation from motor vehicle travel lanes, the visibility of the facility or the posted speed limit. The proposed GOPs also establish multimodal QOS standards for transit based upon frequency of service. The service standards are only for roadways or corridors that feature transit service. The City proposes to achieve this goal through development of a mobility plan and a mobility fee.

Plan Projects

The mobility plan projects are intended to meet the growing demand for person travel between 2020 and 2040. While St. Augustine itself is growing as a City as illustrated by the projected population and employment growth provided in the Future Land Use Element data and analysis, the real demand is occurring from the growth of unincorporated St. Johns County and Northeast Florida in general. To evaluate future travel demand, the Northeast Regional Planning Model (NERPM) developed by the North Florida Transportation Planning Organization (TPO) 2040 Long Range Transportation Plan (LRTP) was evaluated. The NERPM model includes Baker, Clay, Duval, Nassau, Putnam, and St. Johns Counties. The analysis revealed that there is robust growth in vehicle and person travel demand within the City, the County, and Northeast Florida. The growth in vehicle and person travel demand in the City is influenced by both increases in development, as well as overall growth in St. Johns County. Vehicle miles of travel within St. Augustine is projected to increase by roughly 268,300, while person travel demand is projected to increase by roughly 496,360 between 2020 and 2040.

Table 5: Miles Travelled

Year	City of St. Augustine	City of St. Augustine to SR 313 Extension	St. Johns County	Northeast Florida
Vehicle Miles of Travel (VMT)				
2020	831,951	1,336,391	9,285,903	58,713,783
2040	1,100,251	2,052,333	14,609,704	78,011,647
Increase	268,301	715,942	5,323,801	19,297,864
Person Miles of Travel (PMT)				
2020	1,539,109	2,472,323	17,178,920	108,620,500
2040	2,035,465	3,796,817	27,027,952	144,321,546
Increase	496,356	1,324,494	9,848,032	35,701,046
Notes: The base year of the NERPM is 2010, the horizon year is 2040. The 2020 model volumes were derived from the base year and future year model volumes. The person miles of travel were derived by multiplying the VMT by a PMT factor of 1.85 based on data from the 2017 National Household Travel Survey (NHTS) for Florida. It should be noted, that the data provided in this analysis may be revised and refined for final inclusion in the mobility fee technical report.				

Source: NUE Urban Concepts, 2019

It should be noted that the current City of St. Augustine city limits varies. The model data used is based on all roads within the City, and those in which City limits crossed or the road segment ended at a logical terminus, such as including all of US 1 from SR 312 to King Street and all of SR 312 from SR 207 to Anastasia Blvd (A1A). The data was also evaluated out to the proposed SR 313 extension, as one primary purpose of the extension is to provide regional traffic with an alternative to driving through the City of St. Augustine. Extending out to SR 313 also included the rest of SR 312 from US 1 to SR 207, SR 207 from the SR 313 extension to US 1, SR 16 from the SR 313 extension to Lewis Speedway, and US 1 North from Lewis Speedway to the SR 313 extension north of St. Augustine.

The data illustrated a significant increase in VMT by extending the analysis out to SR 313 and illustrated the importance of the corridor in serving regional traffic. There is also induced demand that is likely occurring, essentially build it and they will come. While the SR 313 extension is not within the City of St. Augustine, it has been included on the 2040 Mobility Plan, Figure 2, in recognition that it will serve as a major component to moving vehicles and people. The projected increase in vehicle and person travel demand was used as a baseline to develop the projects for inclusion in the 2040 Mobility Plan.

Table 6: List of Potential Mobility Projects

I	Proi	Fro	T	Length	Project	Time
1	King Street	Avenida Menendez	N Rodriguez Street	1.45	Multimodal Way	2020-
2	Avenida Menendez	King Street	W Castillo Drive	0.60	Trail	2020-
3	Avenida Menendez	King Street	St. Francis Street	0.30	Trail	2020-
4	Vilano Causeway /	San Marco Avenue	Coastal Highway	1.85	Trail	2020-
5	North City Trail	S Castillo Dr (A1A)	May Street (A1A)	1.20	Trail	2020-
6	Bridge of Lions	Avenida Menendez	N St. Augustine Blvd	0.40	Trail	2020-

7	Cuna Street	Avenida Menendez	Charlotte Street	0.05	Shared Street	2020-
8	Cuna Street	Charlotte Street	Cordova Street	0.20	Shared Street	2020-
9	Hypolita Street	Avenida Menendez	Charlotte Street	0.05	Shared Street	2020-
1	Spanish Street	Cuna Street	Orange Street	0.15	Shared Street	2020-
1	Anastasia Blvd	Red Cox Rd	SR 312	1.46	Trail	2020-
1	North City Trail	May Street (A1A)	Rambla St	1.40	Trail	2020-
1	S Leonardi Street	King Street	South Dixie Highway	0.20	Shared Street	2020-
1	West Garage	Kings St --- SR 207 ---	US 1 Vicinity ---	n/a	Parking Garage	2020-
1	West Castillo Drive	San Marco Ave	North Ponce De Leon	0.31	Widen to four	2020-
1	Park & Ride	SR 312 @		n/a	Park & Ride	2020-
1	Multimodal	Anastasia Blvd @ Red Cox Road		n/a	Improve	2020-
1	Water Taxi Docks	Various locations ---	subject to	n/a	Water Taxi Docks	2020-
1	Bike Share	Citywide		n/a	Bicycle Share	2020-
2	Multimodal	Citywide		n/a	Wayfinding Plan	2020-
2	High Visibility	Citywide		n/a	Crosswalks	2020-
2	Intersection	Citywide		n/a	Turn lanes and	2020-
2	Parking	Citywide		n/a	Dynamic Parking	2020-
2	Sidewalk	Citywide		n/a	Improving	2020-
2	Safety	Citywide		n/a	Intersection	2020-
2	Transit / Trolley	Connecting existing and future parking		n/a	Proposed transit /	2020-
2	Multimodal	May Road @ Magnolia Blvd		n/a	Improve	2025-
2	Anastasia Blvd	N St. Augustine	Comares Avenue	0.68	Multimodal Way	2025-
2	Anastasia Blvd	Comares Avenue	Red Cox Road	0.72	Multimodal Way	2025-
3	Cathedral Place	Avenida Menendez	Cordova Street	0.20	Shared Street	2025-
3	Charlotte Street	King Street	S Castillo Dr	0.27	Shared Street	2025-
3	Cordova Street	King Street	Orange Street / Clock	0.40	Complete Street	2025-
3	North Ponce De	King Street	Charles Usinas	1.95	Protected Bike	2025-
3	Orange Street	Avenida Menendez	North Ponce De Leon	0.45	Complete Street	2025-
3	Carrera Street	Cordova Street	North Ponce De Leon	0.40	Complete Street	2025-
3	Granada Street	King Street	Bridge Street	0.20	Complete Street	2025-
3	Cordova Street	King Street	St. Francis Street	0.32	Complete Street	2025-
3	Cordova Street	St. Francis Street	St. George Street	0.25	Shared Street	2025-
3	St. George Street	Cordova Street	South Street	0.10	Shared Street	2025-
4	St. Francis Street	Avenida Menendez	Cordova Street	0.20	Shared Street	2025-
4	San Sebastian	King St	Ice Plant Road	1.15	Riverwalk	2025-
4	South Dixie	King St	SR 207	0.75	Complete Street	2025-
4	Anastasia Blvd	Red Cox Rd	SR 312	1.46	Protected Bike	2025-
4	South Garage	South of SR 207 ---	Ice Plant Road & US 1	n/a	Parking Garage	2025-
4	San Macro Avenue	W Castillo Drive	May Street (A1A)	0.75	Multimodal Way	2025-
4	San Macro Avenue	May Street (A1A)	SR 16	0.55	Multimodal Way	2025-
4	San Marco Avenue	SR 16	Rambla Street	0.61	Multimodal Way	2025-
4	ML King Ave	King Street	South Street	0.70	Complete Street	2030-
4	Bridge Street	Avenida Menendez	Riberia Street	0.54	Complete Street	2030-
5	North Ponce De	Charles Usinas	San Sebastian View	1.15	Protected Bike	2030-
5	East Garage	Anastasia Blvd ---	Comares Avenue --- Red	n/a	Parking Garage	2030-
5	Old Moultrie Road	SR 207	SR 312	0.95	Complete Street	2035-
5	Masters Drive /	SR 16	King St	1.75	Complete Street	2035-
5	North Garage	Florida East Coast		n/a	Parking Garage	2035-
5	Dixie Highway (US	San Sebastian View	Lewis Sneedway	0.65	Protected Bike	2035-
5	SR 312	Anastasia Blvd	Matanzas River	1.50	Protected Bike	2035-
5	San Sebastian	Ice Plant Road	Matanzas River	1.25	Riverwalk	2035-
5	Regional Rail	Future regional rail service along existing		6	Regional Rail	2035-
5	North San	Charles Usinas	North Ponce De Leon	0.75	New Multimodal	2040
6	SR 312	Set Tutton Drive	Lakeside Ave	0.75	Limited Access	2040
6	Aerial Tramway	East Parking Garage	West Parking Garage	2.0	Aerial Tramway	2040

Source: City of St. Augustine, NUE Urban Concepts, 2019

The proposed policies in the Goals, Objectives and Policies provide guidance for the development of the mobility plan, as well as future updates. The policies also include requirements to coordinate road and utility work, as well as the review of developments, with the projects identified in the 2040 Mobility Plan. This will provide the City with opportunities to combine projects to potentially advance construction. For example, where utility upgrades are proposed on a street identified as a shared street, the City could coordinate the project to address both the utility upgrade and the construction of a shared street. The City has had success with this approach and the proposed policies require that this coordination is required in the Comprehensive Plan. Policies also include requirements to account for sea level rise and climate change in the development of mobility plan projects and coordinate with Safe Routes to Schools to identify opportunities to improve safety for students. Proposed policies also establish the foundation for the adoption of a mobility fee intended to replace transportation concurrency and provide the City with a funding source for the projects identified in the 2040 Mobility Plan.

As a major tourist destination, St. Augustine also experiences a significant increase in congestion during peak seasons and for special events. Further, the City functions as the downtown for St. Johns County, with its unique cultural and culinary offerings and boutiques. The City itself has seen steady population and employment growth and is projected to continue to experience steady growth. Meanwhile, St. Johns County continues to be one of the fastest growing Counties in Florida and the United States. City residents can take short trips down local streets, walk, or bike, most of the residents of unincorporated St. Johns County travel to the City by car on the major state roads. Combined with tourist travel demand, travel from unincorporated residents in St. Johns County results in increased congestion.

The ability to add road capacity within the multimodal district is limited, without significant impacts. Thus, the 2040 Mobility Plan also includes a parking component that seeks to eventually divert trips into the City where visits are expected to exceed two or three hours from on-street parking and surface parking lots to parking garages located on the periphery of the multimodal district (Figure 3).

The effective management of parking demand is a major component of the 2040 Mobility Plan and the proposed amendments to the Transportation and Mobility Element (TME). This is specifically reflected in the proposed Goals, Objectives and Policies.

The Mobility Plan proposes to establish a park once environment within the City's historic downtown, districts and neighborhoods, collectively referred to as the multimodal district as part of the Mobility Plan and TME. A park once environment consists of directing County residents, visitors, students, and employees parking for more than two or three hours to use the existing Historic Parking Garage, and eventually to use future parking garages or lots located on the periphery of the multimodal district. The parking garages are intended to provide a variety of mobility options to access destinations within the multimodal district. The existing Comprehensive Plan does not currently contain policies related to parking, other than some general design guidance for off-street parking to be included in the land development regulations.

Currently, on-street parking is cheaper than parking in the Historic Parking Garage and offers parking up to four hours in length. The TME includes policies to have the City develop innovative parking management strategies, as a follow-on effort, after adoption of the Mobility Plan and TME. Strategies include increasing hourly parking rates and establishing variable pricing, based on demand, for on-street and off-street surface parking lots. Additional strategies include limiting the length of using on-street parking and off-street surface parking lots. Some spaces would be limited to thirty (30) minutes to promote high turnover and access to local business. Others may be limited to one (1) hour or two (2) hours in high demand areas with a higher concentration of restaurants or shops where visits exceed 30 minutes, but are less than two (2) hours. This would result in employees, students, and visitors that intend to stay in the multimodal district longer than two to three hours parking at the Historic Parking Garage initially and eventually in peripheral parking garages. The mobility plan envisions micromobility and microtransit technology such as electric bikes and autonomous transit vehicles eventually being included as part of the multimodal aspect of the Mobility Plan.

Parking management strategies will also include providing variable message signs at the major gateways to the City that direct visitors to parking garages and provide real time information on the availability and pricing of on-street and off-street surface parking within the multimodal district. While County residents may know that there is parking available, including private lots, the variable message signs have the potential to direct visitors to periphery parking locations. The City may also explore establishing a City resident parking permit plan that limits parking on residential streets to City residents only and could also include providing City residents discounted rates for on-street parking. Providing outreach to parking options for St Johns County residents who live outside the City, and who essentially think of St. Augustine as the Downtown for St. Johns County, is also a strategy that may be included in future parking management initiatives.

The Complete Street policies in the proposed policies go beyond just check box planning and engineering. Check box planning is essentially considering adding a five-foot sidewalk, a four-foot bike lane and maybe a transit stop as addressing the needs for people walking, bicycling, and accessing transit. The proposed policies consider the context for street improvements as well as existing and projected demand and stipulate that one-size fits all approach. The policies are intended to provide the City and other local governments some creative flexibility to expand the safety, connectivity and viability of the multimodal transportation system.

The proposed Complete Street policies also go beyond the standard approach by specifically addressing crossing streets and intersections. Most crashes and fatalities that occur involving people walking and bicycling happen at intersections and crossing streets, not mid-block, where most Complete Street design policies focus.

The safety of people walking and bicycling is the first component of TME Goal 2. Originally, the proposed policies included an objective and policies to implement a Vision Zero program. There was concern expressed over the use of the term Vision Zero. It was explained that the intent of Vision Zero is zero fatalities or serious injuries on the transportation system. Vision Zero has been extremely successful in European Countries. The implementation of Vision Zero in the U.S. has met with mixed results. To address the comments and feedback, the use of the term Vision Zero

was scaled back and further defined to entail reasonable attempts, but recognize limitations and cost, to achieving the vision of zero fatalities or serious injuries on the transportation system.

The proposed safety policies also address speed limits of local streets, City Streets and ideally County and State Roads. The policies seek to encourage speed limits that make it safer for people to walk and bicycle and access transit. Reduced speed limits allow for more flexibility with lane width and different approaches to traffic calming and improving overall safety of the transportation system users. The proposed policies also encourage coordination with other governmental entities to improve overall safety and to reduce crashes and fatalities.

The creation of a park once environment is a significant component of the 2040 Mobility Plan. In addition, the proposed GOPs seek to provide additional parking management strategies. The subsequent policies include direction to look at the allowance for shared parking for mixed-use development, a fee-in-lieu program to allow development to pay for off-site parking instead of providing on-site parking, more innovative designs in parking to reduce stormwater impact and to allow compact parking spaces, expansion of drop-off and pick-up areas to address new shared mobility services, and the establishment of dynamic on-street parking. The proposed GOPs also provide direction to further develop access management, cross-access and curbside management policies within the Land Development Regulations.

Curbside management and new mobility technology are becoming a significant component of the overall transportation system. Neither the current Comprehensive Plan or the Land Development Regulations address curbside management.

New mobility technology including ride share services, bicycle and scooter share programs will be a primary component towards moving people by means other than single occupant motor vehicles. Neither the current Comprehensive Plan or the Land Development Regulations address new mobility technology or new mobility technology providers.

Policies recognize the ability of the City to regulate and permit new mobility service providers and programs. The policies incorporate specific requirements that the City should address if it elects to regulate these new mobility technology providers. The policies also recognize the ability of the City to require that the new mobility technology providers pay fees to offset administrative cost and the impact to the multimodal transportation system.”

“Land Use Analysis

Vision

Over the past 30 years, the City of St. Augustine has completed several planning exercises. The first and largest effort in the late 1980’s and early 1990’s included the submittal of the first statutory Comprehensive Plan and a complete compatible rezoning effort. This established the majority of the City’s existing Comprehensive Plan, and the current zoning district pattern for the City.

Since that initial Comprehensive Plan the City has mainly reacted to specific proposals, annexations, and circumstances that included potential impacts on the Comprehensive Plan. The City has also gone through two (2) required evaluation processes, but no major changes were made to the City's "Plan".

In 2014 a major visioning process was initiated. It included an open dialogue with the community to understand the trends and forces that will potentially shape the future of the City of St. Augustine. For well over a year volunteers worked together to garner input, and provide feedback to develop a Vision Plan that was adopted in June 2015, the *Vision 2014 & Beyond* document.

The Vision Plan developed from this process helped to guide the direction and purpose of the City's updated Comprehensive Plan.

In looking at all of the forces impacting the quality of life in the historic city the Land Use Plan has to balance residents, local commercial needs, broader economic commercial needs, and the life of neighborhoods in an urbanized area within a growing County, and increasing development and tourism pressures.

The perspective on the Land Use Plan includes focusing on the core downtown historic area, the historic neighborhoods, and corridors radiating out of the downtown, and the evolution of the more typical suburban development along the main arterials through the City. It is expected that with limited remaining vacant land the majority of new development will include infill, and intensification or redevelopment of existing properties within the existing City limits.

Land Use Plan

The Future Land Use Plan for the City is the outline for the planned development of the City. The categories are defined in an effort to encourage the type of development, redevelopment or infill development as envisioned by the data and analysis and the citizens of St. Augustine. More specific uses, stipulations, and regulations are outlined in the City's adopted land development code, Comprehensive Plan Goals, Objectives and Policies, as well as, depicted in the Future Land Use Map Series.

The Land Use Plan emphasizes the need to look at transportation and mobility in the City of St. Augustine from a perspective of the context of the local area, the individual property within a certain context, the transportation corridors, and the core downtown area, and continue to build an historic small town.

Conclusion

With this Comprehensive Plan update and the inclusion of a Mobility Plan looking ahead to 2040 the City will be better able to address the pressures that modern transportation and increased volumes of people have on an ancient city."

2040 Mobility Plan

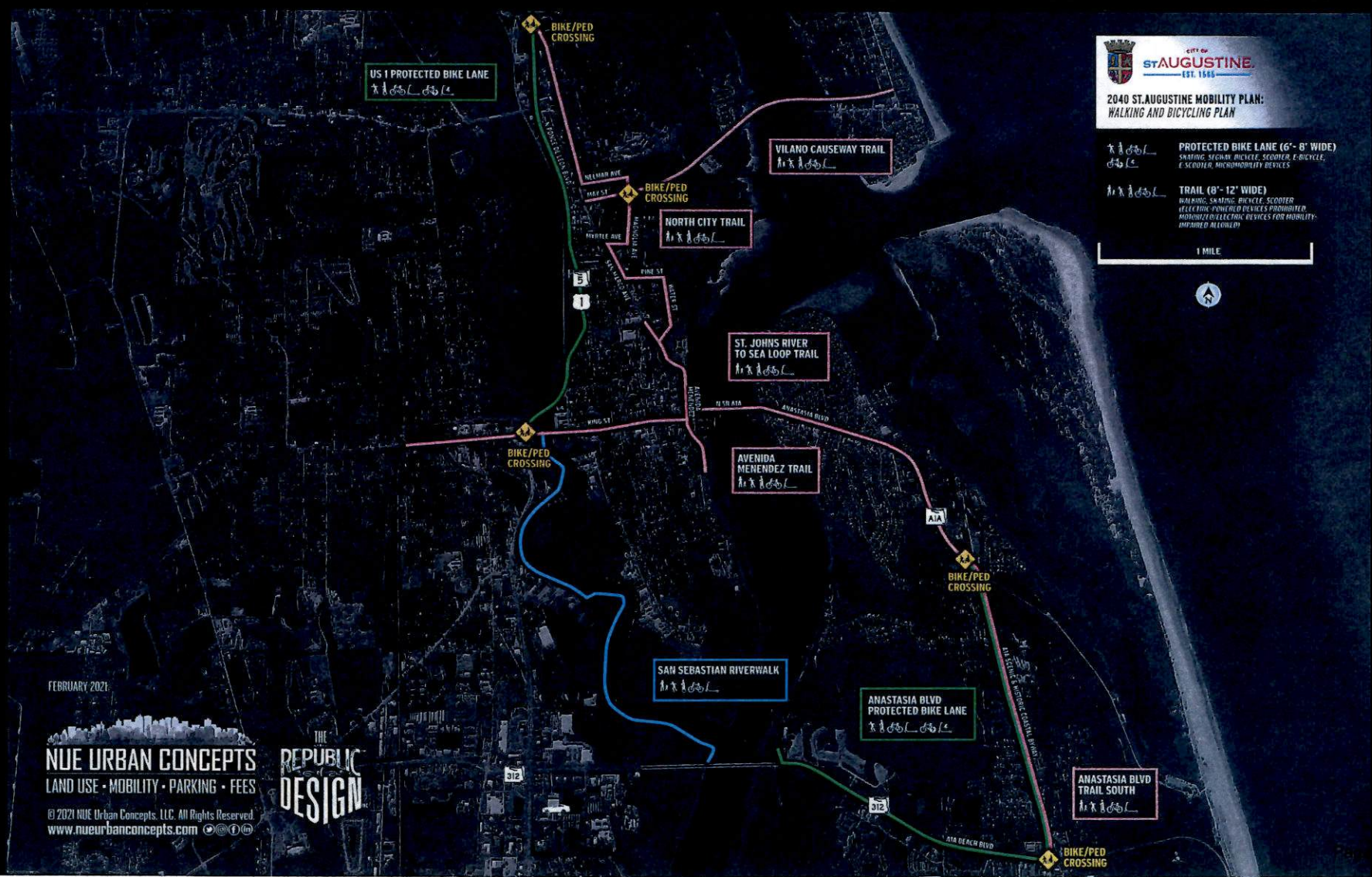
- Multimodal Way
- Shared Street
- Protected Bike Lane
- Trail
- Aerial Tramway
- Complete Streets
- Riverwalk
- New/Widen Road
- Regional Rail
- Future Garage
- Future TOD
- Existing Garage
- Water Taxi Stop
- Park & Ride

1 mile



2040 ST.AUGUSTINE MOBILITY PLAN:
WALKING AND BICYCLING PLAN

- PROTECTED BIKE LANE (6'- 8' WIDE)**
SKATING, SEGWAY, BICYCLE, SCOOTER, E-BICYCLE,
E-SCOOTER, MICROMOBILITY DEVICES
- TRAIL (8'- 12' WIDE)**
WALKING, SKATING, BICYCLE, SCOOTER
ELECTRIC-POWERED DEVICES PROHIBITED
MICROMOBILITY/ELECTRIC DEVICES FOR MOBILITY:
IMPROVED ALLOWED



FEBRUARY 2021

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LAND USE • MOBILITY • PARKING • FEES
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**THE REPUBLIC
DESIGN**





Mobility Plan List of Projects

Table 6: List of Potential Mobility Projects

I	Proi	Fro	T	Length	Project	Time
1	King Street	Avenida Menendez	N Rodriguez Street	1.45	Multimodal Way	2020-
2	Avenida Menendez	King Street	W Castillo Drive	0.60	Trail	2020-
3	Avenida Menendez	King Street	St. Francis Street	0.30	Trail	2020-
4	Vilano Causeway /	San Marco Avenue	Coastal Highway	1.85	Trail	2020-
5	North City Trail	S Castillo Dr (A1A)	May Street (A1A)	1.20	Trail	2020-
6	Bridge of Lions	Avenida Menendez	N St. Augustine Blvd	0.40	Trail	2020-
7	Cuna Street	Avenida Menendez	Charlotte Street	0.05	Shared Street	2020-
8	Cuna Street	Charlotte Street	Cordova Street	0.20	Shared Street	2020-
9	Hvnolita Street	Avenida Menendez	Charlotte Street	0.05	Shared Street	2020-
1	Spanish Street	Cuna Street	Orange Street	0.15	Shared Street	2020-
1	Anastasia Blvd	Red Cox Rd	SR 312	1.46	Trail	2020-
1	North City Trail	May Street (A1A)	Rambla St	1.40	Trail	2020-
1	S Leonardi Street	King Street	South Dixie Highway	0.20	Shared Street	2020-
1	West Garage	Kings St --- SR 207 ---	US 1 Vicinity ---	n/a	Parking Garage	2020-
1	West Castillo Drive	San Marco Ave	North Ponce De Leon	0.31	Widen to four	2020-
1	Park & Ride	SR 312 @		n/a	Park & Ride	2020-
1	Multimodal	Anastasia Blvd @ Red Cox Road		n/a	Improve	2020-
1	Water Taxi Docks	Various locations --- subject to		n/a	Water Taxi Docks	2020-
1	Bike Share	Citywide		n/a	Bicycle Share	2020-
2	Multimodal	Citywide		n/a	Wayfinding Plan	2020-
2	High Visibility	Citywide		n/a	Crosswalks	2020-
2	Intersection	Citywide		n/a	Turn lanes and	2020-
2	Parking	Citywide		n/a	Dynamic Parking	2020-
2	Sidewalk	Citywide		n/a	Improving	2020-
2	Safety	Citywide		n/a	Intersection	2020-
2	Transit / Trolley	Connecting existing and future parking		n/a	Proposed transit /	2020-
2	Multimodal	May Road @ Magnolia Blvd		n/a	Improve	2025-
2	Anastasia Blvd	N St. Augustine	Comares Avenue	0.68	Multimodal Way	2025-
2	Anastasia Blvd	Comares Avenue	Red Cox Road	0.72	Multimodal Way	2025-
3	Cathedral Place	Avenida Menendez	Cordova Street	0.20	Shared Street	2025-
3	Charlotte Street	King Street	S Castillo Dr	0.27	Shared Street	2025-
3	Cordova Street	King Street	Orange Street / Clock	0.40	Complete Street	2025-
3	North Ponce De	King Street	Charles Usinas	1.95	Protected Bike	2025-
3	Orange Street	Avenida Menendez	North Ponce De Leon	0.45	Complete Street	2025-
3	Carrera Street	Cordova Street	North Ponce De Leon	0.40	Complete Street	2025-
3	Granada Street	King Street	Bridge Street	0.20	Complete Street	2025-
3	Cordova Street	King Street	St. Francis Street	0.32	Complete Street	2025-
3	Cordova Street	St. Francis Street	St. George Street	0.25	Shared Street	2025-
3	St. George Street	Cordova Street	South Street	0.10	Shared Street	2025-
4	St. Francis Street	Avenida Menendez	Cordova Street	0.20	Shared Street	2025-
4	San Sebastian	King St	Ice Plant Road	1.15	Riverwalk	2025-
4	South Dixie	King St	SR 207	0.75	Complete Street	2025-
4	Anastasia Blvd	Red Cox Rd	SR 312	1.46	Protected Bike	2025-
4	South Garage	South of SR 207 --- Ice Plant Road & US 1		n/a	Parking Garage	2025-
4	San Macro Avenue	W Castillo Drive	May Street (A1A)	0.75	Multimodal Way	2025-
4	San Macro Avenue	May Street (A1A)	SR 16	0.55	Multimodal Way	2025-
4	San Marco Avenue	SR 16	Rambla Street	0.61	Multimodal Way	2025-
4	ML King Ave	King Street	South Street	0.70	Complete Street	2030-
4	Bridge Street	Avenida Menendez	Riberia Street	0.54	Complete Street	2030-

5	North Ponce De	Charles Usinas	San Sebastian View	1.15	Protected Bike	2030-
5	East Garage	Anastasia Blvd --- Comares Avenue --- Red		n/a	Parking Garage	2030-
5	Old Moultrie Road	SR 207	SR 312	0.95	Complete Street	2035-
5	Masters Drive /	SR 16	King St	1.75	Complete Street	2035-
5	North Garage	Florida East Coast		n/a	Parking Garage	2035-
5	Dixie Highway (US	San Sebastian View	Lewis Speedway	0.65	Protected Bike	2035-
5	SR 312	Anastasia Blvd	Matanzas River	1.50	Protected Bike	2035-
5	San Sebastian	Ice Plant Road	Matanzas River	1.25	Riverwalk	2035-
5	Regional Rail	Future regional rail service along existing		6	Regional Rail	2035-
5	North San	Charles Usinas	North Ponce De Leon	0.75	New Multimodal	2040
6	SR 312	Sgt Tutten Drive	Lakeside Ave	0.75	Limited Access	2040
6	Aerial Tramway	East Parking Garage	West Parking Garage	2.0	Aerial Tramway	2040

Source: City of St. Augustine, NUE Urban Concepts, 2019

**NATURAL GAS
FRANCHISE AGREEMENT**

ORDINANCE NO. 2024-18

AN ORDINANCE GRANTING TO PEOPLES GAS SYSTEM, INC., ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE NATURAL GAS FRANCHISE AGREEMENT TO USE THE PUBLIC RIGHTS OF WAY OF THE CITY OF ST. AUGUSTINE, FLORIDA, AND PRESCRIBING THE TERMS AND CONDITIONS UNDER WHICH SAID FRANCHISE MAY BE EXERCISED; MAKING FINDINGS; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on June 22, 2009, the City Commission adopted Ordinance 2009-20 entering into a franchise agreement with Peoples Gas System; and

WHEREAS, Peoples Gas System and the City of St. Augustine desire to enter into an extension of the franchise agreement for a period of fifteen (15) years with three (3) automatic renewable periods of five (5) years each (unless otherwise agreed to in writing by both parties) commencing from the date provided herein; and

WHEREAS, the City Commission finds that it is in the public interest of its citizens to extend the franchise agreement with Peoples Gas System.

NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, THAT:

SECTION 1: DEFINITIONS.

For the purposes of this Ordinance, the following terms shall have the meanings given herein.

- A. *"Customer"* shall mean any Person served by the Company within the corporate limits of the City.
- B. *"City"* shall mean the City of St. Augustine, St. Johns County, Florida, its successors, and assigns.
- C. *"Company"* shall mean Peoples Gas System, Inc., a Florida corporation, its successors, and assigns.
- D. *"Distribution System"* shall mean any and all transmission pipelines, main pipelines and service lines, together with all tubes, traps, vents, vaults, manholes, meters, gauges, regulators, valves, conduits, attachments, structures and other appurtenances, as are used or useful in the sale, distribution, transportation or delivery of Natural Gas and as are situated within the corporate limits of the City.
- E. *"Effective Date"* shall mean the date this Franchise becomes effective as described in Section 19 below.

- F. *"Franchise" or "Franchise Agreement"* shall mean this agreement as passed and adopted by the City and accepted by the Company as provided in Section 19 below.
- G. *"FPSC"* shall mean the Florida Public Service Commission or any successor agency.
- H. *"Gross Revenues"* shall mean all revenues (as defined by the Florida Public Service Commission) received by the Company from any Customer from the sale of Gas.
- I. *"Natural Gas" or "Gas"* shall mean natural gas and/or manufactured gas and/or a mixture of gases which is distributed in pipes and measured by meter on the Customer's premises. It shall not mean propane gas or liquefied petroleum gas (commonly referred to as "bottled gas").
- J. *"Person"* shall mean any individual, firm, partnership, estate, corporation, company, or other entity, including, but not limited to, any government entity.
- K. *"Right-of-way"* means any street, road, lane, highway, avenue, boulevard, alley, waterway, bridge, easement, public place, or other right-of-way that is owned by the City.

SECTION 2: GRANT.

The City hereby grants to the Company the non-exclusive right, privilege, and franchise to lay, erect, construct, operate and maintain in, on or under any and all Rights-of-way, as they now exist or may be hereafter constructed, opened, laid out or extended within the present incorporated limits of the City, or in such territory as may be hereafter added or annexed to, or consolidated with the City, a Distribution System subject to the terms and conditions herein contained.

SECTION 3: TERM.

Except as provided in Section 15, the Franchise hereby granted shall be for a period of fifteen (15) years with three (3) automatic renewable periods of five (5) years each (unless otherwise agreed to in writing by both parties) from the effective date of this ordinance.

SECTION 4: ASSIGNMENT.

A. The Franchise hereby granted shall not be leased, assigned, or otherwise alienated or disposed of except with the prior express written consent of the City, which shall not be unreasonably withheld or unduly delayed. No assignment shall be allowed without the assignee assuming the terms of the Franchise Agreement with the City.

B. Notwithstanding the foregoing, the Company may, without the consent of the City, lease, assign or otherwise alienate and transfer this Franchise in connection with the lease or sale of the Distribution System or upon its merger or consolidation with, or transfer to, a corporation engaged in similar business (including an affiliate or subsidiary of the Company),

or pledge or mortgage of such Franchise in connection with the physical property owned and used by it in the operation of the Distribution System for the purpose of securing payment of monies borrowed by the Company.

SECTION 5: CITY COVENANT.

As a further consideration for this Franchise Agreement, the City covenants and agrees that it will not, during the term of this Franchise Agreement or any extension thereof, engage in the business of distributing or selling Natural Gas within the corporate limits of the City, as modified, during the term of this Franchise Agreement.

SECTION 6: USE OF STREETS.

The Distribution System shall be erected, placed, or laid in such manner as will, consistent with necessity, least interfere with other public uses of the Rights-of-way, and said Right-of-way shall not be unnecessarily obstructed, and before, except in an emergency situation, the Company makes any excavation or disturbs the surface of any of the Rights-of-way, it shall make application for a permit to the appropriate City authority. The City shall issue or, if applicable, deny permits within ten (10) business days of application by the Company. The Company shall, with due diligence and dispatch, place such Right-of-way in as good a condition as before such excavation or disturbance was made; provided, however, that should the Company fail, within ten (10) days of its receipt of written notice from the City, to restore such Right-of-way, then the City may undertake such restoration (other than any restoration work on the Distribution System) and charge the reasonable cost thereof to the Company.

To the extent consistent with Florida law, the Company hereby agrees to abide by all the rules and regulations and ordinances which the City has passed or might pass in the future, in the exercise of its police power, provided, however, that the City shall not pass any ordinance or regulation that results in a material change to the rights or obligations of the Company under the Franchise Agreement.

SECTION 7: MAINTENANCE.

All such components of the Distribution System of the Company located within the City shall be installed and maintained in accordance with accepted good practice and in accordance with the orders, rules, and regulations of the Florida Public Service Commission.

SECTION 8: LAYING OF PIPE.

All components of the Distribution System shall be laid consistent with all applicable codes, rules, regulations, and laws, including, to the extent consistent with all applicable codes, rules, regulations and laws, specifications contained in City permits.

SECTION 9: CONSTRUCTION WORK.

The City reserves the right to permit to be laid electric conduits, water and gas pipes and lines, cables, sewers, and to do and permit to be done any underground work that may be deemed necessary or proper by the City in, across, along, or under any Right-of-way. Whenever, by reason of establishing a grade or by reason of changes in the grade of any Right-of-way, or by reason of the widening, grading, paving, or otherwise improving present or future Rights-of-way, or in the location or manner of construction of any water pipes, electric conduits, sewers, or other underground structure located within the Rights-of-way, it shall be deemed necessary by the City to remove, relocate, or disconnect any portion of the Distribution System of the Company hereto for such public purpose, such removal, relocation, or disconnection shall be made by the Company as ordered in writing by the City without claim for reimbursement. If the City shall require the Company to remove, relocate, or disconnect any portion of its Distribution System or in any way to alter the placement or location of the Distribution System to enable any other Person to use said Rights-of-way of the City, as part of its permitting or approval process, the City shall require the Person desiring or occasioning such removal, relocation, disconnection, or alteration to reimburse the Company for any loss, cost, or expense caused by or arising out of such removal, relocation, disconnection, or alteration of any portion of the Distribution System. The Company further agrees that it will not intentionally interfere with, change, or injure any water pipes, drains, or sewers of said City unless it has received specific permission from the City or its duly authorized representative.

SECTION 10: FRANCHISE FEE.

Subject to Section 11 below, within thirty (30) days after the close of the first full billing month following the Effective Date of this Franchise Agreement, and each month thereafter during the term of this Franchise Agreement, the Company, its successors, or assigns, shall pay to the City or its successors, a sum of money equal to six percent (6%) of the Company's Gross Revenue, less any adjustments for uncollectable accounts, from the sale of Natural Gas to Customers within the corporate limits of the City. The Franchise fee payment shall be

deemed paid on time if post-marked within thirty (30) days of the close of the preceding billing month.

SECTION 11: IDENTIFICATION OF CITY RESIDENTS.

No less than thirty (30) days prior to the Effective Date, the City shall deliver to the Company such information (including City limit streets and block numbers) as is needed by the Company to determine which of its customer are located within the City limits. The City shall also provide such information no less than thirty (30) days prior to the effectiveness of any change in said limits, whether by addition, annexation, or consolidation, or upon the Company's request. The Company shall be relieved of any obligation to pay franchise fees to the extent the City has failed to provide information in accordance with this Section 11.

SECTION 12: ACCOUNTS AND RECORDS.

The Company shall maintain accounting, maintenance, and construction records as prescribed by the FPSC. The Company shall establish and maintain appropriate accounts and records in such detail that revenues within the corporate limits of the City are consistently declared separately from all other revenues, and such records shall be maintained within the State of Florida. Upon request by the City, or its designated representative, and execution of a confidentiality agreement reasonably satisfactory to the Company, and which complies with the requirements of the Florida Public Records Act, Section 119.011, et seq., Florida Statutes, the Company shall make available said records within thirty (30) days to the City for the determination of the accuracy of the Gross Revenues upon which the Company's franchise fee is based. The Company shall maintain its billing records only for the period of time required by the FPSC and any examination conducted after such period shall be confined to the billing records then available.

SECTION 13: INSURANCE.

During the term of this Franchise, the Company shall file with the City Clerk and shall keep in full force and effect at all times during the effective period hereof, insurance certificates evidencing a general liability insurance policy or policies or evidence of self-insurance within the corporate limits of the City as they currently exist or may exist in the future. Each such policy shall provide for the minimum sum of \$1,000,000.00 for injury or death to any one person, and for the minimum sum of \$5,000,000.00 for injury or death to all persons where there is more than one person involved in any one incident or accident, and for the minimum sum of \$1,000,000.00 for damage to property, resulting from any one accident, and each of the said minimum sums shall remain in full force and shall be

undiminished during the effective period of this Franchise Agreement. The coverage requirements set forth in this Section 13 may be satisfied, in whole or in part, with self-insurance.

Company shall notify the Clerk of the City in writing, promptly upon any material alteration, modification, or cancellation of such policy is to become effective.

SECTION 14: INDEMNIFICATION.

In consideration of the permissions granted to the Company by this Franchise Agreement, the Company hereby agrees to indemnify and hold harmless the City, its officers, agents and employees from and against claims, suits, actions, and causes of action, to the extent caused by the Company's negligent operation of the Distribution System within the City during the term of this Franchise and resulting in personal injury, loss of life or damage to property sustained by any person or entity, through or as a result of the doing of any work herein authorized or the failure to do work herein required, and including all reasonable costs, attorney's fees, expenses, and liabilities incurred by the City in connection with any such claim, suit, or cause of action, including the investigation thereof, and the defense of any action or proceeding brought thereon and any order, judgment or decree which may be entered in any such action or proceeding or as a result thereof; provided, however, that neither the Company nor any of its employees, agents, contractor, licensees, or sublessees shall be liable under this section for any claims, demands, suits, actions, losses, damages, or expenses, including attorney's fees, arising out of the negligence, strict liability, intentional torts, criminal acts, or error of the City, its officers, agents, or employees. The provisions of this section shall survive the expiration or earlier termination of this Franchise Agreement.

SECTION 15: TERMINATION BY CITY

Violation by the Company of any of the covenants, terms, and conditions hereof, or default by the Company in observing or carrying into effect any of said covenants, terms and conditions, shall authorize and empower the City to declare a termination of this Franchise Agreement; provided, however, that before such action by the City shall become operative and effective, the Company shall have been served by the City with a written notice setting forth all matters pertinent to such violation or default, and describing the action of the City with respect thereto, and the Company shall have had a period of sixty (60) days after service by certified U.S. mail of such notice, or, in the event such cure reasonably requires a period of more than sixty (60) days, then sixty (60) days to present a plan reasonably satisfactory to the City to effect such cure; and provided further that any violation or default resulting from a

strike, a lockout, an act of God, or any other cause beyond the control of the Company shall not constitute grounds for termination.

SECTION 16: CHANGES IN PROVISIONS HEREOF.

Changes in the terms and conditions hereof may be made by written agreement between the City and the Company.

SECTION 17: SEVERABILITY; CHANGE IN LAW.

A. If any section, part of a section, paragraph, sentence, or clause of this Franchise Agreement shall be adjudged by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of any other portion hereof, but shall be restricted and limited in its operation and effect to that specific portion hereof involved in the controversy in which such decision shall have been rendered; provided, however, that should elimination of the specific portion of the Franchise Agreement adjudged to be invalid results in significant adverse consequences to a party, then that party may terminate this Franchise Agreement by providing thirty (30) days written notice to the other party.

B. Upon the issuance by a court of competent jurisdiction of an order, ruling, or decision, or the enactment or adoption by the Florida Legislature, the City, or any other governmental or regulatory body of a law, rule, regulation, or ordinance, that materially diminishes a municipality's ability to exact franchise fees from a utility, or that effectively does away with the ability of a municipality to grant a franchise altogether, then the Company or City may terminate this Franchise Agreement by providing ninety (90) days written notice to the other party.

SECTION 18: GOVERNING LAW.

This Franchise shall be governed by the laws of the State of Florida and applicable federal law. Venue for any legal proceeding arising out of the interpretation or enforcement of this Franchise Agreement shall be with a court of competent jurisdiction located in St. Johns County, Florida.

SECTION 19: EFFECTIVE DATE.

This Franchise Agreement shall become effective upon its acceptance by the Company, which acceptance must be evidenced in writing within sixty (60) days of the City's passage and adoption hereof.

PASSED AND CERTIFIED AS TO PASSAGE this ____ day of _____, 2024.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

Accepted this ____ day of _____, A.D. 2024

PEOPLES GAS SYSTEM, INC.

ATTEST:

By: _____
Name: _____
Title: _____

Name: _____
Title: _____

(SEAL)

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Isabelle C. Lopez, City Attorney

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: June 12, 2024

RE: **Ordinance 2024-19 – Amending Chapter 28 the City Zoning Code to add a definition of Resiliency Facility and to add a defined Resiliency Facility as a permitted use by exception in the CM-2 and IW zoning districts – Second Reading and Public Hearing**

The State of Florida has passed legislation this year, HB 1645, related to energy resources. There are several issues addressed in the legislation. The City Commission expressed concern related to the potential use of a “resiliency facility” in any commercial, industrial, and manufacturing land use designation and zoning district.

The stated intention of the legislation is to ensure adequate and reliable fuel sources for public facilities are available in an emergency. After July 1st the city cannot amend the code to conflict with a resiliency facility as defined in the legislation as an allowable use in any commercial or industrial district. The city does not currently have any specific “manufacturing” districts.

This item was presented to the Planning and Zoning Board (PZB) for discussion and recommendation at their June 4, 2024, meeting. After consideration the PZB made a recommendation to the City Commission to add a definition of “resiliency facility” to the Definition section of the zoning code and to insert the specific use of a resiliency facility as a permitted use by exception in the Commercial Medium-two (CM-2) and Industrial Warehousing (IW) zoning districts. The City Commission passed this ordinance on First Reading and held a Public Hearing on Monday, June 10, 2024.

This would serve to define the use in the code, and to insert the use into specific zoning districts. Per typical zoning code constructs including the use in certain zoning districts would then preclude the use in other zoning districts, therefore not allowing the use in lower intensity commercial zoning districts.

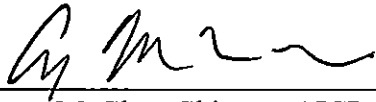
The legislation also provided for the adoption of landscape bufferyard requirements related to these resiliency facilities, however the city’s landscape code is based on the city’s established and tiered zoning districts, so this provision is not feasible based on the city’s code language.

Please see the attached Ordinance 2024-19 with redline language to be added and reformatted into the city land development code.

Please place Ordinance 2024-19 on the City Commission agenda for Second Reading and Public Hearing.

Chapter 28 is a land development code regulation therefore these revisions are currently statutorily exempt from the required Business Impact Statement.

If you have any questions or require additional information, please let me know.

A handwritten signature in black ink, appearing to read 'Amy McClure Skinner', written over a horizontal line.

Amy McClure Skinner, AICP
Director
Planning and Building Department

ORDINANCE NO. 2024-19

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING SECTION 28-2 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO PROVIDE A DEFINITION FOR “RESILIENCY FACILITY”; TO AMEND SECTION 28-209 COMMERCIAL MEDIUM-TWO (CM-2) ZONING DISTRICT TO INCLUDE RESILIENCY FACILITY AS A PERMITTED USE BY EXCEPTION; TO AMEND SECTION 28-226 INDUSTRIAL AND WAREHOUSING (IW) ZONING DISTRICT TO INCLUDE RESILIENCY FACILITY AS A PERMITTED USE BY EXCEPTION; PROVIDING FOR INCLUSION IN CHAPTER 28, ZONING, OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the Florida Constitution, including the exercise of any power for municipal purposes not expressly prohibited by law; and

WHEREAS, Sections 163.3167 and 163.3177(1), Florida Statutes, requires the City of St. Augustine to maintain a Comprehensive Plan to guide the future development and growth of the city by providing the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements.

WHEREAS, the City of St. Augustine is required by Section 163.3202, Florida Statutes, to adopt or amend and enforce land development regulations that are consistent with and implement the Comprehensive Plan, and that are combined and compiled into a single land development code for the city (the City of St. Augustine’s Zoning Code is Chapter 28 of the Code of Ordinances including land development regulations related to permitted uses and permitted uses by exception in each zoning district); and

WHEREAS, Section 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities;

WHEREAS, a sustainable built environment that both preserves the City of St. Augustine's resources and is resilient to extreme weather events such as hurricanes, floods, and heatwaves is a priority of St. Augustine;

WHEREAS, after review, the Planning and Zoning Board recommended approval of these amendments at its June 4, 2024, regular meeting; and

WHEREAS, Chapter 28 is a land development code regulation therefore these revisions are statutorily exempt from the required Business Impact Statement; and

WHEREAS, the City Commission for the City of Saint Augustine finds that it is in the best interest of public health, safety and general welfare that the following amendments be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

SECTION 1. Chapter 28, Article I. Chapter 28, Article I, Section 28-2. Definitions of the Zoning Code of the City of St. Augustine is amended as follows: [Note: ~~striketrough~~ language deleted; underline language added]:

"Sec. 28-2. - Definitions.

For the purpose of this chapter, certain words and terms used herein shall be interpreted to have meanings as defined below. Where words or terms are not defined, they shall have their ordinarily accepted meanings or such as the context may imply. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular.

The word "shall" is mandatory; the word "may" is permissive. The word "used" or "occupied" includes the words "intended, designed or arranged to be used or occupied." The word "lot" includes the word "plot" or "parcel." The word "structure" includes the word "building" as well as other things constructed or erected on the ground, attached to something having location on the ground, or requiring construction or erection on the ground. The word "land" includes the word "marsh," "water" or "swamp." The word "map" shall mean the "Zoning Maps of the City of St. Augustine, Florida" and the "city" shall mean the City of St. Augustine, Florida, a corporation of the State of Florida.

...

Relocation is the act of moving a building from its original location to another site, either on the same property or to another location entirely.

Resiliency facility is defined as a facility owned and operated by a public utility for the purposes of assembling, creating, holding, securing, or deploying natural gas reserves for temporary use during a system outage or natural disaster.

Restaurant means an establishment where food is ordered, prepared and served for pay primarily for consumption on the premises in a completely enclosed room, under the roof of the main structure, or in an anterior court. A drive-in restaurant as defined in this section is not a restaurant. A cafeteria shall be deemed a restaurant as defined herein.

..."

SECTION 2. Amending Chapter 28, Article III, Section 28-209. Chapter 28, Article III,

Section 28-209(3) f. of the Zoning Code of the City of St. Augustine is hereby amended as follows:

[Note: ~~striketrough~~ language deleted, underline language added]

"Sec. 28-209. - Commercial medium-two: CM-2.

Intent. This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities. It is not intended that this district become or be used for strip commercial purposes.

(1) *Permitted uses and structures.* As for CM-1 ([section 28-208](#)), and in addition:

a. Retail outlets for the sale of general merchandise excluding new or used automobiles, trucks, boats and tractors (but not automobile wrecking or storage yards, junkyards, or scrap processing yards), heavy machinery and equipment, dairy supplies, feed, fertilizer, plant nursery, lumber and building supplies, supermarkets and convenience stores and similar products.

Ord. #2024-19 (PB)

3

- b. Service establishments of all kinds including automobile service station or truck stop (see [section 28-338](#)) excluding businesses where automotive vehicles are offered for rent or sale, repair and service garage, motor vehicle body shop, auto laundry, drive-in restaurant, laundry or dry cleaning establishments, veterinarian or animal boarding kennels in soundproof building, pest control, carpenter or cabinet shop, home equipment rental, ice delivery station, job printing or newspaper, marina, radio or television broadcasting transmitter, antenna, office and studio facilities, banks and financial institutions, video rentals, funeral homes, travel agencies, electronic equipment/TV repair shop, employment offices, upholstery, furniture refinishing and similar establishments.
- c. Establishments or facilities for the retail sale and service of all alcoholic beverages, either for on-premises or off-premises consumption, or both.
- d. Any type of wholesale, jobber or distributorship business where the total operation does not require more than four thousand (4,000) square feet of floor space; no vehicle is used in excess of one-and-one-half-ton capacity; all merchandise is stored within an enclosed building; and no heavy machinery or manufacturing is located on the premises.
- e. Hotels and motels with or without kitchenettes.
- f. Building trades contractor not requiring outside storage; nor the use of any vehicle in excess of one-ton capacity; nor any machinery, ditching machines, tractors, bulldozers or other heavy construction equipment.
- g. Multifamily dwellings as for RG-1.
- h. Colleges.
- i. Shopping plaza or shopping center.
- j. Intermediate care facilities.
- k. Agricultural market, outdoor or indoor.
- l. Special event venue as per [section 28-347\(8\)](#).
- m. Craft alcohol industry. See also [section 28-209\(1\)d](#). for limitations on any type of wholesale, jobber or distributorship business.
- n. Home-based business.
- o. Mobile food dispensing vehicle as per [section 28-347\(9\)](#).
- p. Mobile food truck court as per [section 28-347\(9\)](#).

(2) *Permitted accessory uses.* See [section 28-348](#).

(3) *Permissible uses by exception:*

- a. As provided in [section 28-347](#).
- b. Wholesale, warehouse, or storage use, to include miniwarehouses, and self-storage facilities.
- c. Building trades contractor with outside storage yard and heavy construction equipment.
- d. Boatyard.
- e. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating and candy manufacturing.
- f. Bulk storage yards, including bulk storage of flammable liquids [and resiliency facilities](#).
- g. Open air theaters, but not drive-in theaters.
- h. Commercial, recreational and entertainment facilities such as museums, carnival or circus, shooting gallery, skating rink, pony ride, go-cart track, athletic complexes, arena, auditorium, convention center, dance hall, indoor theater and similar uses; provided, however, such uses do not have temporary facilities which exceed more than thirty-five (35) feet in height for more than thirty (30) days in any calendar year. For the purpose of this section, exceeding the height at any time during a twenty-four-hour period constitutes a day.
- i. Palmist, astrologist, psychics, clairvoyants, phrenologists and similar uses.
- j. Businesses that offer for sale new or used automobiles, trucks, boats and tractors.
- k. Uses and structures as for RG-1 ([section 28-163](#)).
- l. Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana.

(4) *Minimum lot requirements (width and area):*

- a. Minimum lot width, one hundred (100) feet.
- b. Minimum lot area, fifteen thousand (15,000) square feet; except as specifically required for certain uses.

(5) *Maximum lot coverage of all buildings.* Seventy-five (75) percent.

(6) *Minimum yard requirements:*

a. Front, zero feet minimum, thirty (30) feet maximum, except for property abutting U.S. Highway No. 1 for which the front yard requirements shall be ten (10) feet minimum and no maximum. Buildings must front an arterial road if the property is located along an arterial, and front two (2) arterial roads if the property is located adjacent to two (2) or more arterial roads. The front yard requirement shall be measured from the property line to the building, excluding awnings, portes cochere, balconies, porches, canopies, or other non-occupied appendages.

b. Side, five (5) feet.

c. Rear, five (5) feet.

d. Minimum yard requirements for the San Marco Avenue Design Standards. Development within the San Marco Avenue Design Standards entranceway corridor area including the use of the residential typology requires a front setback fifteen (15) feet minimum, thirty (30) feet maximum. Development within the San Marco Avenue Design Standards entranceway corridor area including the use of the traditional commercial typology requires a front setback zero feet minimum, ten (10) feet maximum, and zero feet side setback consistent with the chart in the design standards.

(7) *Maximum height of structures:* Thirty-five (35) feet.

(8) *Vehicular access:* Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana shall require a condition of direct vehicular access to a roadway functional classification of principal arterial-urban U.S. Highway 1.

...”

SECTION 3. Amending Chapter 28, Article III, Section 28-226. Chapter 28, Article III

Section 28-226(3) c. of the Zoning Code of the City of St. Augustine is hereby amended as follows:

[Note: ~~strikethrough~~ language deleted, underline language added]

“Sec. 28-226. - Industrial and warehousing: IW.

Intent. This district is intended to allow light manufacturing and related service, storage and commercial uses.

(1) *Permitted uses and structures:*

a. Wholesaling, warehousing, storage or distribution establishments, mini-warehouses, and self-storage facilities and similar uses.

- b. Light manufacturing and processing, including food processing, packaging or fabricating; however, any food processing, packaging or fabricating plant engaged in the processing or packaging of shellfish shall be wholly contained within completely enclosed buildings with no odor, fumes or steam detectible to normal senses from off the premises.
 - c. Printing, lithographing, publishing or similar establishments.
 - d. Bulk storage yards, not including bulk storage of flammable liquids and acids.
 - e. Outdoor storage yards and lots, provided, such outdoor storage yard shall not be located closer than twenty-five (25) feet to any public street and that such yard shall be completely enclosed by a solid fence or wall or equivalent visual barrier not less than eight (8) feet high except for entrance and exit and such openings shall be equipped with eight-foot-high visual barrier gates; and provided further that this provision shall not permit wrecking yards (including automobile wrecking yards), junkyards or yards used in whole or in part for scrap or salvage operations, or for processing, storage, display or sales of any scrap, salvage or secondhand building materials, junk automotive vehicles, or secondhand automotive parts.
 - f. Vocational, technical, trade or industrial schools and similar uses.
 - g. Miscellaneous uses such as express office, telephone exchange, commercial parking lots and parking garages, motor bus or truck or other transportation terminal.
 - h. Radio or television broadcasting offices, studios, transmitters or antennas.
 - i. Any existing industrial use.
 - j. Railroad right-of-way, tracks, sidings, yard, etc.
 - k. Boatbuilding.
 - l. Tattoo parlor or studio.
 - m. Craft alcohol industry, but no retail sales.
 - n. Home-based business.
 - o. Mobile food dispensing vehicle as per [section 28-347\(9\)](#).
 - p. Mobile food truck court as per [section 28-347\(9\)](#).
- (2) *Permitted accessory uses and structures:*
- a. See [section 28-348](#).

b. Residential facilities (including not more than one (1) mobile home) located on the same premises as an industrial use for the use of watchmen or caretakers whose employment requires residence on the premises.

(3) Permissible uses by exception:

a. Retail establishments for sale of new and used automobiles, motorcycles, trucks and tractors, boats, automotive vehicle parts and accessories, heavy machinery and equipment, farm equipment and supplies, lumber and building supplies, monuments and similar uses.

b. Service establishments catering to commerce and industry, including linen supply, laundry package dry cleaning plants, freight movers, communications services, business machine services, canteen services, restaurants (including drive-in restaurants), hiring and union halls, employment agencies, sign companies, automobile service stations and truck stops, and similar uses.

c. Bulk storage yards for flammable liquids and acids and resiliency facilities.

d. Special cabarets to the extent otherwise authorized by law.

e. Facilities for hydrocultural, agricultural or cultivation of legally available marijuana.

f. Facilities for manufacturing, production or processing of legally available marijuana.

(4) Minimum lot requirements. None.

(5) Minimum yard requirements:

a. front, none.

b. Side, five (5) feet.

c. Rear, five (5) feet.

(6) Maximum lot coverage by all buildings. Eighty (80) percent.

(7) Maximum height of structures. Thirty-five (35) feet for buildings and structures set back at least twenty (20) feet from the front property line or public right-of-way. Thirty (30) feet for buildings and structures set back at least fifteen (15) feet, but not more than twenty (20) feet, from the front property line or public right-of-way. Twenty-five (25) feet for buildings and structures set back at least ten (10) feet, but not more than fifteen (15) feet, from the front property line or public right-of-way. Twenty (20) feet for buildings and structures set back at least five (5) feet, but not more than ten (10) feet, from the front property line or public right-of-way. Fifteen (15) feet for buildings and structures set back not more than five (5) feet, from the front property line or public right-of-way.

...”

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

SECTION 6. This ordinance shall be effective immediately upon passage, pursuant to s. 166.041(5), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2024.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

1
2 An act relating to energy resources; creating s.
3 163.3210, F.S.; providing legislative intent;
4 providing definitions; allowing resiliency facilities
5 in certain land use categories in local government
6 comprehensive plans and specified districts if certain
7 criteria are met; allowing local governments to adopt
8 ordinances for resiliency facilities if certain
9 requirements are met; prohibiting amendments to a
10 local government's comprehensive plan, land use map,
11 zoning districts, or land development regulations in a
12 manner that would conflict with resiliency facility
13 classification after a specified date; amending s.
14 286.29, F.S.; revising energy guidelines for public
15 businesses; eliminating the requirement that the
16 Department of Management Services develop and maintain
17 the Florida Climate-Friendly Preferred Products List;
18 eliminating the requirement that state agencies
19 contract for meeting and conference space only with
20 facilities that have a Green Lodging designations;
21 eliminating the requirement that state agencies, state
22 universities, community colleges, and local
23 governments that procure new vehicles under a state
24 purchasing plan select certain vehicles under a
25 specified circumstance; amending s. 366.032, F.S.;

Page 1 of 38

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb1645-05-er

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

26 including community development districts as a type of
 27 political subdivision for purposes of preemption over
 28 utility service restrictions; creating s. 366.042,
 29 F.S.; requiring rural electric cooperatives and
 30 municipal electric utilities to enter into and
 31 maintain at least one mutual aid agreement or pre-
 32 event agreement with certain entities for purposes of
 33 restoring power after a natural disaster; requiring
 34 rural electric cooperatives and municipal electric
 35 utilities to annually submit attestations of
 36 compliance to the Public Service Commission; providing
 37 construction; requiring the commission to compile the
 38 attestations and annually submit a copy of such
 39 attestations to the Division of Emergency Management;
 40 providing that the submission of such attestations
 41 makes rural electric cooperatives and municipal
 42 electric utilities eligible to receive state financial
 43 assistance; providing that if such attestations are
 44 not submitted, rural electric cooperatives and
 45 municipal electric utilities are not eligible to
 46 receive state financial assistance; providing
 47 construction; creating s. 366.057, F.S.; requiring
 48 public utilities to provide notice to the commission
 49 of certain power plant retirements within a specified
 50 timeframe; authorizing the commission to schedule

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

51 | hearings within a specified timeframe to make certain
52 | determinations on such plant retirements; specifying
53 | information to be provided by public utilities at the
54 | hearing; amending s. 366.94, F.S.; removing
55 | terminology; authorizing the commission to approve
56 | voluntary electric vehicle charging programs upon
57 | petition of a public utility, to become effective on
58 | or after a specified date, if certain requirements are
59 | met; providing applicability; amending s. 403.503,
60 | F.S.; defining the term "gross capacity"; creating s.
61 | 366.99, F.S.; providing definitions; authorizing
62 | public utilities to submit to the commission a
63 | petition for a proposed cost recovery for certain
64 | natural gas facilities relocation costs; requiring the
65 | commission to conduct annual proceedings to determine
66 | each utility's prudently incurred natural gas
67 | facilities relocation costs and to allow for the
68 | recovery of such costs; providing requirements for the
69 | commission's review; providing requirements for the
70 | allocation of such recovered costs; requiring the
71 | commission to adopt rules; providing a timeframe for
72 | such rulemaking; amending s. 377.601, F.S.; revising
73 | legislative intent; amending s. 377.6015, F.S.;
74 | revising the powers and duties of the Department of
75 | Agriculture and Consumer Services; conforming

Page 3 of 38

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb1645-05-er

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

76 provisions to changes made by the act; amending s.
 77 377.703, F.S.; revising additional functions of the
 78 department relating to energy resources; conforming
 79 provisions to changes made by the act; creating s.
 80 377.708, F.S.; providing definitions; prohibiting the
 81 construction or expansion of certain wind energy
 82 facilities and wind turbines in the state; requiring
 83 the Department of Environmental Protection to review
 84 applications for federal wind energy leases in
 85 territorial waters of the United States adjacent to
 86 water of this state and signify its approval or
 87 objection to such applications; authorizing the
 88 department to seek injunctive relief for violations;
 89 repealing s. 377.801, F.S., relating to the Florida
 90 Energy and Climate Protection Act; repealing s.
 91 377.802, F.S., relating to the purpose of the act;
 92 repealing s. 377.803, F.S., relating to definitions
 93 under the act; repealing s. 377.804, F.S., relating to
 94 the Renewable Energy and Energy-Efficient Technologies
 95 Grants Program; repealing s. 377.808, F.S., relating
 96 to the Florida Green Government Grants Act; repealing
 97 s. 377.809, F.S., relating to the Energy Economic Zone
 98 Pilot Program; repealing s. 377.816, F.S., relating to
 99 the Qualified Energy Conservation Bond Allocation
 100 Program; prohibiting the approval of new or additional

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

101 applications, certifications, or allocations under
 102 such programs; prohibiting new contracts, agreements,
 103 and awards under such programs; rescinding all
 104 certifications or allocations issued under such
 105 programs; providing an exception; providing
 106 application relating to existing contracts or
 107 agreements under such programs; amending ss. 220.193,
 108 288.9606, and 380.0651, F.S.; conforming provisions to
 109 changes made by the act; amending s. 403.9405, F.S.;
 110 revising the applicability of the Natural Gas
 111 Transmission Pipeline Siting Act; amending s.
 112 720.3075, F.S.; prohibiting certain homeowners'
 113 association documents from precluding certain types or
 114 fuel sources of energy production and the use of
 115 certain appliances; requiring the commission to
 116 coordinate, develop, and recommend a plan under which
 117 an assessment of the security and resiliency of the
 118 state's electric grid and natural gas facilities
 119 against physical threats and cyber threats may be
 120 conducted; requiring the commission to consult with
 121 the Division of Emergency Management and the Florida
 122 Digital Service; requiring cooperation from all
 123 operating facilities in the state relating to such
 124 plan; providing additional content requirements for
 125 such plan; requiring the commission to submit by a

Page 5 of 38

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hb1645-05-er

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

126 recommended plan by a specified date to the Governor
 127 and the Legislature; providing additional content
 128 requirements for such plan; requiring the commission
 129 to study and evaluate the technical and economic
 130 feasibility of using advanced nuclear power
 131 technologies to meet the electrical power needs of the
 132 state; requiring the commission to research means to
 133 encourage and foster the installation and use of such
 134 technologies at military installations in partnership
 135 with public utilities; requiring the commission to
 136 consult with the Department of Environmental
 137 Protection and the Division of Emergency Management;
 138 requiring the commission to submit by a specified date
 139 a report to the Governor and the Legislature that
 140 contains its findings and any additional
 141 recommendations for potential legislative or
 142 administrative actions; requiring the Department of
 143 Transportation, in consultation with the Office of
 144 Energy within the Department of Agriculture and
 145 Consumer Services, to study and evaluate the potential
 146 development of hydrogen fueling infrastructure to
 147 support hydrogen-powered vehicles; requiring the
 148 department to submit by a specified date a report to
 149 the Governor and the Legislature that contains its
 150 findings and recommendations for specified actions

Page 6 of 38

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hb1645-05-er

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

that may accommodate the future development of
hydrogen fueling infrastructure; providing effective
dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 163.3210, Florida Statutes, is created
to read:

163.3210 Natural gas resiliency and reliability
infrastructure.-

(1) It is the intent of the Legislature to maintain,
encourage, and ensure adequate and reliable fuel sources for
public utilities. The resiliency and reliability of fuel sources
for public utilities is critical to the state's economy; the
ability of the state to recover from natural disasters; and the
health, safety, welfare, and quality of life of the residents of
the state.

(2) As used in this section, the term:

(a) "Natural gas" means all forms of fuel commonly or
commercially known or sold as natural gas, including compressed
natural gas and liquefied natural gas.

(b) "Natural gas reserve" means a facility that is capable
of storing and transporting and, when operational, actively
stores and transports a supply of natural gas.

(c) "Public utility" has the same meaning as defined in s.

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

366.02.

(d) "Resiliency facility" means a facility owned and operated by a public utility for the purposes of assembling, creating, holding, securing, or deploying natural gas reserves for temporary use during a system outage or natural disaster.

(3) A resiliency facility is a permitted use in all commercial, industrial, and manufacturing land use categories in a local government comprehensive plan and all commercial, industrial, and manufacturing districts. A resiliency facility must comply with the setback and landscape criteria for other similar uses. A local government may adopt an ordinance specifying buffer and landscaping requirements for resiliency facilities, provided such requirements do not exceed the requirements for similar uses involving the construction of other facilities that are permitted uses in commercial, industrial, and manufacturing land use categories and zoning districts.

(4) After July 1, 2024, a local government may not amend its comprehensive plan, land use map, zoning districts, or land development regulations in a manner that would conflict with a resiliency facility's classification as a permitted and allowable use, including, but not limited to, an amendment that causes a resiliency facility to be a nonconforming use, structure, or development.

Section 2. Section 286.29, Florida Statutes, is amended to

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

read:

286.29 Energy guidelines for Climate-friendly public
business. ~~The Legislature recognizes the importance of~~
~~leadership by state government in the area of energy efficiency~~
~~and in reducing the greenhouse gas emissions of state government~~
~~operations. The following shall pertain to all state agencies~~
~~when conducting public business:~~

~~(1) The Department of Management Services shall develop~~
~~the "Florida Climate-Friendly Preferred Products List." In~~
~~maintaining that list, the department, in consultation with the~~
~~Department of Environmental Protection, shall continually assess~~
~~products currently available for purchase under state term~~
~~contracts to identify specific products and vendors that offer~~
~~clear energy efficiency or other environmental benefits over~~
~~competing products. When procuring products from state term~~
~~contracts, state agencies shall first consult the Florida~~
~~Climate-Friendly Preferred Products List and procure such~~
~~products if the price is comparable.~~

~~(2) State agencies shall contract for meeting and~~
~~conference space only with hotels or conference facilities that~~
~~have received the "Green Lodging" designation from the~~
~~Department of Environmental Protection for best practices in~~
~~water, energy, and waste efficiency standards, unless the~~
~~responsible state agency head makes a determination that no~~
~~other viable alternative exists.~~

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

226 ~~(1)(3)~~ Each state agency shall ensure that all maintained
227 vehicles meet minimum maintenance schedules shown to reduce fuel
228 consumption, which include:

229 (a) Ensuring appropriate tire pressures and tread depth. ~~+~~

230 (b) Replacing fuel filters and emission filters at
231 recommended intervals. ~~+~~

232 (c) Using proper motor oils. ~~+~~ ~~and~~

233 (d) Performing timely motor maintenance.

234
235 Each state agency shall measure and report compliance to the
236 Department of Management Services through the Equipment
237 Management Information System database.

238 ~~(4) When procuring new vehicles, all state agencies, state~~
239 ~~universities, community colleges, and local governments that~~
240 ~~purchase vehicles under a state purchasing plan shall first~~
241 ~~define the intended purpose for the vehicle and determine which~~
242 ~~of the following use classes for which the vehicle is being~~
243 ~~procured:~~

244 ~~(a) State business travel, designated operator;~~

245 ~~(b) State business travel, pool operators;~~

246 ~~(c) Construction, agricultural, or maintenance work;~~

247 ~~(d) Conveyance of passengers;~~

248 ~~(e) Conveyance of building or maintenance materials and~~
249 ~~supplies;~~

250 ~~(f) Off-road vehicle, motorcycle, or all-terrain vehicle;~~

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

251 ~~(g) Emergency response; or~~
 252 ~~(h) Other.~~
 253
 254 ~~Vehicles described in paragraphs (a) through (h), when being~~
 255 ~~processed for purchase or leasing agreements, must be selected~~
 256 ~~for the greatest fuel efficiency available for a given use class~~
 257 ~~when fuel economy data are available. Exceptions may be made for~~
 258 ~~individual vehicles in paragraph (g) when accompanied, during~~
 259 ~~the procurement process, by documentation indicating that the~~
 260 ~~operator or operators will exclusively be emergency first~~
 261 ~~responders or have special documented need for exceptional~~
 262 ~~vehicle performance characteristics. Any request for an~~
 263 ~~exception must be approved by the purchasing agency head and any~~
 264 ~~exceptional performance characteristics denoted as a part of the~~
 265 ~~procurement process prior to purchase.~~
 266 (2)(5) All state agencies shall use ethanol and biodiesel
 267 blended fuels when available. State agencies administering
 268 central fueling operations for state-owned vehicles shall
 269 procure biofuels for fleet needs to the greatest extent
 270 practicable.
 271 Section 3. Subsections (1), (2), and (5) of section
 272 366.032, Florida Statutes, are amended to read:
 273 366.032 Preemption over utility service restrictions.—
 274 (1) A municipality, county, special district, community
 275 development district created pursuant to chapter 190, or other

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

276 political subdivision of the state may not enact or enforce a
 277 resolution, ordinance, rule, code, or policy or take any action
 278 that restricts or prohibits or has the effect of restricting or
 279 prohibiting the types or fuel sources of energy production which
 280 may be used, delivered, converted, or supplied by the following
 281 entities to serve customers that such entities are authorized to
 282 serve:

283 (a) A public utility or an electric utility as defined in
 284 this chapter;

285 (b) An entity formed under s. 163.01 that generates,
 286 sells, or transmits electrical energy;

287 (c) A natural gas utility as defined in s. 366.04(3)(c);

288 (d) A natural gas transmission company as defined in s.
 289 368.103; or

290 (e) A Category I liquefied petroleum gas dealer or
 291 Category II liquefied petroleum gas dispenser or Category III
 292 liquefied petroleum gas cylinder exchange operator as defined in
 293 s. 527.01.

294 (2) Except to the extent necessary to enforce the Florida
 295 Building Code adopted pursuant to s. 553.73 or the Florida Fire
 296 Prevention Code adopted pursuant to s. 633.202, a municipality,
 297 county, special district, community development district created
 298 pursuant to chapter 190, or other political subdivision of the
 299 state may not enact or enforce a resolution, an ordinance, a
 300 rule, a code, or a policy or take any action that restricts or

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

prohibits or has the effect of restricting or prohibiting the use of an appliance, including a stove or grill, which uses the types or fuel sources of energy production which may be used, delivered, converted, or supplied by the entities listed in subsection (1). As used in this subsection, the term "appliance" means a device or apparatus manufactured and designed to use energy and for which the Florida Building Code or the Florida Fire Prevention Code provides specific requirements.

(5) Any municipality, county, special district, community development district created pursuant to chapter 190, or political subdivision charter, resolution, ordinance, rule, code, policy, or action that is preempted by this act that existed before or on July 1, 2021, is void.

Section 4. Section 366.042, Florida Statutes, is created to read:

366.042 Mutual aid agreements of rural electric cooperatives and municipal electric utilities.—

(1) For the purposes of restoring power following a natural disaster that is subject to a state of emergency declared by the Governor, all rural electric cooperatives and municipal electric utilities shall enter into and maintain, at a minimum, one of the following:

(a) A mutual aid agreement with a municipal electric utility;

(b) A mutual aid agreement with a rural electric

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

326 cooperative;
 327 (c) A mutual aid agreement with a public utility; or
 328 (d) A pre-event agreement with a private contractor.
 329 (2) All rural electric cooperatives and municipal electric
 330 utilities operating in this state shall annually submit to the
 331 commission an attestation, in conformity with s. 92.525, stating
 332 that the organization has complied with the requirements of this
 333 section on or before May 15. Nothing in this section shall be
 334 construed to give the commission jurisdiction over the terms and
 335 conditions of a mutual aid agreement or agreement with a private
 336 contractor entered into by a rural electric cooperative or a
 337 municipal electric utility.
 338 (3) The commission shall compile the attestations and
 339 annually submit a copy to the Division of Emergency Management
 340 no later than May 30.
 341 (4) A rural electric cooperative or municipal electric
 342 utility that submits the attestation required by this section is
 343 eligible to receive state financial assistance, if such funding
 344 is available, for power restoration efforts following a natural
 345 disaster that is subject to a state of emergency declared by the
 346 Governor.
 347 (5) A rural electric cooperative or municipal electric
 348 utility that does not submit an attestation required by this
 349 section is ineligible to receive state financial assistance for
 350 power restoration efforts following a natural disaster that is

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

subject to a state of emergency declared by the Governor, until
such time as the attestation is submitted.

(6) Nothing in this section shall be construed to
prohibit, limit, or disqualify a rural electric cooperative or
municipal electric utility from receiving funding under The
Stafford Act, 42 U.S.C. 5121 et seq., or any other federal
program, including programs administered by the state.

(7) This section does not expand or alter the jurisdiction
of the commission over public utilities or electric utilities.

Section 5. Section 366.057, Florida Statutes, is created
to read:

366.057 Retirement of electrical power plants.—A public
utility shall provide notice to the commission at least 90 days
before the full retirement of an electrical power plant if the
date of such retirement does not coincide with the retirement
date in the public utility's most recently approved depreciation
study. No later than 90 days after such notice, the commission
may schedule a hearing to determine whether retirement of the
plant is prudent and consistent with the state's energy policy
goals in s. 377.601(2). At a hearing scheduled under this
section, the utility shall present its proposed retirement date
for the plant, remaining depreciation expense on the plant, any
other costs to be recovered in relation to the plant, and any
planned replacement capacity.

Section 6. Subsection (4) is added to Section 366.94,

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

Florida Statutes, to read:

366.94 Electric vehicle charging ~~stations~~.—

(4) Upon petition of a public utility, the commission may approve voluntary electric vehicle charging programs to become effective on or after January 1, 2025, to include, but not be limited to, residential, fleet, and public electric vehicle charging, upon a determination by the commission that the utility's general body of ratepayers, as a whole, will not pay to support recovery of its electric vehicle charging investment by the end of the useful life of the assets dedicated to the electric vehicle charging service. This provision does not preclude cost recovery for electric vehicle charging programs approved by the commission before January 1, 2024.

Section 7. Present subsections (17) through (31) of section 403.503, Florida Statutes, are redesignated as subsections (18) through (32), respectively, and a new subsection (17) is added to that section, to read:

403.503 Definitions relating to Florida Electrical Power Plant Siting Act.—As used in this act:

(17) "Gross capacity" means, for a steam facility, the maximum generating capacity based on nameplate generator rating, and for a solar electrical generating facility, the capacity measured as alternating current which is independently metered prior to the point of interconnection to the transmission grid.

Section 8. Section 366.99, Florida Statutes, is created to

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

read:

366.99 Natural gas facilities relocation costs.—

(1) As used in this section, the term:

(a) "Authority" has the same meaning as in s.

337.401(1)(a).

(b) "Facilities relocation" means the physical moving, modification, or reconstruction of public utility facilities to accommodate the requirements imposed by an authority.

(c) "Natural gas facilities" or "facilities" means gas mains, laterals, and service lines used to distribute natural gas to customers. The term includes all ancillary equipment needed for safe operations, including, but not limited to, regulating stations, meters, other measuring devices, regulators, and pressure monitoring equipment.

(d) "Natural gas facilities relocation costs" means the costs to relocate or reconstruct facilities as required by a mandate, a statute, a law, an ordinance, or an agreement between the utility and an authority, including, but not limited to, costs associated with reviewing plans provided by an authority. The term does not include any costs recovered through the public utility's base rates.

(e) "Public utility" or "utility" has the same meaning as in s. 366.02, except that the term does not include an electric utility.

(2) A utility may submit to the commission, pursuant to

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

426 commission rule, a petition describing the utility's projected
427 natural gas facilities relocation costs for the next calendar
428 year, actual natural gas facilities relocation costs for the
429 prior calendar year, and proposed cost-recovery factors designed
430 to recover such costs. A utility's decision to proceed with
431 implementing a plan before filing such a petition does not
432 constitute imprudence.

433 (3) The commission shall conduct an annual proceeding to
434 determine each utility's prudently incurred natural gas
435 facilities relocation costs and to allow each utility to recover
436 such costs through a charge separate and apart from base rates,
437 to be referred to as the natural gas facilities relocation cost
438 recovery clause. The commission's review in the proceeding is
439 limited to determining the prudence of the utility's actual
440 incurred natural gas facilities relocation costs and the
441 reasonableness of the utility's projected natural gas facilities
442 relocation costs for the following calendar year; and providing
443 for a true-up of the costs with the projections on which past
444 factors were set. The commission shall require that any refund
445 or collection made as a part of the true-up process includes
446 interest.

447 (4) All costs approved for recovery through the natural
448 gas facilities relocation cost recovery clause must be allocated
449 to customer classes pursuant to the rate design most recently
450 approved by the commission.

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

(5) If a capital expenditure is recoverable as a natural gas facilities relocation cost, the public utility may recover the annual depreciation on the cost, calculated at the public utility's current approved depreciation rates, and a return on the undepreciated balance of the costs at the public utility's weighted average cost of capital using the last approved return on equity.

(6) The commission shall adopt rules to implement and administer this section and shall propose a rule for adoption as soon as practicable after July 1, 2024.

Section 9. Section 377.601, Florida Statutes, is amended to read:

377.601 Legislative intent.—

(1) The purpose of the state's energy policy is to ensure an adequate, reliable, and cost-effective supply of energy for the state in a manner that promotes the health and welfare of the public and economic growth. The Legislature intends that governance of the state's energy policy be efficiently directed toward achieving this purpose. ~~The Legislature finds that the state's energy security can be increased by lessening dependence on foreign oil; that the impacts of global climate change can be reduced through the reduction of greenhouse gas emissions; and that the implementation of alternative energy technologies can be a source of new jobs and employment opportunities for many Floridians. The Legislature further finds that the state is~~

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

~~positioned at the front line against potential impacts of global climate change. Human and economic costs of those impacts can be averted by global actions and, where necessary, adapted to by a concerted effort to make Florida's communities more resilient and less vulnerable to these impacts. In focusing the government's policy and efforts to benefit and protect our state, its citizens, and its resources, the Legislature believes that a single government entity with a specific focus on energy and climate change is both desirable and advantageous. Further, the Legislature finds that energy infrastructure provides the foundation for secure and reliable access to the energy supplies and services on which Florida depends. Therefore, there is significant value to Florida consumers that comes from investment in Florida's energy infrastructure that increases system reliability, enhances energy independence and diversification, stabilizes energy costs, and reduces greenhouse gas emissions.~~

(2) For the purposes of subsection (1), the state's energy policy must be guided by the following goals:

(a) Ensuring a cost-effective and affordable energy supply.

(b) Ensuring adequate supply and capacity.

(c) Ensuring a secure, resilient, and reliable energy supply, with an emphasis on a diverse supply of domestic energy resources.

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

501 (d) Protecting public safety.

502 (e) Protecting the state's natural resources, including

503 its coastlines, tributaries, and waterways.

504 (f) Supporting economic growth.

505 (3)(2) In furtherance of the goals in subsection (2), it

506 is the policy of the state ~~of Florida~~ to:

507 (a) ~~Develop and~~ Promote the cost-effective development and

508 ~~effective~~ use of a diverse supply of domestic energy resources

509 in the state and, ~~discourage all forms of energy waste, and~~

510 ~~recognize and address the potential of global climate change~~

511 ~~wherever possible.~~

512 (b) Promote the cost-effective development and maintenance

513 of energy infrastructure that is resilient to natural and

514 manmade threats to the security and reliability of the state's

515 energy supply ~~Play a leading role in developing and instituting~~

516 ~~energy management programs aimed at promoting energy~~

517 ~~conservation, energy security, and the reduction of greenhouse~~

518 ~~gas emissions.~~

519 (c) Reduce reliance on foreign energy resources.

520 (d)(e) Include energy reliability and security

521 considerations in all state, regional, and local planning.

522 (e)(d) Utilize and manage effectively energy resources

523 used within state agencies.

524 (f)(e) Encourage local governments to include energy

525 considerations in all planning and to support their work in

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

promoting energy management programs.

(g)~~(f)~~ Include the full participation of citizens in the development and implementation of energy programs.

(h)~~(g)~~ Consider in its decisions the energy needs of each economic sector, including residential, industrial, commercial, agricultural, and governmental uses, and reduce those needs whenever possible.

(i)~~(h)~~ Promote energy education and the public dissemination of information on energy and its impacts in relation to the goals in subsection (2) ~~environmental, economic, and social impact.~~

(j)~~(i)~~ Encourage the research, development, demonstration, and application of domestic energy resources, including the use of alternative energy resources, particularly renewable energy resources.

(k)~~(j)~~ Consider, in its decisionmaking, the impacts of energy-related activities on the goals in subsection (2) ~~social, economic, and environmental impacts of energy-related activities,~~ including the whole-life-cycle impacts of any potential energy use choices, so that detrimental effects of these activities are understood and minimized.

(l)~~(k)~~ Develop and maintain energy emergency preparedness plans to minimize the effects of an energy shortage within this state ~~Florida.~~

Section 10. Subsection (2) of section 377.6015, Florida

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

Statutes, is amended to read:

377.6015 Department of Agriculture and Consumer Services;
powers and duties.—

(2) The department shall:

~~(a) Administer the Florida Renewable Energy and Energy-
Efficient Technologies Grants Program pursuant to s. 377.804 to
assure a robust grant portfolio.~~

(a)(b) Develop policy for requiring grantees to provide
royalty-sharing or licensing agreements with state government
for commercialized products developed under a state grant.

~~(c) Administer the Florida Green Government Grants Act
pursuant to s. 377.808 and set annual priorities for grants.~~

(b)(d) Administer the information gathering and reporting
functions pursuant to ss. 377.601-377.608.

~~(e) Administer the provisions of the Florida Energy and
Climate Protection Act pursuant to ss. 377.801-377.804.~~

(c)(f) Advocate for energy ~~and climate change~~ issues
consistent with the goals in s. 377.601(2) and provide
educational outreach and technical assistance in cooperation
with the state's academic institutions.

(d)(g) Be a party in the proceedings to adopt goals and
submit comments to the Public Service Commission pursuant to s.
366.82.

(e)(h) Adopt rules pursuant to chapter 120 in order to
implement all powers and duties described in this section.

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

576 Section 11. Subsection (1) and paragraphs (e), (f), (h),
577 and (m) of subsection (2) of section 377.703, Florida Statutes,
578 are amended to read:

579 377.703 Additional functions of the Department of
580 Agriculture and Consumer Services.—

581 (1) LEGISLATIVE INTENT.—Recognizing that energy supply and
582 demand questions have become a major area of concern to the
583 state which must be dealt with by effective and well-coordinated
584 state action, it is the intent of the Legislature to promote the
585 efficient, effective, and economical management of energy
586 problems, centralize energy coordination responsibilities,
587 pinpoint responsibility for conducting energy programs, and
588 ensure the accountability of state agencies for the
589 implementation of s. 377.601 ~~s. 377.601(2)~~, the state energy
590 policy. It is the specific intent of the Legislature that
591 nothing in this act shall in any way change the powers, duties,
592 and responsibilities assigned by the Florida Electrical Power
593 Plant Siting Act, part II of chapter 403, or the powers, duties,
594 and responsibilities of the Florida Public Service Commission.

595 (2) DUTIES.—The department shall perform the following
596 functions, unless as otherwise provided, consistent with the
597 development of a state energy policy:

598 (e) The department shall analyze energy data collected and
599 prepare long-range forecasts of energy supply and demand in
600 coordination with the Florida Public Service Commission, which

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

is responsible for electricity and natural gas forecasts. To this end, the forecasts shall contain:

1. An analysis of the relationship of state economic growth and development to energy supply and demand, including the constraints to economic growth resulting from energy supply constraints.

~~2. Plans for the development of renewable energy resources and reduction in dependence on depletable energy resources, particularly oil and natural gas, and~~ An analysis of the extent to which domestic energy resources, including renewable energy sources, are being utilized in this ~~the~~ state.

3. Consideration of alternative scenarios of statewide energy supply and demand for 5, 10, and 20 years to identify strategies for long-range action, including identification of potential impacts in relation to the goals in s. 377.601(2) ~~social, economic, and environmental effects.~~

4. An assessment of the state's energy resources, including examination of the availability of commercially developable and imported fuels, and an analysis of anticipated impacts in relation to the goals in s. 377.601(2) ~~effects on the state's environment and social services~~ resulting from energy resource development activities or from energy supply constraints, or both.

(f) The department shall submit an annual report to the Governor and the Legislature reflecting its activities and

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

making recommendations for policies for improvement of the state's response to energy supply and demand and its effect on the health, safety, and welfare of the residents of this state. The report must include a report from the Florida Public Service Commission on electricity and natural gas and information on energy conservation programs conducted and underway in the past year and include recommendations for energy efficiency and conservation programs for the state, including:

1. Formulation of specific recommendations for improvement in the efficiency of energy utilization in governmental, residential, commercial, industrial, and transportation sectors.

2. Collection and dissemination of information relating to energy efficiency and conservation.

3. Development and conduct of educational and training programs relating to energy efficiency and conservation.

4. An analysis of the ways in which state agencies are seeking to implement s. 377.601 ~~s. 377.601(2)~~, the state energy policy, and recommendations for better fulfilling this policy.

(h) The department shall promote the development and use of renewable energy resources, in conformance with chapter 187 and s. 377.601, by:

~~1. Establishing goals and strategies for increasing the use of renewable energy in this state.~~

~~1.2.~~ Aiding and promoting the commercialization of renewable energy resources, in cooperation with the Florida

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

Energy Systems Consortium; the Florida Solar Energy Center; and any other federal, state, or local governmental agency that may seek to promote research, development, and the demonstration of renewable energy equipment and technology.

2.3. Identifying barriers to greater use of renewable energy resources in this state, and developing specific recommendations for overcoming identified barriers, with findings and recommendations to be submitted annually in the report to the Governor and Legislature required under paragraph (f).

3.4. In cooperation with the Department of Environmental Protection, the Department of Transportation, the Department of Commerce, the Florida Energy Systems Consortium, the Florida Solar Energy Center, and the Florida Solar Energy Industries Association, investigating opportunities, pursuant to the national Energy Policy Act of 1992, the Housing and Community Development Act of 1992, and any subsequent federal legislation, for renewable energy resources, electric vehicles, and other renewable energy manufacturing, distribution, installation, and financing efforts that enhance this state's position as the leader in renewable energy research, development, and use.

4.5. Undertaking other initiatives to advance the development and use of renewable energy resources in this state.

In the exercise of its responsibilities under this paragraph,

ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

the department shall seek the assistance of the renewable energy industry in this state and other interested parties and may enter into contracts, retain professional consulting services, and expend funds appropriated by the Legislature for such purposes.

(m) In recognition of the devastation to the economy of this state and the dangers to the health and welfare of residents of this state caused by severe hurricanes, and the potential for such impacts caused by other natural disasters, the Division of Emergency Management shall include in its energy emergency contingency plan and provide to the Florida Building Commission for inclusion in the Florida Energy Efficiency Code for Building Construction specific provisions to facilitate the use of cost-effective ~~solar~~ energy technologies as emergency remedial and preventive measures for providing electric power, street lighting, and water heating service in the event of electric power outages.

Section 12. Section 377.708, Florida Statutes, is created to read:

377.708 Wind energy.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Coastline" means the established line of mean high water.

(b) "Department" means the Department of Environmental Protection.

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CS/CS/HB 1645, Engrossed 2

2024 Legislature

(c) "Offshore wind energy facility" means any wind energy facility located on waters of this state, including other buildings, structures, vessels, or electrical transmission cabling to be sited on waters of this state, or connected to corresponding onshore substations that are used to support the operation of one or more wind turbines sited or constructed on waters of this state and any submerged lands or territorial waters that are not under the jurisdiction of the state.

(d) "Real property" has the same meaning as provided in s. 192.001(12).

(e) "Vessel" has the same meaning as provided in s. 327.02.

(f) "Waters of this state" has the same meaning as provided in s. 327.02, except the term also includes all state submerged lands.

(g) "Wind energy facility" means an electrical wind generation facility or expansion thereof comprised of one or more wind turbines and including substations; meteorological data towers; aboveground, underground, and electrical transmission lines; and transformers, control systems, and other buildings or structures under common ownership or operating control used to support the operation of the facility the primary purpose of which is to offer electricity supply for sale.

(h) "Wind turbine" means a device or apparatus that has

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CS/CS/HB 1645, Engrossed 2

2024 Legislature

the capability to convert kinetic wind energy into rotational energy that drives an electrical generator, consisting of a tower body and rotator with two or more blades and capable of producing more than 10 kilowatts of electrical power. The term includes both horizontal and vertical axis turbines. The term does not include devices used to measure wind speed and direction, such as an anemometer.

(2) PROHIBITED ACTIVITIES.—

(a) Construction or expansion of the following is prohibited:

1. An offshore wind energy facility.

2. A wind turbine or wind energy facility on real property within 1 mile of coastline in this state.

3. A wind turbine or wind energy facility on real property within 1 mile of the Atlantic Intracoastal Waterway or Gulf Intracoastal Waterway.

4. A wind turbine or wind energy facility on waters of this state and any submerged lands.

(b) This subsection does not prohibit:

1. Affixation of a wind turbine directly to a vessel solely for the purpose of providing power to electronic equipment located onboard the vessel.

2. Operation of a wind turbine installed before July 1, 2024.

(3) REVIEW.—The department shall review all applications

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CS/CS/HB 1645, Engrossed 2

2024 Legislature

for federal wind energy leases in the territorial waters of the United States adjacent to waters of this state and shall signify its approval of or objection to each application.

(4) INJUNCTIVE RELIEF.—The department may bring an action for injunctive relief against any person who constructs or expands an offshore wind energy facility or a wind turbine in this state in violation of this section.

Section 13. Sections 377.801, 377.802, 377.803, 377.804, 377.808, 377.809, and 377.816, Florida Statutes, are repealed.

Section 14. (1) For programs established pursuant to s. 377.804, s. 377.808, s. 377.809, or s. 377.816, Florida Statutes, there may not be:

(a) New or additional applications, certifications, or allocations approved.

(b) New letters of certification issued.

(c) New contracts or agreements executed.

(d) New awards made.

(2) All certifications or allocations issued under such programs are rescinded except for the certifications of, or allocations to, those certified applicants or projects that continue to meet the applicable criteria in effect before July 1, 2024. Any existing contract or agreement authorized under any of these programs shall continue in full force and effect in accordance with the statutory requirements in effect when the contract or agreement was executed or last modified. However,

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CS/CS/HB 1645, Engrossed 2

2024 Legislature

further modifications, extensions, or waivers may not be made or granted relating to such contracts or agreements, except computations by the Department of Revenue of the income generated by or arising out of the qualifying project.

Section 15. Paragraph (d) of subsection (2) of section 220.193, Florida Statutes, is amended to read:

220.193 Florida renewable energy production credit.—

(2) As used in this section, the term:

(d) "Florida renewable energy facility" means a facility in the state that produces electricity for sale from renewable energy, ~~as defined in s. 377.803.~~

Section 16. Subsection (7) of section 288.9606, Florida Statutes, is amended to read:

288.9606 Issue of revenue bonds.—

(7) Notwithstanding any provision of this section, the corporation in its corporate capacity may, without authorization from a public agency under s. 163.01(7), issue revenue bonds or other evidence of indebtedness under this section to:

(a) Finance the undertaking of any project within the state that promotes renewable energy as defined in s. 366.91 ~~or~~ ~~s. 377.803;~~

(b) Finance the undertaking of any project within the state that is a project contemplated or allowed under s. 406 of the American Recovery and Reinvestment Act of 2009; ~~or~~

(c) If permitted by federal law, finance qualifying

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CS/CS/HB 1645, Engrossed 2

2024 Legislature

801 improvement projects within the state under s. 163.08; or—
 802 (d) Finance the costs of acquisition or construction of a
 803 transportation facility by a private entity or consortium of
 804 private entities under a public-private partnership agreement
 805 authorized by s. 334.30.

806 Section 17. Paragraph (w) of subsection (2) of section
 807 380.0651, Florida Statutes, is amended to read:

808 380.0651 Statewide guidelines, standards, and exemptions.—
 809 (2) STATUTORY EXEMPTIONS.—The following developments are
 810 exempt from s. 380.06:

811 ~~(w) Any development in an energy economic zone designated~~
 812 ~~pursuant to s. 377.809 upon approval by its local governing~~
 813 ~~body.~~

814

815 If a use is exempt from review pursuant to paragraphs (a)-(u),
 816 but will be part of a larger project that is subject to review
 817 pursuant to s. 380.06(12), the impact of the exempt use must be
 818 included in the review of the larger project, unless such exempt
 819 use involves a development that includes a landowner, tenant, or
 820 user that has entered into a funding agreement with the state
 821 land planning agency under the Innovation Incentive Program and
 822 the agreement contemplates a state award of at least \$50
 823 million.

824 Section 18. Subsection (2) of section 403.9405, Florida
 825 Statutes, is amended to read:

Page 33 of 38

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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ENROLLED

CS/CS/HB 1645, Engrossed 2

2024 Legislature

826 403.9405 Applicability; certification; exemption; notice
827 of intent.—
828 (2) ~~No construction of~~ A natural gas transmission pipeline
829 may not be constructed ~~be undertaken after October 1, 1992,~~
830 without first obtaining certification under ss. 403.9401-
831 403.9425, but these sections do not apply to:
832 (a) Natural gas transmission pipelines which are less than
833 100 ~~15~~ miles in length or which do not cross a county line,
834 unless the applicant has elected to apply for certification
835 under ss. 403.9401-403.9425.
836 (b) Natural gas transmission pipelines for which a
837 certificate of public convenience and necessity has been issued
838 under s. 7(c) of the Natural Gas Act, 15 U.S.C. s. 717f, or a
839 natural gas transmission pipeline certified as an associated
840 facility to an electrical power plant pursuant to the Florida
841 Electrical Power Plant Siting Act, ss. 403.501-403.518, unless
842 the applicant elects to apply for certification of that pipeline
843 under ss. 403.9401-403.9425.
844 (c) Natural gas transmission pipelines that are owned or
845 operated by a municipality or any agency thereof, by any person
846 primarily for the local distribution of natural gas, or by a
847 special district created by special act to distribute natural
848 gas, unless the applicant elects to apply for certification of
849 that pipeline under ss. 403.9401-403.9425.
850 Section 19. Subsection (3) of section 720.3075, Florida

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CS/CS/HB 1645, Engrossed 2

2024 Legislature

Statutes, is amended to read:

720.3075 Prohibited clauses in association documents.—

(3) Homeowners' association documents, including declarations of covenants, articles of incorporation, or bylaws, may not preclude:

(a) The display of up to two portable, removable flags as described in s. 720.304(2)(a) by property owners. However, all flags must be displayed in a respectful manner consistent with the requirements for the United States flag under 36 U.S.C. chapter 10.

(b) Types or fuel sources of energy production which may be used, delivered, converted, or supplied by the following entities to serve customers within the association that such entities are authorized to serve:

1. A public utility or an electric utility as defined in s. 366.02;

2. An entity formed under s. 163.01 that generates, sells, or transmits electrical energy;

3. A natural gas utility as defined in s. 366.04(3)(c);

4. A natural gas transmission company as defined in s. 368.103; or

5. A Category I liquefied petroleum gas dealer, a Category II liquefied petroleum gas dispenser, or a Category III liquefied petroleum gas cylinder exchange operator as defined in s. 527.01.

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CS/CS/HB 1645, Engrossed 2

2024 Legislature

(c) The use of an appliance, including a stove or grill, which uses the types or fuel sources of energy production which may be used, delivered, converted, or supplied by the entities listed in paragraph (b). As used in this paragraph, the term "appliance" means a device or apparatus manufactured and designed to use energy and for which the Florida Building Code or the Florida Fire Prevention Code provides specific requirements.

Section 20. (1) The Public Service Commission shall coordinate, develop, and recommend a plan under which an assessment of the security and resiliency of the state's electric grid and natural gas facilities against both physical threats and cyber threats may be conducted. In developing this plan, the commission shall consult with the Division of Emergency Management and, in its assessment of cyber threats, shall consult with the Florida Digital Service. All electric utilities, natural gas utilities, and natural gas pipelines operating in this state shall cooperate with the commission in developing the plan. The plan must address the manner in which information needed to conduct a security and resiliency assessment may be communicated, collected, shared, stored, and adequately protected from disclosure to avoid adverse impacts on the safe and reliable operation of the state's electric grid and natural gas facilities.

(2) By January 31, 2025, the commission shall submit its

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CS/CS/HB 1645, Engrossed 2

2024 Legislature

recommended plan to the Governor, the President of the Senate,
and the Speaker of the House of Representatives. The plan must
include any recommendations for legislation and may include
other recommendations as determined by the commission.

Section 21. (1) Recognizing the evolution and advances
that have occurred and continue to occur in nuclear power
technologies, the Public Service Commission shall study and
evaluate the technical and economic feasibility of using
advanced nuclear power technologies, including small modular
reactors, to meet the electrical power needs of the state, and
research means to encourage and foster the installation and use
of such technologies at military installations in the state in
partnership with public utilities. In conducting this study, the
commission shall consult with the Department of Environmental
Protection and the Division of Emergency Management.

(2) By April 1, 2025, the commission shall prepare and
submit a report to the Governor, the President of the Senate,
and the Speaker of the House of Representatives, containing its
findings and any recommendations for potential legislative or
administrative actions that may enhance the use of advanced
nuclear technologies in a manner consistent with the energy
policy goals in s. 377.601(2), Florida Statutes.

Section 22. (1) Recognizing the continued development of
technologies that support the use of hydrogen as a
transportation fuel and the potential for such use to help meet

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CS/CS/HB 1645, Engrossed 2

2024 Legislature

926 the state's energy policy goals in s. 377.601(2), Florida
 927 Statutes, the Department of Transportation, in consultation with
 928 the Office of Energy within the Department of Agriculture and
 929 Consumer Services, shall study and evaluate the potential
 930 development of hydrogen fueling infrastructure, including
 931 fueling stations, to support hydrogen-powered vehicles that use
 932 the state highway system.

933 (2) By April 1, 2025, the Department of Transportation
 934 shall prepare and submit a report to the Governor, the President
 935 of the Senate, and the Speaker of the House of Representatives,
 936 containing its findings and any recommendations for potential
 937 legislative or administrative actions that may accommodate the
 938 future development of hydrogen fueling infrastructure in a
 939 manner consistent with the energy policy goals in s. 377.601(2),
 940 Florida Statutes.

941 Section 23. This act shall take effect July 1, 2024.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

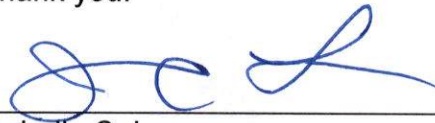
DATE: June 14, 2024

RE: **ORDINANCE 2024-20: POLICE OFFICERS RETIREMENT SYSTEM INVESTMENT OF ASSETS**

Ordinance 2024-20 is an update to the Police Officers Retirement System pension plan to provide the Board and its advisor a more diversified range of potential investments, to remove the permissible ranges of investments, and to allow all legally permissible investments.

Please place Ordinance 2024-20 on the regular City Commission agenda for second reading on June 24, 2024.

Thank you.

A handwritten signature in blue ink, appearing to read 'Isabelle C. Lopez', written over a horizontal line.

Isabelle C. Lopez
City Attorney

Attachment

xc: Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Darlene Galambos, City Clerk (*with original*)

Agenda Title:

Amends the Police Officers Retirement System pension plan regarding investment of assets.

ORDINANCE NO. 2024-20

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 20, ARTICLE VI, SECTION 20-225 OF THE CODE OF THE CITY OF ST. AUGUSTINE REGARDING INVESTMENT OF RETIREMENT SYSTEM ASSETS FOR THE ST. AUGUSTINE POLICE OFFICERS RETIREMENT SYSTEM; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, section 166.041, Florida Statutes, provides procedures for adoption of ordinances by municipalities; and

WHEREAS, the investment objectives of the St. Augustine Police Officers Retirement System are providing benefits to members and their beneficiaries and defraying the reasonable expenses of administering the system; and

WHEREAS, to achieve these objectives, the Board of Trustees of the St. Augustine Police Officers Retirement System shall exercise its investment authority with the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person in a like capacity and familiar with such matters would use in the conduct of an enterprise with like character and like aims, and by diversifying the investments of the system so as to reduce the risk of large losses, unless under the circumstances it is clearly prudent not to do so; and

WHEREAS, on August 23, 2023 the Board of Trustees of the St. Augustine Police Officers Retirement System met and reviewed their financial advisor's recommendations to update the ordinance in order to provide the Board and advisor a more diversified range of potential investments and recommended to the City Commission that the ordinance be amended to remove the permissible ranges of investments and instead simply allow all legally permissible investments; and

WHEREAS, the City Commission finds that it is in the best interest of public health, safety, and general welfare that the following amendments be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. Amending Chapter 20, Article VI, Section 20-225. Chapter 20, Article VI, Section 20-225 of the Code of the City of St. Augustine is hereby amended as follows:

Sec. 20-225. Management of the funds.

- (1) The board is solely responsible for administering the trust, and shall be responsible for investing the assets of the system in accordance with this section. The board shall exercise its duties with respect to the system for the exclusive purpose of providing benefits to members and their beneficiaries and defraying the reasonable expenses of administering the system. The board shall exercise its investment authority with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person in a like capacity and familiar with such matters would use in the conduct of an enterprise with like character and like aims, and by diversifying the investments of the system so as to reduce the risk of large losses, unless under the circumstances it is clearly prudent not to do so. The board shall have full power to hold, purchase, sell, assign, transfer and dispose of any of the securities and investments in which any of the assets of the system have been invested, as well as the proceeds of such investments and any moneys belonging to the fund, in accordance with this section. The board may employ outside investment counsel to advise the board in the making and disposition of investments.
- (2) The board shall adopt and periodically update a written investment policy in accordance with Section 112.661, Florida Statutes, incorporating the following requirements ~~for specific investments:~~
 - (a) The board may invest in ~~money market instruments, stocks, corporate bonds, bonds, or other obligations of the United States of America~~any legally available investments, either directly or through pooled or commingled funds.
 - (b) ~~The board may make direct investment in bonds, notes, or obligations of any municipality or political subdivision or any agency or authority of the State of Florida, if the obligations are rated investment grade by at least one nationally recognized rating organization.~~
 - (c) ~~The board may invest up to twenty five (25) percent at cost basis, of its assets in real estate only through participation in commingled funds or insurance company group annuity separate accounts holding diversified real properties. Insurance companies must be licensed to do business in the State of Florida and commingled funds and insurance companies must be rated investment grade by at least one nationally recognized rating organization. Any commingled or pooled vehicles used by the board should have investment guidelines that are materially consistent with the guidelines herein.~~
 - (d) ~~The board may invest up to fifteen (15) percent of its assets in mortgage loan securities secured by real property only through participation in commingled funds or insurance company separate accounts holding diversified mortgage securities. Insurance companies must be licensed to~~

~~do business in the State of Florida and commingled funds and insurance companies must be rated investment grade by at least one nationally recognized rating organization. Any commingled or pooled vehicles used by the board should have investment guidelines that are materially consistent with the guidelines herein. Mortgage securities of commingled funds must be issued by an agency of or enterprise sponsored by the United States Government, including, but not limited to, the Government National Mortgage Association, the Federal National Mortgage Association, and the Federal Home Loan Mortgage Corporation.~~

- ~~(e) The board may invest up to five (5) percent of its assets in stock and corporate bonds of any one (1) issuing company either directly or through pooled or commingled funds.~~
 - ~~(f) The aggregate investment in stock either directly or through pooled or commingled funds shall not exceed seventy (70) percent (at cost) of the assets of the fund.~~
 - ~~(g) The average credit quality of the fixed income portfolio shall be rated "A" or higher. No more than 15% of the fixed income portfolio may be rated lower than "BBB". The duration of the fixed income portfolio shall remain within 35% of the duration of a market index selected by the board. If there is no index selected, the default index shall be the Lehman Aggregate Bond Index.~~
 - ~~(h) The board may invest up to twenty five percent (25%) of the assets of the fund, in corporate obligations and/or securities of a foreign corporation or a foreign commercial entity that are not subject to United States securities laws. United States dollar denominated securities listed and traded on a United States exchange would not be included in this limitation.~~
- (3) The board shall deposit the funds and securities of the city police officers' retirement trust fund in a qualified public depository as defined in section 280.02(26), Florida Statutes, which depository with regard to such funds and securities shall conform to and be bound by all of the provisions of Chapter 280, Florida Statutes.
 - (4) The board may issue drafts upon the city police officers' retirement trust fund pursuant to Article VI hereof, and rules and regulations prescribed by the board. All such drafts shall be consecutively numbered, be signed by the chairman and secretary and state upon their faces the purposes for which the drafts are drawn. The city director of financial services shall retain such drafts when paid, as permanent vouchers for disbursements made, and no other money shall otherwise be drawn from the fund.
 - (5) No trustee shall have any interest, direct or indirect, in the gains or profits of any investment made by the board, save insofar as such trustee may be a member or beneficiary of the system. No trustee shall in any manner, directly or indirectly, for himself or as an agent, use the funds or deposits of the system except to make such payments therefrom as are authorized by the board, nor shall any member of the board become an endorser or surety or in any manner an obligor for moneys loaned by or borrowed from the fund.

- (6) The board shall have the right to purchase an individual annuity from an insurance company, when a member becomes eligible for service retirement, in an amount sufficient to pay the retired member his earned monthly pension of retirement.
- (7) Notwithstanding any provision of this section to the contrary, the Board shall identify and publicly report any direct or indirect holdings it may have in any scrutinized company, as defined in section 215.473, Florida Statutes, and proceed to sell, redeem, divest, or withdraw all publicly traded securities it may have in that company beginning January 1, 2010. The divestiture of any such security must be completed by September 30, 2010. The Board and its named officers or investment advisors may not be deemed to have breached their fiduciary duty in any action taken to dispose of any such security, and the board shall have satisfactorily discharged the fiduciary duties of loyalty, prudence, and sole and exclusive benefit to the members of the pension fund and their beneficiaries if the actions it takes are consistent with the duties imposed by section 215.473, Florida Statutes, and the manner of the disposition, if any, is reasonable as to the means chosen. For the purposes of effecting compliance with that section, the pension fund shall designate terror-free plans that allocate their funds among securities not subject to divestiture. No person may bring any civil, criminal, or administrative action against the board of trustees or any employee, officer, director, or advisor of such pension fund based upon the divestiture of any security pursuant to this paragraph.

Section 2. Inclusion in Code. The City Commission intends that the provisions of this ordinance shall become and shall be made part of the Code of the City of St. Augustine, that the sections of this ordinance may be renumbered or re-lettered and that the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severance of Invalid Provisions. If any section, subsection, sentence, clause, phrase, word, or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 5. Effective Date. This Ordinance shall become effective ten (10) days after passage, pursuant to Section 166.041(5), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this
_____ day of _____, 2024.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

June 3, 2024

Meredith Breidenstein, CPA
Assistant City Manager
City of St. Augustine
P.O. Box 210
St. Augustine, Florida 32085

Dear Meredith:

ST. AUGUSTINE POLICE OFFICERS' RETIREMENT SYSTEM
ORDINANCE AMENDING MANAGEMENT OF THE FUNDS CHAPTER 20, ARTICLE
VI, SECTION 20-225 - STATEMENT OF ACTUARIAL NO IMPACT

The City of St. Augustine is considering adding an amendment to the Police Officers' Retirement System regarding investment of retirement system assets.

Attached is a Statement of Actuarial No-Impact relating to the proposed amendment pertaining to the Police Officer's Retirement System.

After review, the enclosed Statement should be signed by an authorized representative and sent to the State, along with a copy of the proposed Ordinance, in the usual manner.

Please let us know if you have any questions.

Very truly yours,

ACTUARIAL CONCEPTS



By: _____

Michael J. Tierney
ASA, MAAA

cc: Thomas Jensen
Isabelle Lopez
Donna Hayes
Shanna Lee

ST. AUGUSTINE POLICE OFFICERS' RETIREMENT SYSTEM

STATEMENT OF ACTUARIAL NO-IMPACT

Proposed Amendment to the Retirement System

The City is considering adoption of Ordinance 2024-XX, amending Chapter 20, Article VI, Section 20-225 of the Code of the City of St. Augustine. The Statement of Actuarial No-Impact measures the impact, if any, on the Plan of making the proposed changes listed below:

Section 1. Amending Chapter 20, Article VI, Section 20-225 as follows:

Sec. 20-225. Management of the funds.

- (1) The board is solely responsible for administering the trust, and shall be responsible for investing the assets of the system in accordance with this section. The board shall exercise its duties with respect to the system for the exclusive purpose of providing benefits to members and their beneficiaries and defraying the reasonable expenses of administering the system. The board shall exercise its investment authority with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person in a like capacity and familiar with such matters would use in the conduct of an enterprise with like character and like aims, and by diversifying the investments of the system so as to reduce the risk of large losses, unless under the circumstances it is clearly prudent not to do so. The board shall have full power to hold, purchase, sell, assign, transfer and dispose of any of the securities and investments in which any of the assets of the system have been invested, as well as the proceeds of such investments and any moneys belonging to the fund, in accordance with this section. The board may employ outside investment counsel to advise the board in the making and disposition of investments.
- (2) The board shall adopt and periodically update a written investment policy in accordance with Section 112.661, Florida Statutes, incorporating the following requirements:
 - (a) The board may invest in any legally available investments, either directly or through pooled or commingled funds.

Our analysis indicates that there is not expected to be any adverse effect on the plan or increase in Plan liabilities or contribution requirements due to changes to the Ordinance. Liberalization of the investable assets allowed do not impact plan liabilities.



Date: June 3, 2024

By: _____

Michael J. Tierney
ASA, MAA

**Actuarial
Concepts**

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: June 14, 2024

RE: **ORDINANCE 2024-21: POLICE OFFICERS RETIREMENT SYSTEM PENSION BUY-BACK**

Ordinance 2024-21 is an update to the Police Officers Retirement System pension plan to provide for the restoration of forfeited credited service. This amendment will assist with recruitment of experienced officers and parity with other employees, with minimal impact to the pension plan.

Please place Ordinance 2024-21 on the regular City Commission agenda for second reading on June 24, 2024.

Thank you.


Isabelle C. Lopez
City Attorney

Attachment

xc: Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Darlene Galambos, City Clerk (*with original*)

Agenda Title:

Amends the Police Officers Retirement System pension plan to provide for the restoration of forfeited credited service.

ORDINANCE NO. 2024-21

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 20, ARTICLE VI, SECTION 20-226 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO PROVIDE FOR RESTORATION OF FORFEITED CREDITED SERVICE UNDER CERTAIN CONDITIONS FOR POLICE OFFICERS; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, § 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities; and

WHEREAS, the City of St. Augustine allows for the restoration of forfeited credited service to general employees and firefighters; and

WHEREAS, this amendment will assist with recruitment of experienced officers and parity with other employees, with de minimis impact to the pension plan; and

WHEREAS, the City Commission for the City of St. Augustine finds that it is in the best interest of public health, safety, and general welfare that the following amendments be adopted consistent with the requirements of Section 166.021(4), Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. Amending Chapter 20, Article VI, Section 20-226. Chapter 20, Article VI, Section 20-226 is hereby amended, as follows:

Sec. 20-226. Participation in the system.

- (1) All full-time police officers employed by the City of St. Augustine shall be members of this system.
- (2) The membership of any police officer in this system shall cease upon the payment from the fund of their accumulated contributions.
- (3) The contributions required of a member under this Act shall cease upon service retirement, disability retirement, death or other termination of employment, except as hereinafter provided.
- (4) Should a member be involuntarily laid off, suspended, or discharged, or voluntarily terminate their employment as a police officer with the city and withdraw their accumulated contributions from the fund, they shall, for the purposes of this Act, be deemed to be a new employee as of their date of

reinstatement or reemployment and their creditable service shall commence as of such date. Provided that in the event that such member's accumulated contributions are left in the fund and he or she is reinstated or reemployed within five years of the termination of his or her last period of employment the police officer may have his creditable service credit restored for membership under the system during his or her last period of employment; provided however that if said member shall not reenter employment by the end of five years following his or her involuntary layoff, suspension, discharge or termination his or her accumulated contribution shall be paid to him or her and he or she shall thereafter receive no creditable service credit for such prior employment.

- (5) A participant may have forfeited credited service restored to their individual service account upon satisfaction of each of the following conditions:
 - (a) The retirement system is paid the total amount of accumulated contributions previously withdrawn plus regular interest from the date(s) of withdrawal to the date(s) of repayment. Repayment shall be made in accordance with such rules as the board shall from time to time prescribe, over a period not to exceed five (5) years.
 - (b) The benefit rate for credited service restored pursuant to this section shall be the benefit rate applicable to the period of the previous service.
- (6) Members entitled to a service retirement pension under this system shall not forfeit the same upon dismissal as a police officer, but shall be retired as hereinafter provided.

Section 2. Inclusion in Code. The City Commission intends that the provisions of this ordinance shall become and shall be made part of the Code of the City of St. Augustine, that the sections of this ordinance may be renumbered or re-lettered and that the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severance of Invalid Provisions. If any section, subsection, sentence, clause, phrase, word, or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 5. Effective Date. This ordinance shall become effective ten (10) days after passage, pursuant to § 166.041(5), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this
_____ day of _____, 2024.

Nancy Sikes-Kline, Mayor-Commissioner

ATTEST:

Darlene Galambos, City Clerk
(SEAL)

June 3, 2024

Meredith Breidenstein, CPA
Assistant City Manager
City of St. Augustine
P.O. Box 210
St. Augustine, Florida 32085

Dear Meredith:

ST. AUGUSTINE POLICE OFFICERS' RETIREMENT SYSTEM
ORDINANCE AMENDING REINSTATEMENT OF CREDITED SERVICE CHAPTER 20,
ARTICLE VI, SECTION 20-226 - STATEMENT OF ACTUARIAL NO IMPACT

The City of St. Augustine is considering adding a new provision to the Police Officers' Retirement System to permit repayment of accumulated contributions plus interest in order to regain prior periods of credited service under the System.

Attached is a Statement of Actuarial No-Impact relating to the proposed provision pertaining to the Police Officer's Retirement System.

After review, the enclosed Statement should be signed by an authorized representative and sent to the State, along with a copy of the proposed Ordinance, in the usual manner.

Please let us know if you have any questions.

Very truly yours,

ACTUARIAL CONCEPTS



By: _____

Michael J. Tierney
ASA, MAAA

cc: Thomas Jensen
Isabelle Lopez
Donna Hayes
Shanna Lee

ST. AUGUSTINE POLICE OFFICERS' RETIREMENT SYSTEM

STATEMENT OF ACTUARIAL NO-IMPACT

Proposed Amendment to the Retirement System

The City is considering adoption of Ordinance 2024-XX, amending Chapter 20, Article VI, Section 20-226 of the Code of the City of St. Augustine. The Statement of Actuarial No-Impact measures the impact, if any, on the Plan of making the proposed changes listed below:

Section 1. Amending Chapter 20, Article VI, Section 20-226 (5), as follows:

Sec. 20-226. Participation in the system.

- (1) All full-time police officers employed by the City of St. Augustine shall be members of this system.
- (2) The membership of any police officer in this system shall cease upon the payment from the fund of their accumulated contributions.
- (3) The contributions required of a member under this Act shall cease upon service retirement, disability retirement, death or other termination of employment, except as hereinafter provided.
- (4) Should a member be involuntarily laid off, suspended, or discharged, or voluntarily terminate their employment as a police officer with the city and withdraw their accumulated contributions from the fund, they shall, for the purposes of this Act, be deemed to be a new employee as of their date of reinstatement or reemployment and their creditable service shall commence as of such date.
- (5) A participant may have forfeited credited service restored to their individual service account upon satisfaction of each of the following conditions:
 - (a) The retirement system is paid the total amount of accumulated contributions previously withdrawn plus regular interest from the date(s) of withdrawal to the date(s) of repayment. Repayment shall be made in accordance with such rules as the board shall from time to time prescribe, over a period not to exceed five (5) years.
 - (b) The benefit rate for credited service restored pursuant to this section shall be the benefit rate applicable to the period of the previous service.
- (6) Members entitled to a service retirement pension under this system shall not forfeit the same upon dismissal as a police officer, but shall be retired as hereinafter provided.

Our analysis indicates that there is not expected to be any adverse effect on the plan or increase in Plan liabilities or contribution requirements due to changes to the Ordinance. The frequency of occurrence is low, and the effect on plan liabilities, if any, would be immaterial.



Date: June 3, 2024

By: _____

Michael J. Tierney
ASA, MAA

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: June 14, 2024

RE: **ORDINANCE 2024-22: POLICE OFFICERS RETIREMENT SYSTEM SHARE PLAN**

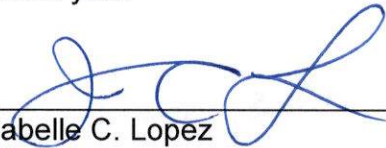
Ordinance 2024-22 is an update to the Police Officers Retirement System Share Plan incorporating recent changes in federal and state law. The main changes include describing how premium state tax monies are allocated and how the Share Plan funds will be allocated to members, consistent with Chapter 185.35, Florida Statutes.

The ordinance has been drafted and reviewed by the City's pension special counsel, Mr. Jim Linn. The Coastal Florida Police Benevolent Association, Inc. has voted in favor of the proposed changes.

The Board of Trustees of the St. Augustine Police Officers' Retirement Trust Fund met on May 22, 2024 to instruct its actuary to perform the statutorily required actuarial estimate of costs. The proposed changes will not have a material impact. The actuarial impact statement is forthcoming and will be forwarded to the Florida Division of Retirement prior to the last public hearing, consistent with Chapter 185.35(3), Florida Statutes.

Please place Ordinance 2024-22 on the regular City Commission agenda for second reading on June 24, 2024.

Thank you.


Isabelle C. Lopez
City Attorney

Attachment

xc: Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Darlene Galambos, City Clerk (*with original*)

Agenda Title:

Amends the Police Officers Retirement System regarding the allocation of the Share Plan.

ORDINANCE NO. 2024-22

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 20, ARTICLE VI, SECTION 20-236 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO CLARIFY AND ESTABLISH THE DETAILS OF THE POLICE OFFICERS RETIREMENT SYSTEM SHARE PLAN; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, § 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities; and

WHEREAS, the City and the Coastal Florida Police Benevolent Association, Inc. previously agreed to the establishment of a defined contribution component of the Police Officers' Retirement System known as the "Share Plan" as provided in Florida Statute 185.35; and

WHEREAS, the City and the Coastal Florida Police Benevolent Association, Inc. agreed to establish and enact the details of the Share Plan once annual premium tax revenues exceeded the amount collected in 2002; and

WHEREAS, annual premium tax revenues received by the Share Plan have now exceeded the requisite amount; and

WHEREAS, the current Share Plan language incorrectly reflects a figure of \$249,401 as the amount of premium taxes collected in 2002 and distributed to the City in 2003, instead of the correct figure of \$243,172; and

WHEREAS, an amendment of the Share Plan is required in order to clarify and establish the details of the Share Plan as agreed upon; and

WHEREAS, the City Commission for the City of St. Augustine finds that it is in the best interest of public health, safety, and general welfare that the following amendments be adopted consistent with the requirements of Section 166.021(4), Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. Amending Chapter 20, Article VI, Section 20-236. Chapter 20, Article VI, Section 20-236 is hereby amended, as follows:

Sec. 20-236. Share plan.

- (1) In accordance with F.S. § 185.35(6), a defined contribution plan component ("share plan") is hereby established for police officers as part of this System. The share plan will be funded exclusively with F.S. ch. 185 premium tax revenues as follows: all annual premium tax revenues received up to \$243,172 shall be used to reduce city pension contributions. Annual premium tax revenues received in excess of \$243,172 shall be split 50-50, with one-half of the excess used to fund the share plan, and one-half of the excess used to reduce city pension contributions. in accordance with the default rules in F.S. § 185.35(a) — (d) as follows: all annual premium tax revenues received up to the amount collected in 2002 and distributed to the city in 2003 (\$249,401) shall be used to reduce city pension contributions. Annual premium tax revenues received in excess of \$249,401 shall be split 50-50, with one-half of the excess used to fund the share plan, and one-half of the excess used to reduce city pension contributions. The share plan shall not become operative until annual premium tax revenues exceed \$243,172~~\$249,401~~ and the details of the share plan are agreed to by the city and union.
- (2) Effective September 30, 2023, the share plan established in accordance with this sec. 20-236 shall become operative, as provided herein. The share plan shall consist of an individual share account for each active police officer, including DROP participants, employed by the City of St. Augustine on or after September 30, 2023.
- (3) The total initial amount to be allocated to the members' share accounts as provided in paragraph (a) shall be \$69,113. For plan years beginning October 1, 2023 and after, all premium tax revenues received by the City pursuant to Chapter 185, Florida Statutes, in excess of \$243,172 shall be split 50/50, with 50 percent of the excess allocated to the members' share accounts as provided in paragraph (b), and 50 percent of the excess shall be used to reduce the city's annual contribution to the Plan. Members' share accounts shall be credited with premium tax revenues and investment earnings or losses, and distributed as follows:

 - a) Initial crediting. No later than 180 days after the share plan becomes effective, the share account of each active police officer member and DROP participant on the City's payroll as of September 30, 2023, shall be credited an equally proportionate share of the accumulated excess premium tax revenues of \$69,113, as provided in this paragraph. Each member employed as a police officer on September 30, 2023 shall receive one share for each month of total credited service. The total value of each share shall be determined based on the total number of shares divided into the total accumulated excess premium tax revenues (\$69,113).
 - b) Annual crediting. Effective October 1, 2024, and each October 1 thereafter, the share account of each active police officer member and DROP

participant on the City's payroll as of the preceding September 30 shall be credited as follows. Each active police officer member and DROP participant who was employed on the preceding September 30 shall receive one share for each month of credited service earned during the plan year ending on the same September 30th. The total number of shares thus determined shall be divided into the premium tax revenues allocated to the share plan for that year in accordance with subsection (3) above.

- c) Investment earnings and losses. Effective October 1, 2023, and each October 1 thereafter, the share account of each active police officer member and DROP participant shall be credited or debited with earnings or losses based upon the amount in the share account at the close of the immediately preceding fiscal year end, at a rate equal to the Pension Trust Fund's actual net rate of investment return for the preceding plan year. The net rate of investment return is determined as of the last business day of the fiscal year, which is the valuation date, and member share accounts shall be debited or credited with earnings or losses as of such date.
- d) Distribution of Share Accounts. An active police officer or DROP participant with ten or more years of credited service upon termination of employment shall be eligible to receive a distribution of one hundred percent (100%) of the balance in his or her share account, together with all earnings and losses thereon, as provided in paragraph (f). No benefit shall be payable to an active police officer who terminates covered employment with less than 10 years of credited service. The share account balances of such non-vested terminated members shall be redistributed among all eligible member's share accounts in the same manner as premium tax revenues in the following calendar year. The designated beneficiary of an active police officer who has died shall receive the accumulated total of his or her share account balance. An active police officer awarded a disability pension from the Pension Trust Fund shall receive the accumulated total of his or her share account balance. There shall be no forfeiture of a member's share account based on the member's death, disability or termination of employment with ten or more years of credited service. Such payment of share account benefits shall be by lump sum, which shall consist of the accumulated total balance of the active police officer's share account, or, at the member's direction, the share account balance may be rolled over to another qualified plan in accordance with the Internal Revenue Code, with an additional payment made for any prorated amount credited in the year following termination of employment.
- e) Eligibility for Benefits. Any member who dies, terminates employment as a police officer with the City with ten or more years of credited service or is determined by the board to be totally and permanently disabled, upon application filed with the board, shall be entitled to be paid the value of their individual member share account, subject to the following criteria:

 - (i) Retirement Benefit.

1. A member shall be entitled to one hundred percent (100%) of the value of their share account upon normal or early retirement pursuant to Section 20-228, or if the member enters the DROP, upon termination of employment.

2. Such payment shall be made as provided in paragraph (f).

(ii) Termination Benefit.

1. In the event that a member's employment as a police officer is terminated by reason other than retirement, death, or disability, he or she shall be entitled to receive the value of his or her share account only if he or she has 10 or more years of credited service on the date of termination.

2. Such payment shall be made as provided in paragraph (f).

(iii) Disability Benefit.

1. In the event that a member is determined to be eligible for either an in-line of duty disability benefit pursuant to Section 20-230, or a not-in-line of duty disability benefit pursuant to Section 20-230, he or she shall be entitled to one hundred percent (100%) of the value of their respective share account.

2. Such payment shall be made as provided in paragraph (f).

(iv) Death Benefit.

1. In the event that a vested member or DROP participant dies while actively employed as a police officer, one hundred percent (100%) of the value of their member share account shall be paid to their designated Beneficiary as provided in Section 20-231.

2. Such payment shall be made as provided in paragraph (f).

(f) Payment of Benefits. If a member or DROP participant terminates employment for any reason or dies and he/she or their beneficiary is otherwise entitled to receive the balance in the member's share account, the member's share account shall be valued by the plan's actuary on the next valuation date following death or termination of employment. Payment of the share account balance shall be made as soon as administratively practicable following the valuation date, but not later than one hundred fifty (150) days following the valuation date.

Section 2. Inclusion in Code. The City Commission intends that the provisions of this ordinance shall become and shall be made part of the Code of the City of St. Augustine, that the sections of this ordinance may be renumbered or re-lettered and that the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severance of Invalid Provisions. If any section, subsection, sentence, clause, phrase, word, or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 5. Effective Date. This ordinance shall become effective ten (10) days after passage, pursuant to § 166.041(5), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2024.

Nancy Sikes-Kline, Mayor-Commissioner

ATTEST:

Darlene Galambos, City Clerk
(SEAL)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: June 13, 2024

RE: **ORDINANCE 2024-23: FLORIDA-FRIENDLY FERTILIZER USE ON URBAN LANDSCAPES**

Please find attached Ordinance 2024-23 creating the City of St. Augustine's Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes and adopting the Florida Department of Environmental Protection's Model Ordinance.

Furthermore, the enforcement section of the ordinance proposes that violators be issued a non-criminal county court citation that imposes a \$100 fine. In the alternative, the City Commission can consider using the Special Magistrate pursuant to Chapter 162, Florida Statutes as a means of enforcement. Moreover, the adoption of this model ordinance does not foreclose the implementation of future ordinances that provide for additional or more stringent standards of fertilizer use within the City of St. Augustine. These additional or more stringent provisions require both scientific research that addresses fertilizer use as a contributor to water quality degradation and feedback from the specified organizations found in Florida Statute 403.9337(2)(b).

Please place Ordinance 2024-23 on the regular City Commission agenda for first reading on June 24, 2024.

Thank you.



April R. Owen
Assistant City Attorney

Attachment

xc: Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Darlene Galambos, City Clerk

Agenda Title:

Ordinance 2024-23 creates section 11-2 for Florida-Friendly Fertilizer Use on Urban Landscapes and adopts the FDEP Model Ordinance.

Business Impact Estimate

Proposed ordinance's title/reference: **ORDINANCE 2024-23: AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, CREATING CHAPTER 11, ARTICLE I, SECTION 11-2 OF THE CODE OF THE CITY OF ST. AUGUSTINE RELATING TO REGULATION OF FERTILIZER; ADOPTING THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S MODEL ORDINANCE FOR FLORIDA-FRIENDLY FERTILIZER USE FOR URBAN LANDSCAPES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of St. Augustine is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☒ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of St. Augustine hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare): **TO REGULATE THE USE OF FERTILIZERS TO PROTECT LOCAL SURFACE WATER QUALITY.**

¹ See Section 166.041(4)(c), Florida Statutes.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of St. Augustine, if any: **THE COST OF THE "FLORIDA-FRIENDLY BEST MANAGEMENT PRACTICES FOR PROTECTION OF WATER RESOURCES BY THE GREEN INDUSTRIES" TRAINING CERTIFICATION.**

(a) An estimate of direct compliance costs that businesses may reasonably incur: **\$53.52.**

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible: **\$100.00 PLUS ANY COURT COSTS.**

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs. **N/A.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: **6.**

4. Additional information the governing body deems useful (if any): **NONE.**

ORDINANCE NO. 2024-23

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA CREATING CHAPTER 11, ARTICLE I, SECTION 11-2 RELATING TO REGULATION OF FERTILIZER; ADOPTING THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S MODEL ORDINANCE FOR FLORIDA-FRIENDLY FERTILIZER USE FOR URBAN LANDSCAPES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the excessive and improper use of fertilizers can contribute to water quality issues and lead to water quality degradation; and

WHEREAS, because of impairment to the City of St. Augustine's surface waters caused by excessive nutrients in the surface waters within the boundaries of the City of St. Augustine, the governing body of the City of St. Augustine has determined that the use of fertilizers on lands within the City of St. Augustine creates a risk of contributing to adverse effects on surface water. Accordingly, the City Commission for the City of St. Augustine finds that management measures contained in the most recent edition of the "Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries, 2008," may be required by this ordinance; and

WHEREAS, section 403.9337, Florida Statutes, requires county and municipal governments that are "located within the watershed of a water body or water segment that is listed as impaired by nutrients pursuant to section 403.067," Florida Statutes, to, at a minimum, adopt the State of Florida's model ordinance for Florida-Friendly Fertilizer Use for Urban Landscapes to regulate the application of fertilizer as a mechanism for protecting local surface and groundwater quality, and

WHEREAS, the Florida Department of Environmental Protection (FDEP) has confirmed that the City of St. Augustine is located within the watershed of a water body or water segment that is listed as impaired by nutrients pursuant to section 403.067, Florida Statutes, and therefore, the City of St. Augustine is required to, at a minimum, adopt the state's model ordinance; and

WHEREAS, the City Commission for the City of St. Augustine finds that it is in the best interest of public health, safety, and general welfare that the following model ordinance be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. Creating Chapter 11, Article I, Section 11-2. Chapter 11, Article I, Section 11-2 of the Code of the City of St. Augustine is hereby created to read as follows,

Sec. 11-2. – City of St. Augustine Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes.

(a) Intent.

The purpose and intent of this Ordinance is to regulate the proper use of fertilizers by any applicator and require the proper training and licensing of Commercial and Institutional Fertilizer Applicators. The Ordinance requires the use of Best Management Practices which provide specific management guidelines to minimize negative secondary and cumulative environmental effects associated with the misuse of fertilizers. These secondary and cumulative effects have been observed in and around the City of St. Augustine's natural and constructed stormwater conveyances, rivers, creeks, canals, lakes, estuaries, and other water bodies. Collectively, these water bodies are an asset critical to the environmental, recreational, cultural, and economic well-being of the City of St. Augustine's residents and the health of the public. Overgrowth of algae and vegetation hinder the effectiveness of flood attenuation provided by natural and constructed stormwater conveyances. Regulation of nutrients, including both phosphorous and nitrogen contained in fertilizer, will help improve and maintain water and habitat quality.

(b) Definitions.

For purposes of this Ordinance, the following terms shall have the meanings ascribed to them as follows:

- (1) Application or Apply means the actual physical deposit of fertilizer to turf, landscape plants or the ground.
- (2) Applicator means any person who applies fertilizer on turf, landscape plants, or the ground in the City of St. Augustine.
- (3) Best Management Practices means turf and landscape practices or combination of practices based on research, field-testing and expert review, determined to be the most effective and practicable on-location means, including economic and technological considerations, for improving water quality and protecting natural resources.
- (4) Code Enforcement Officer means any designated employee of the City of St. Augustine whose duty it is to enforce codes and ordinances enacted by the City of St. Augustine.
- (5) Commercial Fertilizer Applicator, except as provided in 482.1562(9) F.S., means any person who applies fertilizer for payment or other consideration to property not owned by the person or firm applying the fertilizer or the employee of the applicator.
- (6) Fertilize, Fertilizing, or Fertilization, means the act of applying fertilizer to turf, specialized turf, or landscape plants.

- (7) Fertilizer means any substance or mixture of substances that contains one or more recognized plant nutrients and promotes plant growth, or controls soil acidity or alkalinity, or provides other soil enrichment, or provides other corrective measures to the soil.
- (8) Institutional Applicator means any person, other than a private, non-commercial or a Commercial Applicator (unless such definitions also apply under the circumstances), that applies fertilizer for the purpose of maintaining turf or landscape plants. Institutional Applicators shall include, but are not limited to, owners, managers or employees of public lands, schools, parks, religious institutions, utilities, industrial or business sites and any residential properties maintained in condominium or other common ownership.
- (9) Landscape plant means any native or exotic tree, shrub, or groundcover, excluding turf.
- (10) Low Maintenance Zone means an area a minimum of ten (10) feet wide adjacent to water courses which is planted and managed in order to minimize the need for fertilization, watering, mowing, etc.
- (11) Person means any natural person, business, corporation, limited liability company, partnership, limited partnership, association, club, organization, and any group of people acting as an organized entity.
- (12) Prohibited Application Period means the time period during which a Flood Watch or Warning, a Tropical Storm Watch or Warning, or a Hurricane Watch or Warning is in effect for any portion of the City of St. Augustine, issued by the National Weather Service, or if heavy rain is likely. Heavy rain is rainfall greater than or equal to two (2) inches in a twenty-four (24) hour period as per the World Meteorological Organization.
- (13) Saturated Soil means soil in which the voids are filled with water. Saturation does not require flow. For the purposes of this ordinance, soil shall be considered saturated if standing water is present or the pressure of a person standing on the soil causes the release of free water.
- (14) Slow Release Nitrogen means nitrogen in a form which delays its availability for plant uptake and use after application, or which extends its availability to the plant longer than a reference rapid or quick release product, and may also be referred to as controlled release nitrogen, timed release nitrogen, slowly available nitrogen, or water insoluble nitrogen.
- (15) Specialized turf means areas of grass used for golf courses, athletic fields, and high impact areas, and other similar activities.
- (16) Turf means a piece of grass-covered soil held together by the roots of the grass and may also be referred to as sod or lawn.
- (17) Urban Landscape means pervious areas on residential, commercial, industrial, institutional, highway rights-of-way, or other nonagricultural lands that are planted with turf or horticultural plants.

(c) Applicability and Exemptions.

- (1) This Ordinance shall be applicable to and shall regulate any and all applications of fertilizer and areas of application of fertilizer within the area of the City of St. Augustine unless such applicator is specifically exempted by the terms of this Ordinance from the regulatory provisions of this Ordinance.

This Ordinance shall be prospective only and shall not impair any existing contracts.

(2) The provisions set forth in this Ordinance shall not apply to:

- a. Bona fide farm operations as defined in the Florida Right to Farm Act, Section 823.14 Florida Statutes;
- b. Other properties not subject to or covered under the Florida Right to Farm Act that have pastures used for grazing livestock;
- c. Any lands used for bona fide scientific research, including, but not limited to, research on the effects of fertilizer use on urban stormwater, water quality, agronomics, or horticulture.

(d) Timing of Fertilizer Applications.

(1) No applicator shall apply fertilizers containing nitrogen and phosphorous to turf and landscape plants during the Prohibited Application Period.

(e) Restrictions on location of fertilizer application.

(1) Fertilizer-free zones: Fertilizer shall not be applied within ten (10) feet of any pond, stream, watercourse, lake, canal, or wetland as defined by the Florida Department of Environmental Protection (Chapter 62-340, Florida Administrative Code) or from the top of a seawall, unless a deflector shield, drop spreader, or liquid applicator with a visible and sharply defined edge, is used, in which case a minimum of 3 feet shall be maintained.

a. Newly planted turf and landscape plants may be fertilized in this Zone only for a sixty (60) day period beginning 30 days after planting if needed to allow the plants to become well established. Caution shall be used to prevent direct deposition of nutrients into the water.

(2) Voluntary Low-Maintenance Zones: A voluntary ten (10) foot low maintenance zone is strongly recommended, but not mandated, from any pond, stream, water course, lake, wetland or from the top of a seawall. A swale/berm system is recommended for installation at the landward edge of this low maintenance zone to capture and filter runoff.

a. Each property owner is encouraged, but not required, to:

- i. Maintain a low maintenance zone;
- ii. Not deposit or leave any mowed or vegetative material in the low maintenance zone;
- iii. Install a swale or berm system at the landward edge of the low-maintenance zone, to capture and filter runoff; and
- iv. Take care to prevent the overspray of aquatic weed products within a low-maintenance zone.

(f) Application Practices and handling of spills on impervious surfaces.

(1) Spreader deflector shields are required when fertilizing via rotary (broadcast) spreaders. Deflectors must be positioned such that fertilizer granules are

deflected away from all impervious surfaces, fertilizer-free zones, and water bodies, including wetlands.

- (2) Fertilizer shall not be applied, spilled, or otherwise deposited on any impervious surfaces.
- (3) Any fertilizer applied, spilled, or deposited, either intentionally or accidentally, on any impervious surface shall be immediately and completely removed to the greatest extent practicable.
- (4) Fertilizer released on an impervious surface must be immediately contained and either legally applied to turf or any other legal site or returned to the original or other appropriate container.
- (5) In no case shall fertilizer be washed, swept, or blown off impervious surfaces into stormwater drains, ditches, conveyances, or water bodies.

(g) Management of grass clippings and vegetative matter.

- (1) In no case shall grass clippings, vegetative material, and vegetative debris be washed, swept, or blown off into stormwater drains, ditches, conveyances, water bodies, wetlands, or sidewalks or roadways.
- (2) Any material that is accidentally deposited shall be immediately removed to the maximum extent practicable.

(h) Training.

- (1) No later than 90 days after the effective enactment date of these regulations, all commercial and institutional applicators of fertilizer within the City of St. Augustine, shall abide by and successfully complete the six-hour training program in the "Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries" offered by the Florida Department of Environmental Protection through the University of Florida Extension "Florida-Friendly Landscaping" program, or an approved equivalent.
- (2) Private, non-commercial applicators are encouraged to follow the recommendations of the University of Florida IFAS "Florida Yards and Neighborhoods" program when applying fertilizers.

(i) Licensing of commercial applicators.

- (1) All commercial applicators of fertilizer within the City of St. Augustine, shall always have and carry in their possession when applying fertilizer, evidence of certification by the Florida Department of Agriculture and Consumer Services as a Commercial Fertilizer Applicator per 5E-14.117(18) F.A.C.
- (2) All business applying fertilizer to turf and landscape plants must ensure that at least one employee has a "Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries" training certificate prior to the business owner obtaining a Local Business Tax Certificate. Owners for any category of occupation which may apply any fertilizer to turf and landscape plants shall provide proof of completion of the program to the City of St. Augustine's Finance Department.

(j) Enforcement.

This section may be enforced by issuing a non-criminal court citation that imposes a \$100 fine and penalties in accordance with section 1-8 of this Code.

Section 2. Inclusion in Code. The City Commission intends that the provisions of this Ordinance shall become and shall be made part of the Code of the City of St. Augustine, that the sections of this ordinance may be re-numbered or re-lettered and that the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are repealed.

Section 4. Severance of Invalid Provisions. In the event that any section, subsection, sentence, clause, phrase, word, term or provision of this Ordinance shall be held by a court of competent jurisdiction to be partially or wholly invalid, unconstitutional or unenforceable or involved for any reason whatsoever, any such invalidity, unconstitutionality, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, unconstitutional, illegal, or unenforceable section, subsection, sentence, clause, phrase, word, term or provision did not exist.

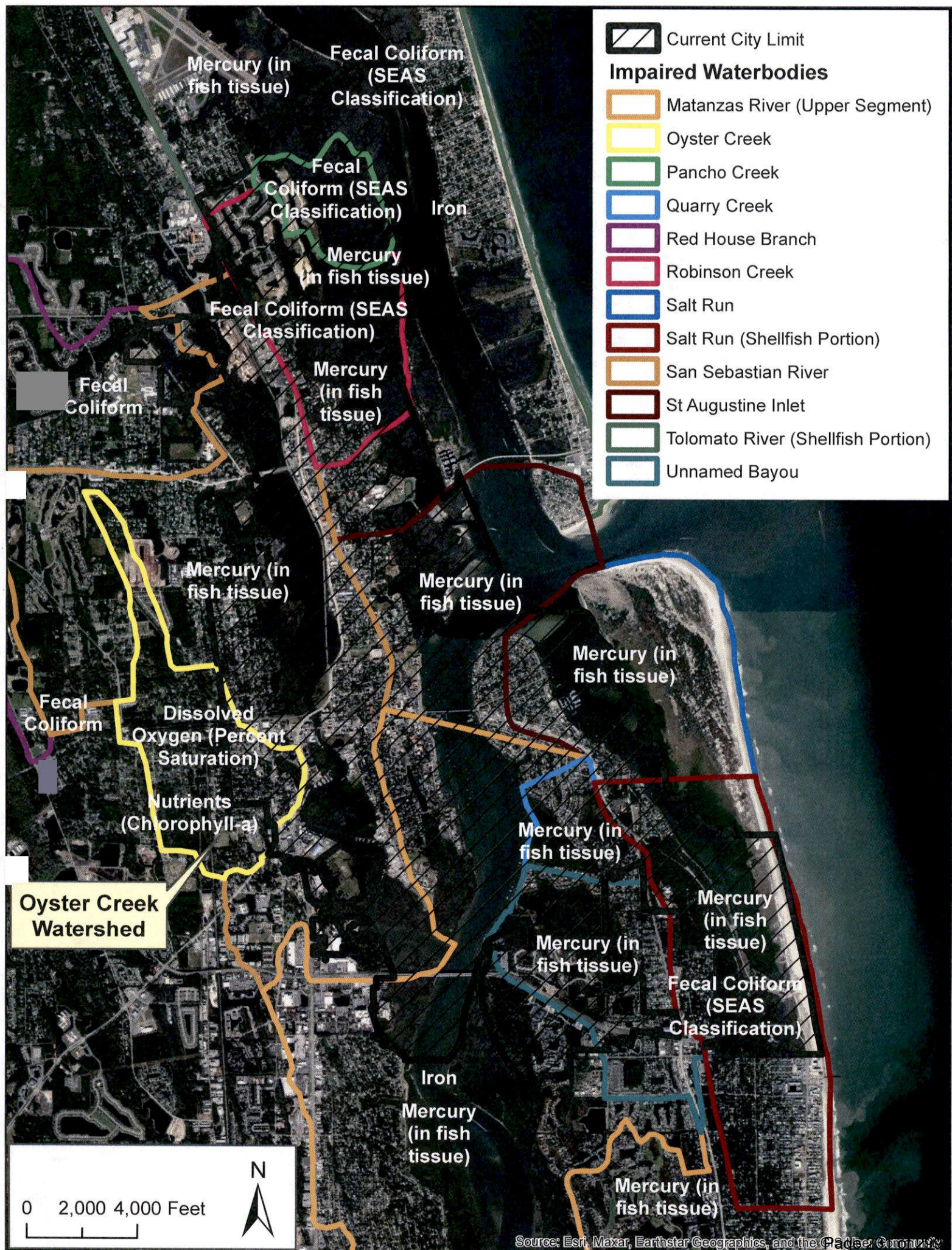
Section 5. Effective Date. This Ordinance shall become effective ten (10) days after passage, pursuant to § 166.041(5), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2024.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)



CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David P. Birchim, AICP
City Manager

DATE: June 24, 2024

RE: Resolution Agenda Item: Proposed Resolution 2024-22 to succeed
Resolution 2021-41

As you are aware, the City of St. Augustine has been awarded the Community Development Block Grant- Coronavirus CDBG-CV grant opportunity from the Florida Department of Economic Opportunity on March 1, 2022. These funds are being utilized to repair the St. Francis Crisis Shelter to provide a safe, permanent, nighttime residence to families in need.

Resolution 2021-41 was approved on October 25, 2021, adopting the City Manager to execute all documents pertaining to the award. The Florida Department of Economic Opportunity is requesting an amended resolution with no specified dates pertaining to the application date. Proposed Resolution 2024-22 will keep awarded grant H2481-22CV-S10 active.

If you concur, please place this item on the Agenda for the City Commission meeting scheduled for Monday, June 24, 2024, under item 9.B.1 Resolutions for consideration and potential approval.

As always, please do not hesitate to contact me if you have any questions. Thank you for your assistance.



Amber Foschaar
Grants Administration Coordinator

EW
Encl: Proposed Resolution 2024-22
Resolution 2021-41

xc: Corey Sakryd, Director, General Services
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
file

RESOLUTION NO. 2024-22

A RESOLUTION REAUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS REQUIRED IN CONNECTION WITH THE FILING OF THE COMMUNITY DEVELOPMENT BLOCK GRANT – CV (CDBG-CV) PROGRAM TO PREPARE, PREVENT OR RESPOND TO THE HEALTH IMPACTS OF THE CORONA VIRUS (COVID 19) PANDEMIC FOR THE CITY OF ST. AUGUSTINE.

WHEREAS, the City of St. Augustine was awarded the Community Development Block Grant- Coronavirus (CDBG-CV) grant opportunity from the Florida Department of Economic Opportunity to benefit persons of low and moderate income impacted by the COVID 19 pandemic on March 1, 2022.

WHEREAS, Resolution 2021-41 was approved on October 25, 2021, adopting the City Manager to execute all documents pertaining to the award by November 21, 2021.

WHEREAS, the Florida Department of Economic Opportunity has requested an amended resolution with no specific date pertaining to the application date.

WHEREAS, the City of St. Augustine wishes to remove the dates pertaining to the application date to keep the awarded grant H2481-22CV-S10 active.

NOW THEREFORE, BE IT RESOLVED by the City Commission of the City of St. Augustine as follows:

1. That the City of St. Augustine hereby authorizes Resolution Number 2024-22 to amend and supersede Resolution 2021-41.

2. That the City Manager of the City of St. Augustine remain authorized to execute all documents required in connection with the filing of said applications or grant awards to be submitted pertaining to this grant.

DULY PASSED AND ADOPTED by the City Commission of the City of St. Augustine, Florida at a regular meeting on this 24th day of June 2024.

Nancy Sikes-Kline, Mayor-Commissioner
City of St. Augustine, Florida

ATTESTED:

Darlene Galambos, City Clerk
City of St. Augustine, Florida

RESOLUTION NO. 2021-41

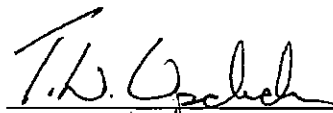
A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT – CV (CDBG-CV) PROGRAM TO PREPARE, PREVENT OR RESPOND TO THE HEALTH IMPACTS OF THE CORONA VIRUS (COVID 19) PANDEMIC FOR THE CITY OF ST. AUGUSTINE. THE APPLICATION IS BEING SUBMITTED TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY.

WHEREAS, the City of St. Augustine desires to submit an application to the Florida Department of Economic Opportunity for a Community Development Block Grant CV application to benefit persons of low and moderate income impacted by the COVID 19 pandemic.

NOW THEREFORE, BE IT RESOLVED by the City Commission of the City of St. Augustine as follows:

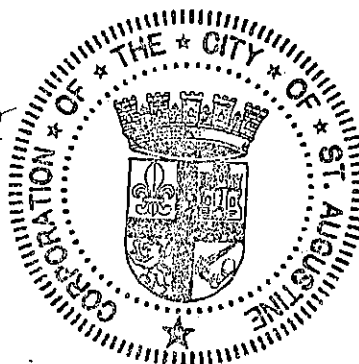
1. That the City of St. Augustine hereby authorizes the filing of an application for CDBG-CV funding of \$1,251,229.00 for the renovation of the St. Francis Housing Crisis Center, and
2. That the City Manager of the City of St. Augustine is hereby authorized to execute all documents required in connection with the filing of said applications or grant award to be submitted on or before November 1, 2021.

DULY PASSED AND ADOPTED by the City Commission of the City of St. Augustine, Florida at a regular meeting on this 25th day of October 2021.


Tracy Upchurch, Mayor-Commissioner
City of St. Augustine, Florida

ATTESTED:


Darlene Galambos, City Clerk
City of St. Augustine, Florida



CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim
City Manager

DATE: June 11, 2024

RE: Agenda Item for June 24, 2024, City Commission Meeting;
Presentation for the FDOT Seawall Replacement Project – Commission Input

As a follow up to the June 10, 2024, City Commission Meeting regarding the staff presentation on the FDOT Seawall Replacement Project Update, FDOT has requested to present additional information on this project at the next City Commission meeting. They are seeking City Commission input regarding a few aspects of the project. As such, I am requesting that their presentation be placed on the agenda for the June 24, 2024, meeting.

Attached is a copy of the presentation and if you have any questions, please contact us.



Jessica L. Beach, P.E.
Chief Resilience Officer
Utilities and Public Works Deputy Director

Attachment: PowerPoint Presentation

cc: City Attorney & Department Heads

Project Purpose and Need

Purpose:

- 2022 Inspection shows extensive deterioration
- Nearing end of service life

Need:

- Provide safe access
- Enhance storm protection
- Maintain aesthetics of area

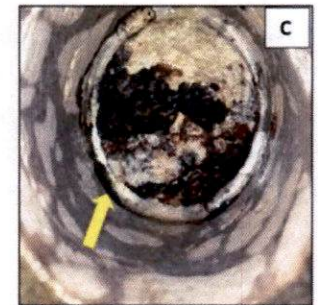
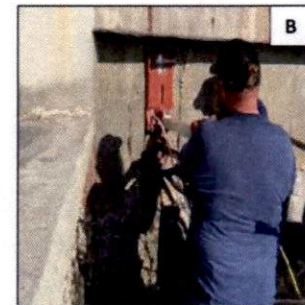
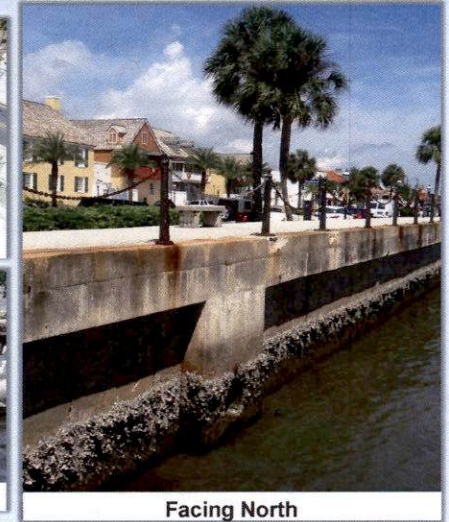
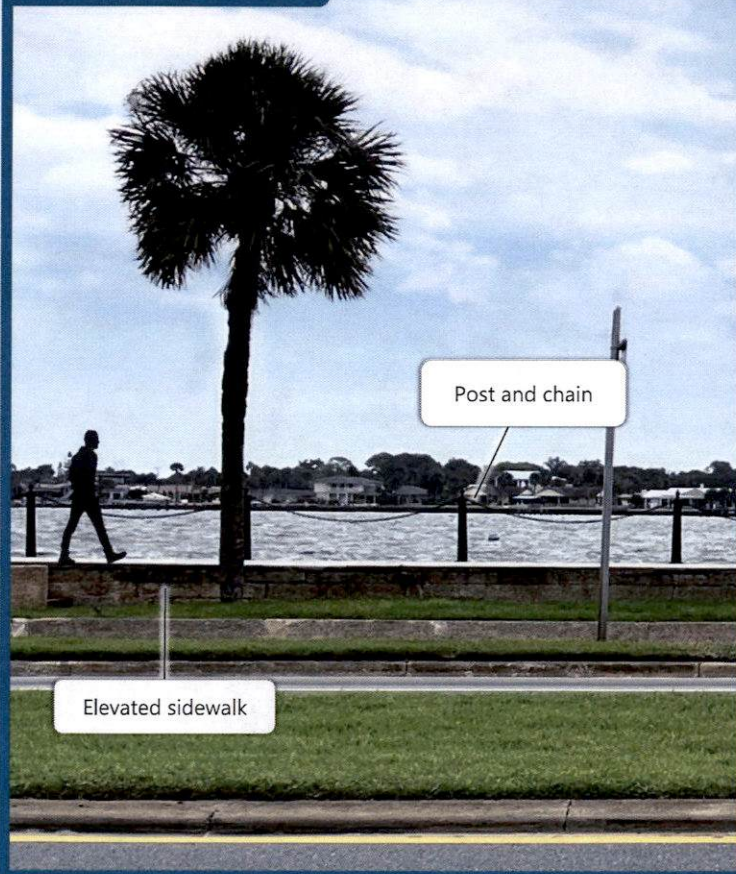


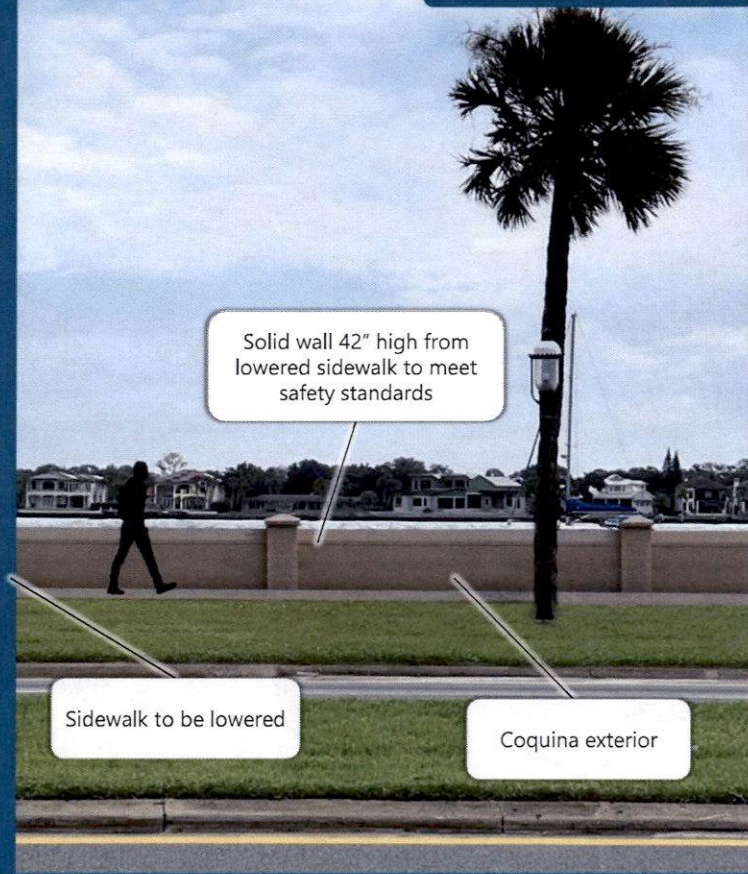
Figure 1: Crack inspection, drilling cores, and rebar inspection. A) Evident corrosion product at the bottom of the core; B) Core extraction; and C) Delamination at the level of the steel rebar.

Project Concept

Existing Conditions



Proposed Alternative



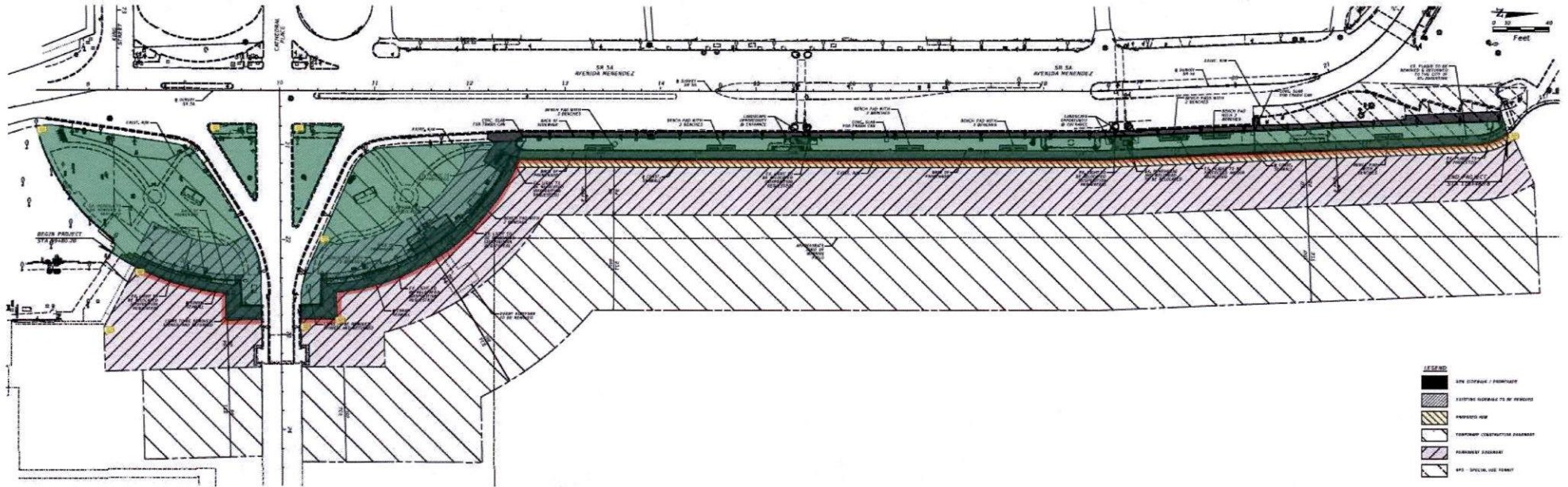
Topics of Presentation

Maintenance Partnership

Landscaping Partnership

Event Platform

Maintenance Partnership



Green - COSA

Red – FDOT/COSA Partnership

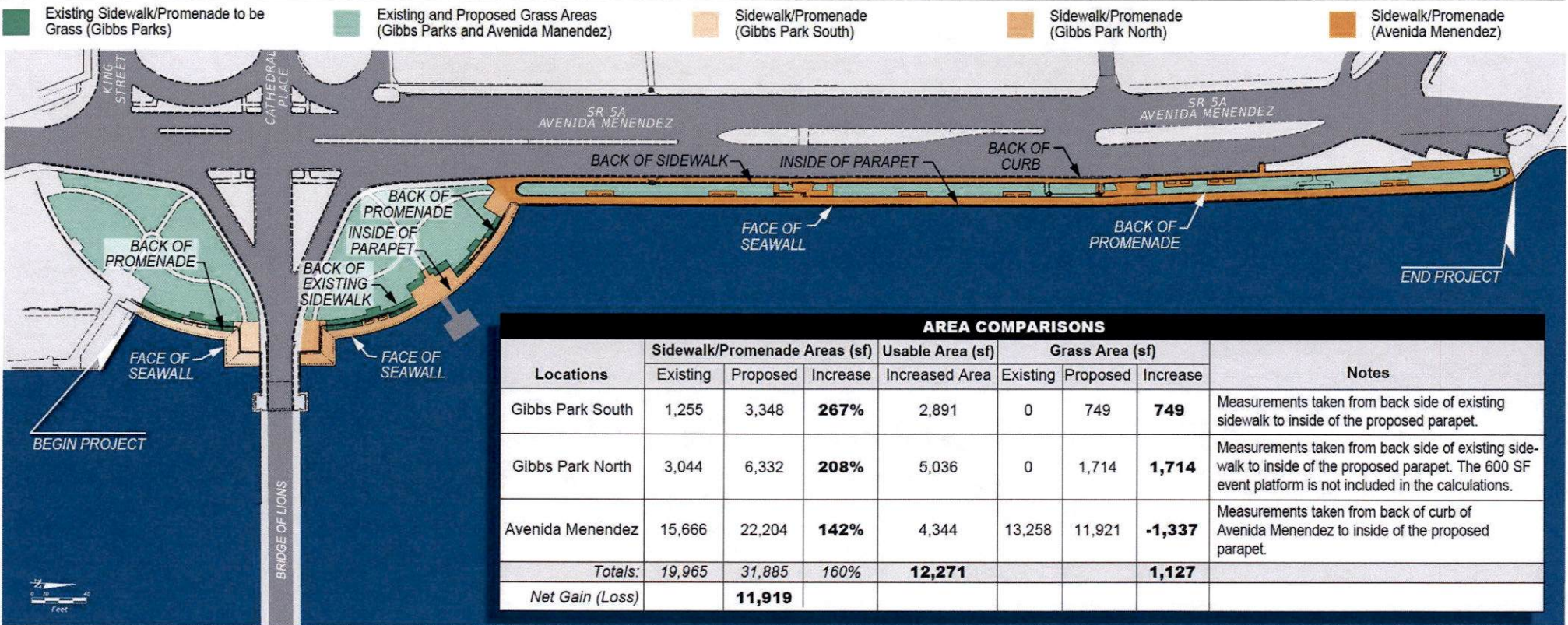
Landscaping Partnership

Example - May Street



Proposed Conditions

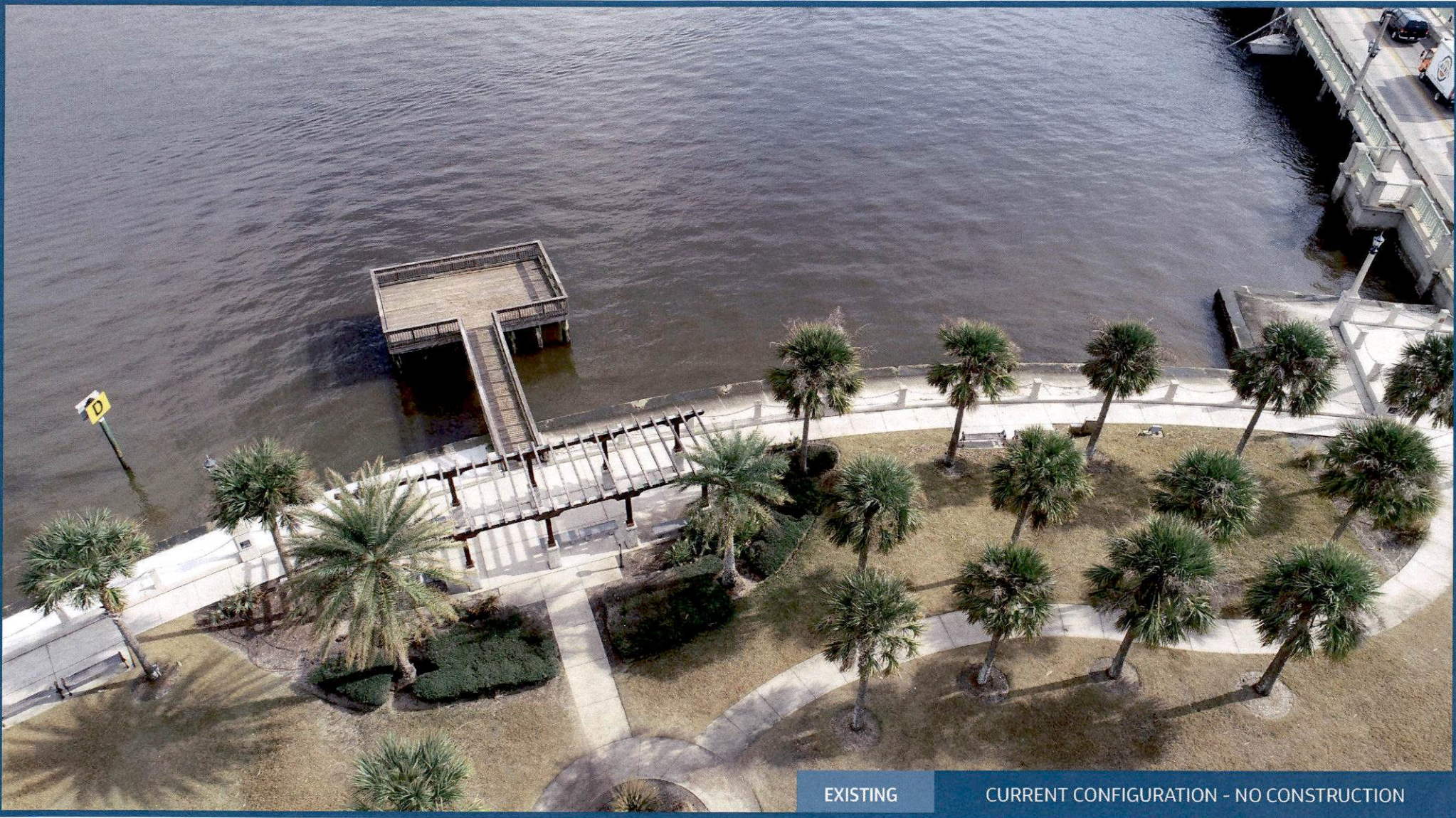
LEGEND



Event Platform Options

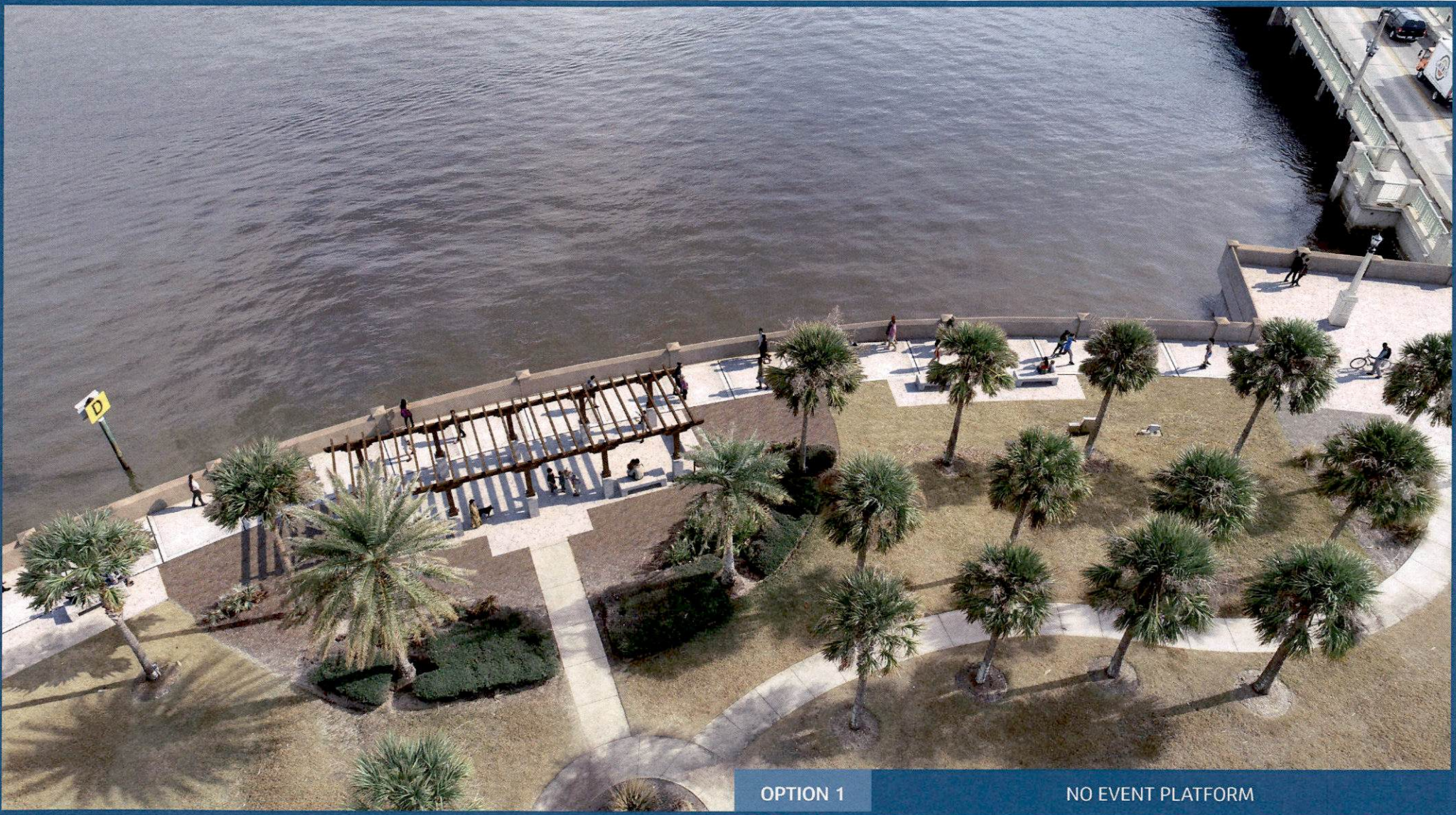
Option 1 – No Event Platform

Option 2 – Timber Platform at Top of Parapet



EXISTING

CURRENT CONFIGURATION - NO CONSTRUCTION



OPTION 1

NO EVENT PLATFORM



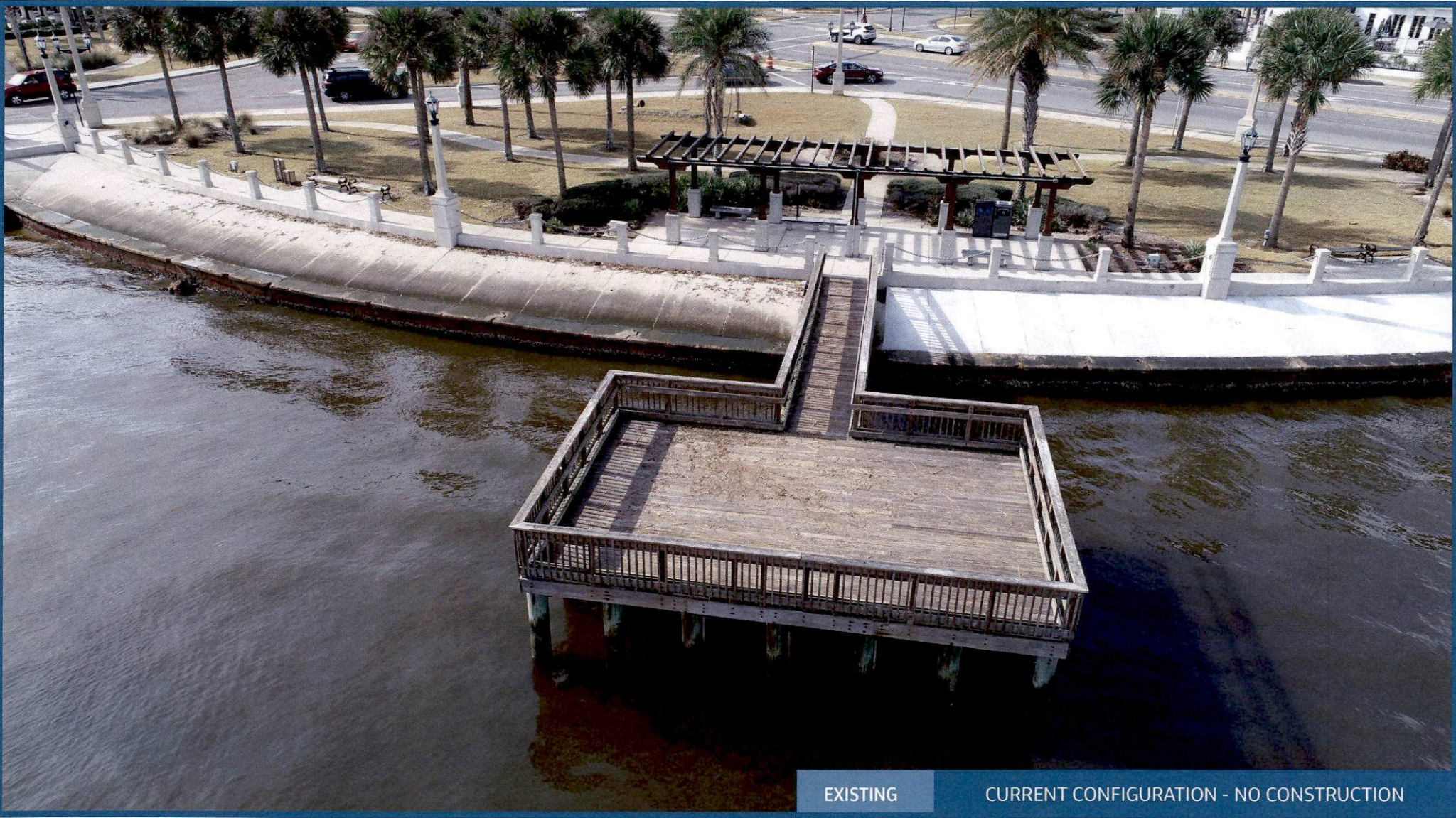
EXISTING

CURRENT CONFIGURATION - NO CONSTRUCTION



OPTION 1

NO EVENT PLATFORM



EXISTING

CURRENT CONFIGURATION - NO CONSTRUCTION



OPTION 2

TIMBER EVENT PLATFORM AT TOP OF PARAPET ELEVATION



EXISTING

CURRENT CONFIGURATION - NO CONSTRUCTION



OPTION 1

NO EVENT PLATFORM



EXISTING

CURRENT CONFIGURATION - NO CONSTRUCTION



OPTION 2

TIMBER EVENT PLATFORM AT TOP OF PARAPET ELEVATION

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: June 13, 2024

RE: **Information Regarding the Issuance of Emergency Demolition Permits – General Public Presentations, Items of Great Public Importance, and Other Items Requiring Public Hearings – General Public Presentation**

I have been asked to outline the procedures and approvals for emergency demolition permits for structures that would normally have to appear before the Historic Architectural Review Board (HARB).

Approvals for an emergency demolition permit are rare, over the 8-1/2 years that I have been the Building Official, I have only approved five (5) emergency demolition permits. Each one was a unique and individual circumstance. The approvals range from the closing down of Aviles Street during the Fourth of July in 2018 to fire damage at 23 Bay View Drive after air tanks exploded. Four out of the five had a report from a licensed structural engineer that accompanied the request, 23 Bay View Drive was the only one that did not.

There is no formal or advertised procedure for this process. By its nature it is not a normal permitting procedure because it is considered an emergency. Yet, the steps that I take in the process are similar each time. After receiving a structural report from a state licensed structural engineer, I evaluate the report. The report must convince me that the structure is in imminent danger of collapse and that the collapse has the possibility of endangering life or property. I will arrange for a site visit with the report to see for myself the condition of the building and verify the conditions described in the report related to the structure.

There have been instances where I have denied the issuance of an emergency demolition permit. In these cases, the structure may have been in danger of collapse, but the collapse would not endanger life or property. In those situations, I have advised the requester to secure the building to the best of their ability and to monitor the condition of the structure while they wait for their application to appear before HARB. They are told to contact me if there are any changes to the structure so that I can reassess the situation and condition.

Under Florida statutes it is the responsibility of the building official to administrate, supervise, direct, enforce, or perform the permitting of the demolition of structures, among other things, within the boundaries of their governmental jurisdiction. The building official shall faithfully perform this responsibility without interference from any person.

In the case of 11 Bridge Street, the most recent example of an approval, a set of structural reports were submitted. The first report was completed in February of 2022 but was never submitted to the city. The second report was completed in March 2024 which included updated information. Both reports were submitted to the city in April 2024. See attached documents. Based on the reports submitted and the conclusion that the “current state of the structure is at a high risk of collapse”, it was my determination to approve the emergency demolition permit.

At times there will be emergencies that require immediate action on the part of the building official. The building official must use their years of experience within the construction industry to make these decisions, no matter other opinion.

The city has adopted the International Property Maintenance Code to try to ensure that properties and structures are maintained in a safe condition. This code authorizes the building official to order an owner to demolish a structure if that structure is “dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy.”

The approval of an emergency demolition permit has been issued sparingly and after careful consideration. A permit of this nature is only approved if I believe that the collapse of the structure would endanger life or property.

Thank you for your attention to this matter. If you have any questions, please call me at (904) 209-4327 or email at rschauland@citystaug.com



Richard Schauland, CBO, CFM
Building Official
Planning and Building Department



SWANSON STRUCTURAL, INC.

209 BILBAC DR. ST. AUGUSTINE, FL 32086

February 2, 2022

Patricia Dobosz

RE: Structural Inspection
11 Bridge Street
St. Augustine, FL 32084

Dear Mrs. Dobosz:

Per your request, we have made a site visit to the address listed above. The purpose of the site visit was to perform a structural inspection of the building to assess the existing condition of the structural members. The inspection was limited to easily visible members, we did not perform destructive testing of any kind, nor did we remove finishes to view structural members beyond.

The structure is a two-story structure with wood joist over crawl space at the 1st level and conventional wood joist/beam floor framing for the 2nd level. The loadbearing walls are wood framed. The roof system is conventional wood roof rafters with attic space. Foundations are assumed to be shallow cast in place concrete foundations.

ASSUMPTIONS:

We assume that the work done on the original construction was performed in accordance with the standard building code and accepted industry practices at the time of construction.

Areas inspected were visible and accessible and are assumed to represent the non-visible nor accessible portions.

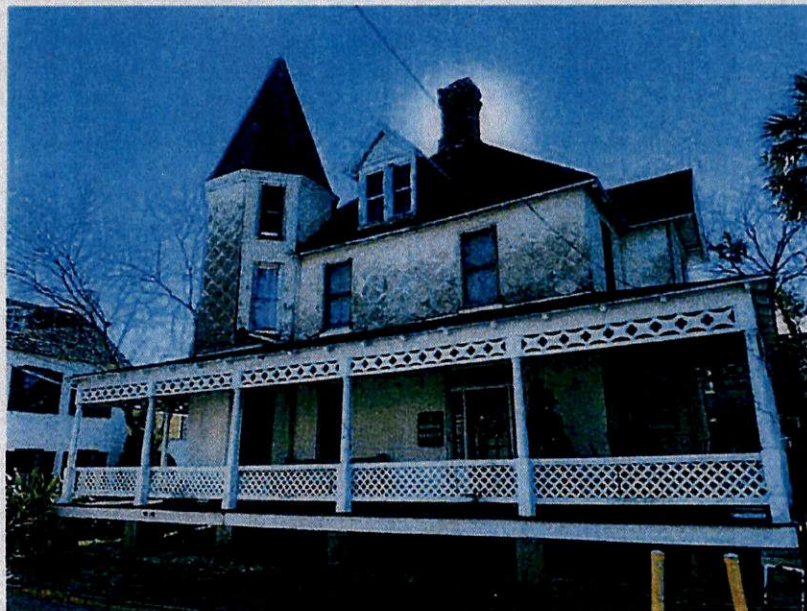


Figure 1: Front View of Structure

SWANSON STRUCTURAL, INC.

209 BILBAO DR. ST. AUGUSTINE, FL 32086

OBSERVATIONS:

The first level floor framing beams sit on coquina and masonry piers which elevate the first level. The masonry piers (added at a later date not part of the original construction) do not appear to be plumb, as shown in Image 1. Typical masonry pier construction would include grout, reinforcement, and mortar to bond the blocks together and connect to the foundations. These piers consisted of hollow blocks stacked on top of each other with no mortar, grout or reinforcement as shown in image 2. The first level floor system had no visible positive connection to the piers (See Image 1 and 2 below). Without a positive connection to the foundation, the structure is susceptible to overturning and sliding failure in a wind event.

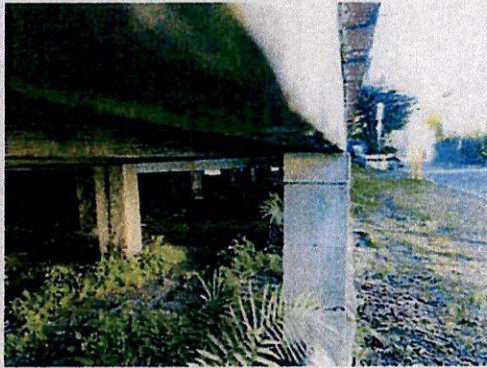


Image 1: Out of Plumb Pier



Image 2: Hollow Block Stacked Pier

The original coquina piers have severe section loss (Image 3 & 4) likely due to continuous exposure to floods and tidal flow. The piers will likely continue to dissolve with each exposure to water flow. The section loss of the piers reduces the compressive capacity and can lead pier failure. A failure to a pier would likely lead to a catastrophic failure of the structure.



Image 3: Visible Section Loss to Piers



Image 4: Deteriorated Pier

SWANSON STRUCTURAL, INC.

209 BILBAO DR. ST. AUGUSTINE, FL 32086

The floor beams and load bearing wood walls, where exposed, showed deterioration likely from moisture exposure and wood destroying organisms, such as termites. (See Image 5 below).



Image 5: Exposed Floor Beam and Wood Studs

While walking the structure, differential settlement was noted throughout the structure. Image 6 shows an attached porch racking due to the main structure settling and pulling the porch down with it.

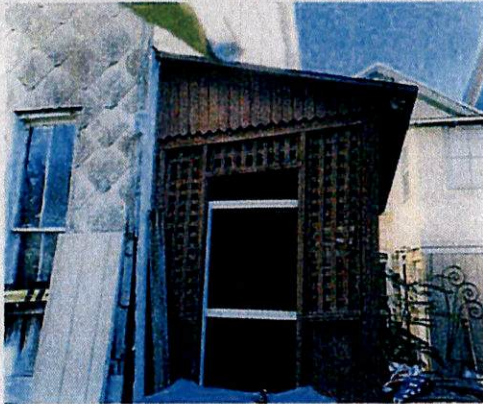


Image 6: Porch Racking from Settlement



Image 7: Termite Infestation Evidence

The floor sheathing throughout the structure displayed signs of deterioration from wood destroying organisms, such as termites, see Image 7 above (more pictures available upon request). We assume, based on the floor sheathing condition, there is likely section loss to the floor joists below the sheathing as well. In some locations the structural joists were exposed. The joists displayed signs of rot from moisture intrusion, see Image 8.

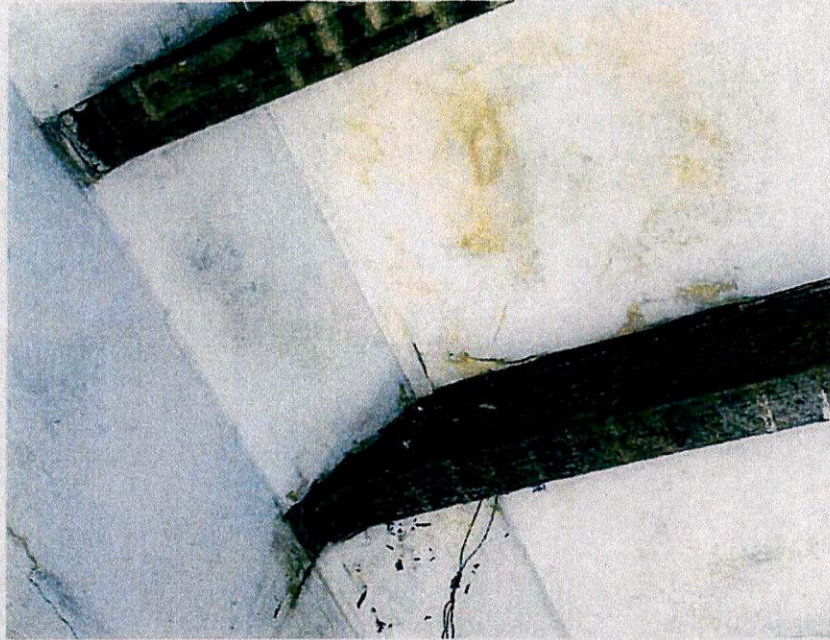


Image 8: Joists with Moisture Rot

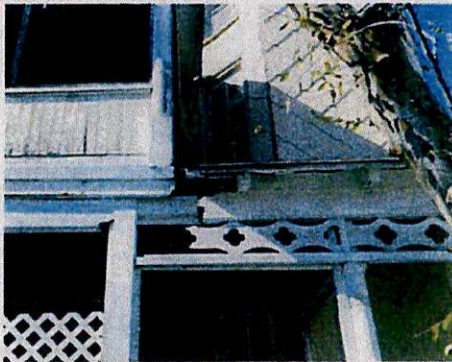


Image 9: Wood Beam Failure



Image 10: Sloped Decking

Two beam failures were found in the exposed framing portion of the structure. One beam supports a porch roof (Image 9). The failure has occurred where the low porch roof connects to the second level porch. The failure appeared to be caused from moisture intrusion. The other beam supports a second level porch floor system and has caused severe sloping to the porch floor (Image 10). The floor appeared unsafe to support additional load and therefore should not be accessed.

The attic provided access to view the conventional roof framing. The rafters appeared to be in good condition with little to no signs of section loss. The roof sheathing displayed discoloration likely from unintentional moisture exposure. See image 11 below.

SWANSON STRUCTURAL, INC.

209 BILBAO DR. ST. AUGUSTINE, FL 32086



Image 11: High Roof Framing from Attic Access

CONCLUSIONS:

Based on the representative samples inspected, the house has appeared to experience settlement, which has caused undesirable sloping in floors and cracking in walls. The structure has also been infested with wood destroying organisms at some point in the past which has caused severe section loss in load bearing components. Moisture intrusion was also noted in many locations which has affected the structural capacity in the members. In summary, at least a portion of all visible structural elements, which were inspected, have been compromised to the point of substantial capacity reduction or complete failure with the exception of the high roof rafters. The structure in its current state is at risk of collapse in any wind event. The structure is also, in many locations, unsafe for the addition of any live load, meaning there is a collapse risk from a single person's added load.

Our conclusions stated in this letter are based solely on our observations and years of experience evaluating existing structures. We have not done any testing of materials, calculations or otherwise analyzed the existing structure or soil nor attempted to observe conditions that are not easily visible. We have specifically not reviewed plumbing, mechanical, and electrical conditions nor have we reviewed the structure for code related issues.

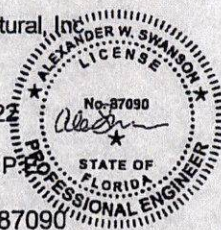
This report is intended for the sole benefit of Patricia Dobosz. Any other use without our written permission shall result in no liability or legal exposure to Swanson Structural, Inc. Please contact us if you would like to discuss any of the elements of this report or should you have any additional questions or concerns.

Sincerely,
Swanson Structural, Inc.
C.O.A. 34434

February 2, 2022

Alex Swanson, P.E.

Florida P.E. #87090



Alexander W. Swanson

Digitally signed by Alexander W. Swanson
DN: C=US,
E=aswanson@swansonstruct.com,
O=Swanson Structural, Inc., OU=FL
P.E. #87090, CN=Alexander W. Swanson
Date: 2022.02.03 06:48:41-05'00'

March 29, 2024

David J. Heekin, Esq.

RE: Structural Inspection
11 Bridge Street
St. Augustine, FL 32084

ADDENDUM
TO PREVIOUS REPORT TO PATRICIA DOBOZ DATED FEBURARY 2ND, 2022

Dear Mr. Heekin:

This addendum was prepared to provide an update to the report mentioned above from roughly 2 years ago.

On March 13th, 2024, we revisited the site to evaluate the current condition of the house's structural components in relation to their current capacity. To the best of our knowledge, the house has remained unoccupied and no improvements or repairs have been made since our previous inspection. During our assessment, we examined the same areas we had covered during our initial inspection. We must assert that the issues mentioned in our previous report have, in several cases, worsened.

The coquina piers, in particular, have suffered additional section loss in the last 2 years and are at extreme risk of catastrophic failure due to severe deterioration of the piers supporting the entire structure.

The floor sheathing deterioration has increased throughout the structure exposing more floor joists and adding risk of falling through the floor systems.

The roof sheathing has deteriorated enough in some areas to expose the structural attic members to the exterior elements which has likely reduced their load carrying capacity.

CONCLUSIONS:

Based on the previous report, it has been concluded that the current state of the structure is at a high risk of collapse if it experiences gravity loading below the code requirements, even with the presence of a single worker or occupant stepping in the wrong location. Moreover, the building is at severe risk of collapsing during a wind event with wind speeds much lower than what is required by the code. The current state of the structure poses a safety hazard to the surrounding structures and people. Therefore, it is recommended to take action and demolish the structure as soon as possible to avoid any



potential risks. This will not only ensure the safety of the area but also provide an opportunity to build an improved structure that meets the required standards.

Our conclusions stated in this letter are based solely on our observations and years of experience evaluating existing structures. We have not done any testing of materials, calculations or otherwise analyzed the existing structure or soil nor attempted to observe conditions that are not easily visible. We have not specifically reviewed plumbing, mechanical, and electrical conditions nor have we reviewed the structure for code related issues.

This report is intended for the sole benefit of David J. Heekin. Any other use without our written permission shall result in no liability or legal exposure to Swanson Structural, Inc. Please contact us if you would like to discuss any of the elements of this report or should you have any additional questions or concerns.

Sincerely,
Swanson Structural, Inc.
C.O.A. 34434

March 29, 2024

Alex Swanson, P.E.

Florida P.E. #87090

Alexander W Swanson

Digitally signed by Alexander W Swanson
DN: CN=Alexander W Swanson,
c=US, o=Swanson Structural, Inc., ou=Engineering,
email=alex@swansonstructural.com
Reason: I am the author of this document
Date: 2024.03.29 10:55:21 -04'00'

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor, Vice Mayor, and Commissioners

DATE: June 10, 2024

RE: **MADEIRA CDD PROPOSED BUDGET AND BUDGET SCHEDULE**

Attached is the Madeira Community Development District (CDD)'s proposed budget and budget schedule for Fiscal Year 2024-2025. A CDD is a type of special purpose government entity that typically provides for the construction and maintenance of common infrastructure within a development. Pursuant to state law, the CDD board must submit their proposed budget to you for any comments you may wish to submit to them. Comments are not required.

Statutory reference:

F.S. 190.008 (2):

- (B) AT LEAST 60 DAYS PRIOR TO ADOPTION, THE DISTRICT BOARD SHALL SUBMIT TO THE LOCAL GOVERNING AUTHORITIES HAVING JURISDICTION OVER THE AREA INCLUDED IN THE DISTRICT, FOR PURPOSES OF DISCLOSURE AND INFORMATION ONLY, THE PROPOSED ANNUAL BUDGET FOR THE ENSUING FISCAL YEAR AND ANY PROPOSED LONG-TERM FINANCIAL PLAN OR PROGRAM OF THE DISTRICT FOR FUTURE OPERATIONS.
- (C) THE LOCAL GOVERNING AUTHORITIES MAY REVIEW THE PROPOSED ANNUAL BUDGET AND ANY LONG-TERM FINANCIAL PLAN OR PROGRAM AND MAY SUBMIT WRITTEN COMMENTS TO THE BOARD FOR ITS ASSISTANCE AND INFORMATION IN ADOPTING ITS ANNUAL BUDGET AND LONG-TERM FINANCIAL PLAN OR PROGRAM.

Please place on the June 24, 2024 City Commission agenda under Items by City Attorney.

Thank you.



Isabelle C. Lopez
City Attorney

Attachment

xc: David Birchim, City Manager
Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Darlene Galambos, City Clerk

Agenda Title:

Statutory notice of proposed Madeira CDD budget for Fiscal Year 2024-2025 . No action necessary.

MADEIRA COMMUNITY DEVELOPMENT DISTRICT

District Office · St. Augustine, Florida · (904) 436-6270
Mailing Address – 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614
www.madeiracdd.org

May 23, 2024

City of St. Augustine
Clerk of the Board of City Commissioners
Lightner Building
75 King Street
St. Augustine, FL 32084

**Re: Madeira Community Development District
Proposed Fiscal Year 2024/2025 Budget**

Dear Sir/Madam:

Enclosed please find the Fiscal Year 2024/2025 budget (the “Proposed Budget”) approved by the Board of Supervisors of the Madeira Community Development District for the purpose of setting a hearing to consider public comment and testimony on same. The public hearing on the Proposed Budget has been scheduled for **August 27, 2024, at 10:00 a.m.** at the St. Augustine – St. Johns County Airport Authority, 4730 Casa Cola Way St. Augustine, FL 32095.

Transmittal of the enclosed Proposed Budget is being made for purposes of disclosure and information, in accordance with the requirement set forth in Section 190.008(b), *Florida Statutes*.

Should you have any questions, please do not hesitate to contact me at your earliest convenience.

Sincerely,

Ben Pfuhl

Benjamin Pfuhl

District Manager

904.436.6270 Ext: 4638

bpfuhl@rizzetta.com

rizzetta.com



Rizzetta & Company
Professionals in Community Management



Rizzetta & Company

Madeira Community Development District

www.madeiracdd.org

**Approved
Proposed Budget
for Fiscal Year
2024-2025**

TABLE OF CONTENTS

	<u>Page</u>
General Fund Budget for Fiscal Year 2024-2025	1
Reserve Fund Budget for Fiscal Year 2024-2025	3
Debt Service Fund Budget for Fiscal Year 2024-2025	4
Assessments Charts for Fiscal Year 2024-2025	5
General Fund Budget Account Category Descriptions	7
Reserve Fund Budget Account Category Descriptions	13
Debt Service Fund Budget Account Category Descriptions	14

Proposed Budget
Madeira Community Development District
General Fund
Fiscal Year 2024/2025

1

	Chart of Accounts Classification	Actual YTD through 04/30/24	Projected Annual Totals 2023/2024	Annual Budget for 2023/2024	Projected Budget variance for 2023/2024	Budget for 2024/2025	Budget Increase (Decrease) vs 2023/2024	Comments
1								
2	REVENUES							
3								
4	Special Assessments							
5	Tax Roll*	\$ 175,653	\$ 197,555	\$ 197,555	\$ -	\$ 329,624	\$ 132,069	*Allocation of assessments between the Tax Roll and Off Roll are estimates only and subject to change prior to public hearing
6	Off Roll*	\$ 272,373	\$ 392,143	\$ 392,143	\$ -	\$ 295,819	\$ (96,324)	
7								
8	TOTAL REVENUES	\$ 448,026	\$ 589,698	\$ 589,698	\$ -	\$ 625,443	\$ 35,745	
9								
10	EXPENDITURES - ADMINISTRATIVE							
11								
12	Legislative							
13	Supervisor Fees	\$ 600	\$ 1,400	\$ 4,000	\$ 2,600	\$ 6,000	\$ 2,000	Reflects 6 Meetings
14	Financial & Administrative							
15	Administrative Services	\$ 3,163	\$ 5,421	\$ 5,421	\$ -	\$ 5,421	\$ -	No rate increase from '24
16	District Management	\$ 13,925	\$ 23,872	\$ 23,872	\$ -	\$ 23,872	\$ -	No rate increase from '24
17	District Engineer	\$ 505	\$ 1,500	\$ 1,500	\$ -	\$ 1,500	\$ -	
18	Disclosure Report	\$ 3,000	\$ 3,000	\$ 3,000	\$ -	\$ 3,000	\$ -	No rate increase from '24
19	Trustees Fees	\$ -	\$ 7,500	\$ 7,500	\$ -	\$ 7,500	\$ -	
20	Assessment Roll	\$ 6,024	\$ 6,024	\$ 6,024	\$ -	\$ 6,024	\$ -	No rate increase from '24
21	Financial & Revenue Collections	\$ 3,514	\$ 6,024	\$ 6,024	\$ -	\$ 6,024	\$ -	No rate increase from '24
22	Accounting Services	\$ 12,046	\$ 20,651	\$ 20,651	\$ -	\$ 20,651	\$ -	No rate increase from '25
23	Auditing Services	\$ -	\$ 3,975	\$ 3,975	\$ -	\$ 4,095	\$ 120	Reflects BTEG&F agreement.
24	Arbitrage Rebate Calculation	\$ -	\$ 500	\$ 500	\$ -	\$ 500	\$ -	
25	Public Officials Liability Insurance	\$ 3,144	\$ 3,144	\$ 3,342	\$ 198	\$ 3,458	\$ 116	Reflects EGIS estimate
26	Legal Advertising	\$ 256	\$ 439	\$ 2,000	\$ 1,561	\$ 2,000	\$ -	
27	Dues, Licenses & Fees	\$ 175	\$ 175	\$ 175	\$ -	\$ 175	\$ -	
28	Miscellaneous Fees	\$ 70	\$ 871	\$ 2,299	\$ 1,428	\$ 2,299	\$ -	
29	Website Hosting, Maintenance, Backup	\$ 2,238	\$ 2,800	\$ 2,800	\$ -	\$ 2,800	\$ -	
30	Legal Counsel							
31	District Counsel	\$ 4,099	\$ 7,027	\$ 17,500	\$ 10,473	\$ 17,500	\$ -	
32								
33	Administrative Subtotal	\$ 52,759	\$ 94,323	\$ 110,583	\$ 16,260	\$ 112,819	\$ 2,236	
34								
35	EXPENDITURES - FIELD OPERATIONS							
36								
37	Security Operations							
38	Guard & Gate Facility Maintenance & Repairs	\$ 2,111	\$ 5,000	\$ 5,000	\$ -	\$ 5,000	\$ -	Reflects Repairs to Gate, Light Replacement on North Side, Gate Preventative Maintenance Agreement, A/C Preventative Maintenance Agreement, Termite Bond and Semi Annual Cleaning
39	Guard & Gate Security Cameras/Access Monitoring	\$ 16,724	\$ 28,670	\$ 34,000	\$ 5,330	\$ 34,000	\$ -	Reflects 12 Hours of Security Monitoring Services at Gate and Internet Service.
40	Electric Utility Services							
41	Utility Services	\$ 2,751	\$ 4,500	\$ 4,500	\$ -	\$ 5,000	\$ 500	
42	Street Lights	\$ 13,846	\$ 23,736	\$ 25,000	\$ 1,264	\$ 25,000	\$ -	
43	Water-Sewer Combination Services							
44	Utility Services	\$ 382	\$ 3,000	\$ 5,000	\$ 2,000	\$ 5,000	\$ -	
45	Stormwater Control							
46	Aquatic Maintenance	\$ 6,877	\$ 11,789	\$ 15,000	\$ 3,211	\$ 20,000	\$ 5,000	Reflects addition of 2 ponds
47	Miscellaneous Expense	\$ -	\$ 2,500	\$ 2,500	\$ -	\$ 2,500	\$ -	
48	Other Physical Environment							
49	General Liability & Property Insurance	\$ 10,843	\$ 10,843	\$ 9,365	\$ (1,478)	\$ 13,124	\$ 3,759	Reflects EGIS estimate
50	Landscape & Irrigation Maintenance Contract	\$ 54,833	\$ 150,750	\$ 150,750	\$ -	\$ 175,000	\$ 24,250	
51	Landscape Replacement Plants, Shrubs, Trees	\$ 3,099	\$ 5,313	\$ 15,000	\$ 9,687	\$ 15,000	\$ -	
52	Landscape Irrigation Repairs	\$ 1,767	\$ 3,029	\$ 5,000	\$ 1,971	\$ 5,000	\$ -	
53	Specialty Palm Tree Trimming	\$ -	\$ 4,000	\$ 4,000	\$ -	\$ 4,000	\$ -	
54	Miscellaneous Expense	\$ 5,919	\$ 12,500	\$ 12,500	\$ -	\$ 12,500	\$ -	Reflects Dog Waste Stations and Well PM
55	Road & Street Facilities							
56	Entry & Walls Maintenance & Repairs	\$ 1,305	\$ 4,690	\$ 6,000	\$ 1,310	\$ 6,000	\$ -	
57	Ornamental Lighting & Maintenance	\$ 2,278	\$ 3,000	\$ 8,000	\$ 5,000	\$ 8,000	\$ -	
58	Parks & Recreation							
59	Arbor & Fence Maintenance & Repairs	\$ -	\$ 2,000	\$ 5,000	\$ 3,000	\$ 5,000	\$ -	
60	Special Events							
61	Holiday Decorations	\$ 2,380	\$ 2,380	\$ 7,500	\$ 5,120	\$ 7,500	\$ -	
62	Contingency							
63	Miscellaneous Contingency	\$ 11,929	\$ 30,000	\$ 50,000	\$ 20,000	\$ 50,000	\$ -	
64	Capital Outlay	\$ -	\$ 20,000	\$ 115,000	\$ 95,000	\$ 115,000	\$ -	
65								
66	Field Operations Subtotal	\$ 137,044	\$ 327,700	\$ 479,115	\$ 151,415	\$ 512,624	\$ 33,509	
67								

Proposed Budget
Madeira Community Development District
General Fund
Fiscal Year 2024/2025

2

	Chart of Accounts Classification	Actual YTD through 04/30/24	Projected Annual Totals 2023/2024	Annual Budget for 2023/2024	Projected Budget variance for 2023/2024	Budget for 2024/2025	Budget Increase (Decrease) vs 2023/2024	Comments
68								
69	TOTAL EXPENDITURES	\$ 189,803	\$ 422,022	\$ 589,698	\$ 167,676	\$ 625,443	\$ 35,745	
70								
71	EXCESS OF REVENUES OVER EXPENDITURES	\$ 258,223	\$ 167,676	\$ -	\$ 167,676	\$ -	\$ (0)	

**Proposed Budget
Madeira Community Development District
Reserve Fund
Fiscal Year 2024/2025**

	Chart of Accounts Classification	Actual YTD through 04/30/24	Projected Annual Totals 2023/2024	Annual Budget for 2023/2024	Projected Budget variance for 2023/2024	Budget for 2024/2025	Budget Increase (Decrease) vs 2023/2024	Comments
1								
2	REVENUES							
3								
4	Special Assessments							
5	Tax Roll*	\$ 29,789	\$ 29,789	\$ 29,789	\$ -	\$ 30,649	\$ 860	*Allocation of assessments between the Tax Roll and Off Roll are estimates only and subject to change prior to public hearing
6	Off Roll*	\$ 56,174	\$ 56,174	\$ 56,174	\$ -	\$ 56,174	\$ -	
7								
8	TOTAL REVENUES	\$ 85,963	\$ 85,963	\$ 85,963	\$ -	\$ 86,823	\$ 860	
9								
10	EXPENDITURES							
11								
12	Contingency							
13	Capital Reserves	\$ -	\$ -	\$ 85,963	\$ 85,963	\$ 86,823	\$ 860	
14	Capital Reserve - Road	\$ -	\$ -	\$ -	\$ -		\$ -	
15								
16	TOTAL EXPENDITURES	\$ -	\$ -	\$ 85,963	\$ 85,963	\$ 86,823	\$ 860	
17								
18	EXCESS OF REVENUES OVER EXPENDITURES	\$ 85,963	\$ 85,963	\$ -	\$ 85,963	\$ -	\$ -	

Madeira Community Development District

Debt Service

Fiscal Year 2024/2025

Chart of Accounts Classification	Series 2007A	Budget for 2024/2025
REVENUES		
Special Assessments		
Net Special Assessments ⁽¹⁾	\$574,928.36	\$574,928.36
TOTAL REVENUES	\$574,928.36	\$574,928.36
EXPENDITURES		
Administrative		
Debt Service Obligation	\$574,928.36	\$574,928.36
Administrative Subtotal	\$574,928.36	\$574,928.36
TOTAL EXPENDITURES	\$574,928.36	\$574,928.36
EXCESS OF REVENUES OVER EXPENDITURES	\$0.00	\$0.00

County Collection Costs (2%) and Early payment Discounts (4%):

6.0%

GROSS ASSESSMENTS

\$611,625.91

Notes:

Tax Roll Collection Costs (2%) and Early Payment Discount (4%) is a total 6% of Tax Roll. Budgeted net of tax roll assessments See Assessment Table.

⁽¹⁾ Amounts reduced to reflect acceleration of certain assessments.

MADEIRA COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2024/2025 O&M AND DEBT SERVICE ASSESSMENT SCHEDULE

5

2024/2025 O&M Budget:		\$712,266.00	2023/2024 O&M Budget:	\$675,661.00
Collection Costs:	2%	\$15,154.60	2024/2025 O&M Budget:	\$712,266.00
Early Payment Discounts:	4%	\$30,309.19		
2024/2025 Total:		<u>\$757,729.79</u>	Total Difference:	<u>\$36,605.00</u>

Lot Size	Assessment Breakdown	Per Unit Annual Assessment Comparison		Proposed Increase / Decrease	
		2023/2024	2024/2025	\$	%
PLATTED					
Single Family 50'	Series 2007A Debt Service Operations/Maintenance	\$1,465.32 \$596.90	\$1,465.32 \$629.24	\$0.00 \$32.34	0.00% 5.42%
	Total	\$2,062.22	\$2,094.56	\$32.34	1.57%
	Single Family 50'-D	Series 2007A Debt Service Operations/Maintenance	\$1,531.48 \$596.90	\$1,531.48 \$629.24	\$0.00 \$32.34
Total		\$2,128.38	\$2,160.72	\$32.34	1.52%
Single Family 55'		Series 2007A Debt Service Operations/Maintenance	\$1,665.96 \$656.59	\$1,665.96 \$692.16	\$0.00 \$35.57
	Total	\$2,322.55	\$2,358.12	\$35.57	1.53%
	Single Family 65'	Series 2007A Debt Service Operations/Maintenance	\$1,805.32 \$775.97	\$1,805.32 \$818.01	\$0.00 \$42.04
Total		\$2,581.29	\$2,623.33	\$42.04	1.63%
Single Family 65' - Partial		Series 2007A Debt Service Operations/Maintenance	\$971.12 \$775.97	\$971.12 \$818.01	\$0.00 \$42.04
	Total	\$1,747.09	\$1,789.13	\$42.04	2.41%
	Single Family 65' (Ph 1C Unit 1)	Series 2007A Debt Service Operations/Maintenance	\$1,990.92 \$775.97	\$1,990.92 \$818.01	\$0.00 \$42.04
Total		\$2,766.89	\$2,808.93	\$42.04	1.52%
Single Family 70' (Ph 1C Unit 1)		Series 2007A Debt Service Operations/Maintenance	\$2,144.07 \$835.66	\$2,144.07 \$880.93	\$0.00 \$45.27
	Total	\$2,979.73	\$3,025.00	\$45.27	1.52%
	Single Family 75'	Series 2007A Debt Service Operations/Maintenance	\$1,943.62 \$895.35	\$1,943.62 \$943.86	\$0.00 \$48.51
Total		\$2,838.97	\$2,887.48	\$48.51	1.71%
Single Family 75' (Ph 1C Units 1,2)		Series 2007A Debt Service Operations/Maintenance	\$2,297.22 \$895.35	\$2,297.22 \$943.86	\$0.00 \$48.51
	Total	\$3,192.57	\$3,241.08	\$48.51	1.52%
	Single Family 85'	Series 2007A Debt Service Operations/Maintenance	\$2,082.98 \$1,014.73	\$2,082.98 \$1,069.71	\$0.00 \$54.98
Total		\$3,097.71	\$3,152.69	\$54.98	1.77%
Single Family 80' (Ph 1C Unit 1)		Series 2007A Debt Service Operations/Maintenance	\$2,450.37 \$955.04	\$2,450.37 \$1,006.78	\$0.00 \$51.74
	Total	\$3,405.41	\$3,457.15	\$51.74	1.52%
	UNPLATTED				
Single Family 65' (Phase 2C Unit 1)	Series 2007A Debt Service Operations/Maintenance	\$1,990.92 \$775.97	\$1,990.92 \$818.01	\$0.00 \$42.04	0.00% 5.42%
	Total	\$2,766.89	\$2,808.93	\$42.04	1.52%
	Single Family 70' (Phase 2C Unit 1)	Series 2007A Debt Service Operations/Maintenance	\$2,144.07 \$835.66	\$2,144.07 \$880.93	\$0.00 \$45.27
Total		\$2,979.73	\$3,025.00	\$45.27	1.52%
Single Family 80' (Phase 2C Unit 1)		Series 2007A Debt Service Operations/Maintenance	\$2,450.37 \$955.04	\$2,450.37 \$1,006.78	\$0.00 \$51.74
	Total	\$3,405.41	\$3,457.15	\$51.74	1.52%
	Single Family 75' (Phase 2C Unit 2)	Series 2007A Debt Service Operations/Maintenance	\$2,297.22 \$895.35	\$2,297.22 \$943.86	\$0.00 \$48.51
Total		\$3,192.57	\$3,241.08	\$48.51	1.52%
Single Family 80' (Phase 3)		Series 2007A Debt Service Operations/Maintenance	\$2,450.37 \$955.04	\$2,450.37 \$1,006.78	\$0.00 \$51.74
	Total	\$3,405.41	\$3,457.15	\$51.74	1.52%
	Attached	Series 2007A Debt Service Operations/Maintenance	\$1,531.48 \$596.90	\$1,531.48 \$629.24	\$0.00 \$32.34
Total		\$2,128.38	\$2,160.72	\$32.34	1.52%
Commercial		Series 2007A Debt Service Operations/Maintenance	\$154.58 \$895.35	\$154.58 \$943.86	\$0.00 \$48.51
	Total	\$1,049.93	\$1,098.44	\$48.51	4.62%

FISCAL YEAR 2024/2025 O&M AND DEBT SERVICE ASSESSMENT SCHEDULE

TOTAL O&M BUDGET \$712,266.00
COLLECTION COSTS @ 2% \$15,154.60
EARLY PAYMENT DISCOUNT @ 4% \$30,309.19
TOTAL O&M ASSESSMENT \$757,729.79

UNITS ASSESSED			ALLOCATION OF O&M ASSESSMENT				PER LOT ANNUAL ASSESSMENT		
LOT SIZE	O&M	SERIES 2007A DEBT SERVICE ⁽¹⁾	EAU FACTOR	TOTAL EAU's	% TOTAL EAU's	TOTAL O&M BUDGET	O&M	SERIES 2007A DEBT SERVICE ⁽²⁾⁽³⁾	TOTAL ⁽⁴⁾
<i>Platted Parcels</i>									
Single Family 50'	61	61	0.50	30.50	5.07%	\$38,383.59	\$629.24	\$1,465.32	\$2,094.56
Single Family 50'	70	70	0.50	35.00	5.81%	\$44,046.74	\$629.24	\$1,531.48	\$2,160.72
Single Family 55'	71	57	0.55	39.05	6.49%	\$49,143.58	\$692.16	\$1,665.96	\$2,358.12
Single Family 65'	82	49	0.65	53.30	8.85%	\$67,075.89	\$818.01	\$1,805.32	\$2,623.33
Single Family 65' (Partial)	1	1	0.65	0.65	0.11%	\$818.01	\$818.01	\$971.12	\$1,789.13
Single Family 65' (Ph 1C Unit 1)	6	6	0.65	3.90	0.65%	\$4,908.07	\$818.01	\$1,990.92	\$2,808.93
Single Family 70' (Ph 1C Unit 1)	18	18	0.70	12.60	2.09%	\$15,856.83	\$880.93	\$2,144.07	\$3,025.00
Single Family 75'	74	46	0.75	55.50	9.22%	\$69,545.55	\$943.86	\$1,943.62	\$2,887.48
Single Family 75' (Ph 1C)	60	60	0.75	45.00	7.47%	\$56,631.52	\$943.86	\$2,297.22	\$3,241.08
Single Family 85'	21	8	0.85	17.85	2.96%	\$22,463.84	\$1,069.71	\$2,082.98	\$3,152.69
Single Family 80' (Ph 1C Unit 1)	14	14	0.80	11.20	1.86%	\$14,094.96	\$1,006.78	\$2,450.37	\$3,457.15
Total Platted	478	390		304.55	50.58%	\$383,269.57			
<i>Unplatted Lands</i>									
Single Family 65' (Phase 2C Unit 1)	5	5	0.65	3.25	0.54%	\$4,090.05	\$818.01	\$1,990.92	\$2,808.93
Single Family 70' (Phase 2C Unit 1)	12	12	0.70	8.40	1.40%	\$10,571.22	\$880.93	\$2,144.07	\$3,025.00
Single Family 80' (Phase 2C Unit 1)	21	21	0.80	16.80	2.79%	\$21,142.44	\$1,006.78	\$2,450.37	\$3,457.15
Single Family 75' (Phase 2C-2, 3)	44	44	0.75	33.00	5.48%	\$41,529.78	\$943.86	\$2,297.22	\$3,241.08
Single Family 80' (Phase 3)	47	47	0.80	37.60	6.24%	\$47,318.78	\$1,006.78	\$2,450.37	\$3,457.15
Attached (Phase 2A Unit 3)	142	142	0.50	71.00	11.79%	\$89,351.96	\$629.24	\$1,531.48	\$2,160.72
Commercial	170	170	0.75	127.50	21.18%	\$160,455.98	\$943.86	\$154.58	\$1,098.44
Total Unplatted	441	441		297.55	49.42%	\$374,460.22			
Total Community	919	831		602.10	100.00%	\$757,729.79			

LESS: St. Johns County Collection Costs (2%) and Early Payment Discount Costs (4%):

Net Revenue to be Collected:

(\$45,463.79)
\$712,266.00

⁽¹⁾ Reflects the number of total lots with Series 2007A debt outstanding, including eighty-six (86) payoffs. Additionally, two (2) lots have prepaid their assessments.

⁽²⁾ Annual debt service assessment per lot adopted in connection with the Series 2007A bond issue. Annual assessment includes principal, interest, St. Johns County collection costs and early payment discount costs. Some amounts are subject to acceleration of debt service assessments.

⁽³⁾ Subsequent to the reallocation of Series 2007A debt in 2022, the developer owned property has higher assessment levels than the residential properties in phases 1A, 1B, and a portion of 2A. The debt assessments for lots owned by residents at the time of reallocation were not impacted.

⁽⁴⁾ Annual assessment that will appear on November 2024 St. Johns County property tax bill. Amount shown includes all applicable collection costs. Property owner is eligible for a discount of up to 4% if paid early.

GENERAL FUND BUDGET

ACCOUNT CATEGORY DESCRIPTION

The General Fund Budget Account Category Descriptions are subject to change at any time depending on its application to the District. Please note, not all General Fund Budget Account Category Descriptions are applicable to the District indicated above. Uses of the descriptions contained herein are intended for general reference.

REVENUES:

Interest Earnings: The District may earn interest on its monies in the various operating accounts.

Tax Roll: The District levies Non-Ad Valorem Special Assessments on all of the assessable property within the District to pay for operating expenditures incurred during the Fiscal Year. The assessments may be collected in two ways. The first is by placing them on the County's Tax Roll, to be collected with the County's Annual Property Tax Billing. This method is only available to land properly platted within the time limits prescribed by the County.

Off Roll: For lands not on the tax roll and that is by way of a direct bill from the District to the appropriate property owner.

Developer Contributions: The District may enter into a funding agreement and receive certain prescribed dollars from the Developer to off-set expenditures of the District.

Event Rental: The District may receive monies for event rentals for such things as weddings, birthday parties, etc.

Miscellaneous Revenues: The District may receive monies for the sale or provision of electronic access cards, entry decals etc.

Facilities Rentals: The District may receive monies for the rental of certain facilities by outside sources, for such items as office space, snack bar/restaurants etc.



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EXPENDITURES – ADMINISTRATIVE:

Supervisor Fees: The District may compensate its supervisors within the appropriate statutory limits of \$200.00 maximum per meeting within an annual cap of \$4,800.00 per supervisor.

Administrative Services: The District will incur expenditures for the day to day operation of District matters. These services include support for the District Management function, recording and preparation of meeting minutes, records retention and maintenance in accordance with Chapter 119, Florida Statutes, and the District's adopted Rules of Procedure, preparation and delivery of agenda, overnight deliveries, facsimiles and phone calls.

District Management: The District as required by statute, will contract with a firm to provide for management and administration of the District's day to day needs. These service include the conducting of board meetings, workshops, overall administration of District functions, all required state and local filings, preparation of annual budget, purchasing, risk management, preparing various resolutions and all other secretarial duties requested by the District throughout the year is also reflected in this amount.

District Engineer: The District's engineer provides general engineering services to the District. Among these services are attendance at and preparation for monthly board meetings, review of construction invoices and all other engineering services requested by the district throughout the year.

Disclosure Report: The District is required to file quarterly and annual disclosure reports, as required in the District's Trust Indenture, with the specified repositories. This is contracted out to a third party in compliance with the Trust Indenture.

Trustee's Fees: The District will incur annual trustee's fees upon the issuance of bonds for the oversight of the various accounts relating to the bond issues.

Assessment Roll: The District will contract with a firm to prepare, maintain and certify the assessment roll(s) and annually levy a non-ad valorem assessment for operating and debt service expenses.

Financial & Revenue Collections: Services of the Collection Agent include all functions necessary for the timely billing and collection and reporting of District assessments in order to ensure adequate funds to meet the District's debt service and operations and maintenance obligations. The Collection Agent also maintains and updates the District's lien book(s) annually and provides for the release of liens on property after the full collection of bond debt levied on particular properties.

Accounting Services: Services include the preparation and delivery of the District's financial statements in accordance with Governmental Accounting Standards, accounts payable and accounts receivable functions, asset tracking, investment tracking, capital program administration and requisition processing, filing of annual reports required by the State of Florida and monitoring of trust account activity.

Auditing Services: The District is required annually to conduct an audit of its financial records by an Independent Certified Public Accounting firm, once it reaches certain revenue and expenditure levels, or has issued bonds and incurred debt.



Rizzetta & Company

Arbitrage Rebate Calculation: The District is required to calculate the interest earned from bond proceeds each year pursuant to the Internal Revenue Code of 1986. The Rebate Analyst is required to verify that the District has not received earnings higher than the yield of the bonds.

Travel: Each Board Supervisor and the District Staff are entitled to reimbursement for travel expenses per Florida Statutes 190.006(8).

Public Officials Liability Insurance: The District will incur expenditures for public officials' liability insurance for the Board and Staff.

Legal Advertising: The District will incur expenditures related to legal advertising. The items for which the District will advertise include, but are not limited to meeting schedules, special meeting notices, and public hearings, bidding etc. for the District based on statutory guidelines

Bank Fees: The District will incur bank service charges during the year.

Dues, Licenses & Fees: The District is required to pay an annual fee to the Department of Economic Opportunity, along with other items which may require licenses or permits, etc.

Miscellaneous Fees: The District could incur miscellaneous throughout the year, which may not fit into any standard categories.

Website Hosting, Maintenance and Email: The District may incur fees as they relate to the development and ongoing maintenance of its own website along with possible email services if requested.

District Counsel: The District's legal counsel provides general legal services to the District. Among these services are attendance at and preparation for monthly board meetings, review of operating and maintenance contracts and all other legal services requested by the district throughout the year.

EXPENDITURES - FIELD OPERATIONS:

Deputy Services: The District may wish to contract with the local police agency to provide security for the District.

Security Services and Patrols: The District may wish to contract with a private company to provide security for the District.

Electric Utility Services: The District will incur electric utility expenditures for general purposes such as irrigation timers, lift station pumps, fountains, etc.

Street Lights: The District may have expenditures relating to street lights throughout the community. These may be restricted to main arterial roads or in some cases to all street lights within the District's boundaries.



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Utility - Recreation Facility: The District may budget separately for its recreation and or amenity electric separately.

Gas Utility Services: The District may incur gas utility expenditures related to district operations at its facilities such as pool heat etc.

Garbage - Recreation Facility: The District will incur expenditures related to the removal of garbage and solid waste.

Solid Waste Assessment Fee: The District may have an assessment levied by another local government for solid waste, etc.

Water-Sewer Utility Services: The District will incur water/sewer utility expenditures related to district operations.

Utility - Reclaimed: The District may incur expenses related to the use of reclaimed water for irrigation.

Aquatic Maintenance: Expenses related to the care and maintenance of the lakes and ponds for the control of nuisance plant and algae species.

Fountain Service Repairs & Maintenance: The District may incur expenses related to maintaining the fountains within throughout the Parks & Recreational areas

Lake/Pond Bank Maintenance: The District may incur expenditures to maintain lake banks, etc. for the ponds and lakes within the District's boundaries, along with planting of beneficial aquatic plants, stocking of fish, mowing and landscaping of the banks as the District determines necessary.

Wetland Monitoring & Maintenance: The District may be required to provide for certain types of monitoring and maintenance activities for various wetlands and waterways by other governmental entities.

Mitigation Area Monitoring & Maintenance: The District may be required to provide for certain types of monitoring and maintenance activities for various mitigation areas by other governmental entities.

Aquatic Plant Replacement: The expenses related to replacing beneficial aquatic plants, which may or may not have been required by other governmental entities.

General Liability Insurance: The District will incur fees to insure items owned by the District for its general liability needs

Property Insurance: The District will incur fees to insure items owned by the District for its property needs

Entry and Walls Maintenance: The District will incur expenditures to maintain the entry monuments and the fencing.



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Landscape Maintenance: The District will incur expenditures to maintain the rights-of-way, median strips, recreational facilities including pond banks, entryways, and similar planting areas within the District. These services include but are not limited to monthly landscape maintenance, fertilizer, pesticides, annuals, mulch, and irrigation repairs.

Irrigation Maintenance: The District will incur expenditures related to the maintenance of the irrigation systems.

Irrigation Repairs: The District will incur expenditures related to repairs of the irrigation systems.

Landscape Replacement: Expenditures related to replacement of turf, trees, shrubs etc.

Field Services: The District may contract for field management services to provide landscape maintenance oversight.

Miscellaneous Fees: The District may incur miscellaneous expenses that do not readily fit into defined categories in field operations.

Gate Phone: The District will incur telephone expenses if the District has gates that are to be opened and closed.

Street/Parking Lot Sweeping: The District may incur expenses related to street sweeping for roadways it owns or are owned by another governmental entity, for which it elects to maintain.

Gate Facility Maintenance: Expenses related to the ongoing repairs and maintenance of gates owned by the District if any.

Sidewalk Repair & Maintenance: Expenses related to sidewalks located in the right of way of streets the District may own if any.

Roadway Repair & Maintenance: Expenses related to the repair and maintenance of roadways owned by the District if any.

Employees - Salaries: The District may incur expenses for employees/staff members needed for the recreational facilities such as Clubhouse Staff.

Employees - P/R Taxes: This is the employer's portion of employment taxes such as FICA etc.

Employee - Workers' Comp: Fees related to obtaining workers compensation insurance.

Management Contract: The District may contract with a firm to provide for the oversight of its recreation facilities.

Maintenance & Repair: The District may incur expenses to maintain its recreation facilities.

Facility Supplies: The District may have facilities that required various supplies to operate.



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Gate Maintenance & Repairs: Any ongoing gate repairs and maintenance would be included in this line item.

Telephone, Fax, Internet: The District may incur telephone, fax and internet expenses related to the recreational facilities.

Office Supplies: The District may have an office in its facilities which require various office related supplies.

Clubhouse - Facility Janitorial Service: Expenses related to the cleaning of the facility and related supplies.

Pool Service Contract: Expenses related to the maintenance of swimming pools and other water features.

Pool Repairs: Expenses related to the repair of swimming pools and other water features.

Security System Monitoring & Maintenance: The District may wish to install a security system for the clubhouse

Clubhouse Miscellaneous Expense: Expenses which may not fit into a defined category in this section of the budget

Athletic/Park Court/Field Repairs: Expense related to any facilities such as tennis, basketball etc.

Trail/Bike Path Maintenance: Expenses related to various types of trail or pathway systems the District may own, from hard surface to natural surfaces.

Special Events: Expenses related to functions such as holiday events for the public enjoyment

Miscellaneous Fees: Monies collected and allocated for fees that the District could incur throughout the year, which may not fit into any standard categories.

Miscellaneous Contingency: Monies collected and allocated for expenses that the District could incur throughout the year, which may not fit into any standard categories.

Capital Outlay: Monies collected and allocated for various projects as they relate to public improvements.



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RESERVE FUND BUDGET **ACCOUNT CATEGORY DESCRIPTION**

The Reserve Fund Budget Account Category Descriptions are subject to change at any time depending on its application to the District. Please note, not all Reserve Fund Budget Account Category Descriptions are applicable to the District indicated above. Uses of the descriptions contained herein are intended for general reference.

REVENUES:

Tax Roll: The District levies Non-Ad Valorem Special Assessments on all of the assessable property within the District to pay for operating expenditures incurred during the Fiscal Year. The assessments may be collected in two ways. The first is by placing them on the County's Tax Roll, to be collected with the County's Annual Property Tax Billing. This method is only available to land properly platted within the time limits prescribed by the County.

Off Roll: For lands not on the tax roll and that is by way of a direct bill from the District to the appropriate property owner.

Developer Contributions: The District may enter into a funding agreement and receive certain prescribed dollars from the Developer to off-set expenditures of the District.

Miscellaneous Revenues: The District may receive monies for the sale or provision of electronic access cards, entry decals etc.

EXPENDITURES:

Capital Reserve: Monies collected and allocated for the future repair and replacement of various capital improvements such as club facilities, swimming pools, athletic courts, roads, etc.

Capital Outlay: Monies collected and allocated for various projects as they relate to public improvements.



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DEBT SERVICE FUND BUDGET **ACCOUNT CATEGORY DESCRIPTION**

The Debt Service Fund Budget Account Category Descriptions are subject to change at any time depending on its application to the District. Please note, not all Debt Service Fund Budget Account Category Descriptions are applicable to the District indicated above. Uses of the descriptions contained herein are intended for general reference.

REVENUES:

Special Assessments: The District may levy special assessments to repay the debt incurred by the sale of bonds to raise working capital for certain public improvements. The assessments may be collected in the same fashion as described in the Operations and Maintenance Assessments.

EXPENDITURES – ADMINISTRATIVE:

Bank Fees: The District may incur bank service charges during the year.

Debt Service Obligation: This would be a combination of the principal and interest payment to satisfy the annual repayment of the bond issue debt.



Rizzetta & Company

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners

DATE: June 5, 2024

RE: Notification of one (1) vacancy – PLANNING & ZONING BOARD (PZB)

Notification is being made to the Commission regarding one (1) vacancy on the PZB. The vacancy is due to the resignation of Jon DePreter. The term will expire September 30, 2026.

Requests for applications will be placed in the St. Augustine Record, in accordance with Board advertising policies, and posted on the City's website.

Attached is the current Board roster, along with a profile of the qualifications, duties, and responsibilities.



Darlene Galambos
City Clerk

xc: Clerk's Office

PLANNING & ZONING BOARD

Meets Monthly, 1st Tuesday - 1:00 p.m.
Alcazar Room, City Hall

Board Member	Contact information	Appointment	3-Year Terms Expire
J. Carl Blow Commercial Real Estate Property Manager	100 Santa Monica Ave, 32080 829-6985 710-2655 john.carl.blow@gmail.com	12/09/19 fill vacancy 09/27/21 1 st full term	09/30/2021 09/30/2024
VACANT		08/27/18 fill vacancy 09/28/20 1 st full term 09/11/23 2 nd full term	09/30/2020 09/30/2023 09/30/2026
Charles Pappas Chairperson	46 Macaris St., 32084 617-519-3017 charlespappas@icloud.com	09/27/21 1 st full term	09/30/2024
Michael Davis General Contractor	23 Park Terrace, 32080 904-824-3533 mikedavis@addavis.com	09/23/19 1 st full term 09/26/22 2 nd full term	09/30/2025
Dr. Ashleigh Barnes Attorney	110 Bridge St., 32084 912-409-5849 barnesashleigh@gmail.com	09/26/22 1 st full term	09/30/2025
Matthew Shaffer Real Estate Broker	220 Lamego Lane, 32095 904-806-5020 matthew.shaffer@att.net	09/26/22 1 st full term	09/30/2025
Christina Tucker Civil Engineer Vice-Chairperson	29 Miruela Ave., 32080 352-474-3650 christinagriggs1@gmail.com	12/13/21 fill vacancy 09/11/23 1 st full term	09/30/2023 09/30/2026

PLANNING & ZONING BOARD

Authorization: Chapter 28, Zoning, Code of the City of St. Augustine, Art II, Div. II. Section 28-57 Amended 4.14.2003, Ordinance 2003-14.

Number of Members: Seven (7)

Terms of Office: Three (3) years Original appointments staggered. No member may be appointed for more than two (2) consecutive full terms.

Appointment: By City Commission

Reappointment: Normal terms to expire on September 30 of each year.

Qualifications: **All members of the planning and zoning board shall reside in the city and shall hold no government office nor receive any salary or compensation for their services to the board herein created. No member shall be appointed for more than two 2 consecutive full terms.**

Member composition: architect, Florida registered; planner member APA or AICP; real estate broker, with County occupational license; educator, college level; engineer, Florida registered; landscape architect Florida registered; preservation organization officer; environmental or land use organization officer; attorney, Florida Bar; merchant/business person, City occupational license; or contractor, City contractor's license.

Duties: The Planning & Zoning Board is established as the St. Augustine Local Comprehensive Planning Agency. The board may grant zoning exceptions and variances as provided in the zoning code ordinances; hear appeals of any decision of the Planning and Building Department; recommend to the Commission in the rezoning of land and changes to the Comprehensive Plan.

Attendance: Ordinance 2018-11 amended Sec. 2-191 to remove the language regarding meeting attendance and instead states "Members of Boards may be removed by majority vote of the Commission, upon notice of intent to remove the Board member mailed to the address on record at the office of the City Clerk by certified U.S. mail, return receipt requested, and a hearing before the City Commission providing the member an opportunity to be heard".

Meetings: First Tuesday of each month, 1 P.M., the Alcazar Room, City Hall.

CC MTG CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, May 13, 2024

The City Commission met in formal session Monday, May 13, 2024, at 5:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Nancy Sikes-Kline, and the following were present:

1. Roll Call: Nancy Sikes-Kline, Mayor/City Commissioner
Roxanne Horvath, Vice Mayor/City Commissioner
Barbara Blonder, City Commissioner
Cynthia Garris, City Commissioner
Jim Springfield, City Commissioner

Also Present: David Birchim, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Stephen Slaughter, Director, Public Works & Utilities
Amy Skinner, Director, Planning and Building
Jennifer Michaux, Police Chief
Elyse Wiemann, Recording Secretary

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Mayor Sikes-Kline requested a moment of silence and Commissioner Horvath led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

MOTION

Commissioner Horvath **MOVED** to approve the Regular Agenda. The motion was **SECONDED** by Commissioner Springfield and **APPROVED BY UNANIMOUS VOICE VOTE.**

3. Special Presentations, Recognitions and Proclamations

3.A. Proclamation 2024-18: Proclaims May 18-24, 2024 as National Safe Boating Week in the City of St. Augustine. (N. Sikes-Kline, Mayor)

3.B. Proclamation 2024-19: Proclaims May 2024 as St. Augustine Jewish Heritage Month in the City of St. Augustine. (N. Sikes-Kline, Mayor)

3.C. Proclamation 2024-20: Proclaims May 2024 as Problem-Solving Court Month in the City of St. Augustine. (N. Sikes-Kline, Mayor)

3.D. Proclamation 2024-25: Proclaims May 2024 as National Historic Preservation Month in the City of St. Augustine. (N. Sikes-Kline, Mayor)

4. General Public Comments (3 minutes per individual)

The Commission heard from the following members of the public:

- Vicki Pepper
- Chris Fullmer
- Scott York
- BJ Kalaidi

5. Consent Agenda

David Birchim, City Manager, read the Consent Agenda.

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON JUNE 10, 2024: ORD 2024-17: Amends Chapter 11 to add protection for Longleaf Pine trees and amends the dock maximum height limit.

CA.3. Reminder of Upcoming Meetings:

- May 15, 2024, 9:00am, Public Art Committee Meeting
- June 10, 2024, 5:00pm, Regular City Commission Meeting
- June 24, 2024, 5:00pm, Regular City Commission Meeting
- July 8, 2024, 3:00pm, Special City Commission Meeting (Budget assumptions)
- July 8, 2024, 5:00pm, Regular City Commission Meeting

CA.4. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS: NONE.

CA.5. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S): NONE.

CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING). NONE.

CA.7. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED: NONE.

CA.8. Code Enforcement Lien Release 52 Spring St. (A. Owen, Assistant City Attorney)

CA.9. Revised American Rescue Plan Act Spending Plan. (S. Slaughter, Utilities & Public Works Director)

CA.10. Legal Department Quarterly Report. (I. Lopez, City Attorney)

CA.11. Use of the City Seal and Alcazar Room by the St. Augustine Film Festival in January 2025. (D. Galambos, City Clerk)

CA.12. Memorandum of Understanding between the City and the Coastal Florida Police Benevolent Association. (D. Hayes, Human Resources Director)

CA.13. Invoice for Cavendish Partners in the amount of \$3,509.00 in the matter of Marlowe vs. City of St. Augustine. (I. Lopez, City Attorney)

End Consent Agenda

5.A. Additions, deletions or modifications to Consent Agenda

(None)

5.B. Approval of Consent Agenda

MOTION

Commissioner Horvath MOVED to approve the Consent Agenda. The motion was SECONDED by Commissioner Springfield and APPROVED BY UNANIMOUS VOICE VOTE.

6. Appeals

(None)

7. General Public Presentations, Items of Great Public Importance, and Other Items Requiring Public Hearings

7.A. General Public Presentations

7.A.1. Davenport Park Carousel. (C. Sakryd, Director General Services)

Corey Sakryd Director General Services reviewed the updates to the Davenport Park Carousel which were:

- Received Corridor Review Committee Approval
- Amended the Operating Hours
- Added several safety measures
- Restroom would be constructed by the City in 2025
- Additional language to include a provision for City Government Speech

Mr. Sakryd introduced JW Brinkley and his team for a presentation.

JW Brinkley and Jeremy Marquis reviewed the project with the Commission.

Commissioner Horvath asked what would be housed in the ticket booth and if they were going to sell concessions.

Mr. Brinkley replied that the ticket booth would be air conditioned, and they may sell water only.

Mayor Sikes-Kline asked if the lighting had been specified by the Corridor Review Committee. She suggested using warm LED lights instead of bright white.

Mr. Marquis said they were willing to do the warmer light, if requested.

Mayor Sikes-Kline was in support of the carousel being brought back to the park as it was a great way for families to create new memories.

Commissioner Blonder questioned if there would be pervious pavers.

Mr. Marquis agreed the pavers would be pervious.

Commissioner Blonder suggested including the language to the lease

agreement regarding tenants and types of speech allowed on the property.

Mr. Sakryd agreed to incorporate the requested language into lease agreement.

MOTION

Commissioner Horvath MOVED to APPROVE the Davenport Park Carousel project as presented with the following added: pervious pavers, warm LED lights, no concession in the ticket booth, and the additional language to the lease agreement. The motion was SECONDED by Commissioner Blonder.

VOTE ON MOTION:

AYES: Horvath, Blonder, Garris, Springfield, Sikes-Kline

NAYES: NONE

MOTION UNANIMOUSLY APPROVED

7.B. Items of Great Public Importance

(None)

7.C. Other Items Requiring Public Hearing

(None)

8. Ordinances and Resolutions – Public Hearing Required.

8.A. Ordinances – Second Reading

(None)

8.B. Ordinances – First Reading (only if required by law)

(None)

8.C. Resolutions – Public Hearing (only if required by law)

(None)

9. Ordinances and Resolutions - No Public Hearing Required

9.A. Ordinances – First Reading

9.A.1. Ordinance 2024-17: Amends Chapter 11 to add protection for Longleaf Pine trees and amends dock maximum height limit. (A. Skinner, Director Planning and Building)

Amy Skinner, the Planning and Building Director reviewed the Ordinance.

MOTION

Commissioner Blonder MOVED to pass Ordinance 2024-17 on the first reading and moved to the second reading. The motion was SECONDED by Commissioner Horvath.

Isabelle Lopez, City Attorney, read the Ordinance.

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 11, ARTICLE II CONSERVATION OVERLAY ZONE DEVELOPMENT, SECTION 11-27 DEFINITIONS; ADDING LONGLEAF PINE TO THE LIST OF SIGNIFICANT TREES AND A DEFINITION OF SILVICULTURE USE; AMENDING SECTION 11-29 STANDARDS FOR REVIEW; REVISING DOCK MAXIMUM HEIGHT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Blonder, Horvath, Garris, Springfield, Sikes-Kline

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

9.B. Resolutions

9.B.1. Resolution 2024-15: Ancient City Baptist Church Grant Support. (A. Skinner, Director Planning and Building)

Amy Skinner, the Planning and Building Director reviewed the Resolution.

MOTION

Commissioner Horvath MOVED to pass Resolution 2024-15. The motion was SECONDED by Mayor Sikes-Kline and APPROVED BY UNANIMOUS VOICE VOTE.

9.B.2. Resolution 2024-16: Trinity Parish Episcopal Church Grant Support. (A. Skinner, Director Planning and Building)

Amy Skinner, the Planning and Building Director reviewed the Resolution.

MOTION

Commissioner Horvath MOVED to pass Resolution 2024-16. The motion was SECONDED by Mayor Sikes-Kline and APPROVED BY UNANIMOUS VOICE VOTE.

9.B.3. Resolution 2024-17: Authorizes the City Manager to execute an agreement to continue the Transit Corridor Development Program. (X. Pellicer, Mobility Manager)

Reuben Franklin, Assistance City Manager reviewed the Resolution.

Commissioner Garris felt it would be nice if when the new museum was finished in West Augustine then could be added as a stop on the circulator.

MOTION

Commissioner Springfield MOVED to pass Resolution 2024-17. The motion was SECONDED by Commissioner Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

9.B.4. Resolution 2024-18: Supports the Education and Publication Grant for Exploring St. Augustine's Post-

Emancipation Black Schools. (A. White, City Archaeologist)

Andrea White, City Archaeologist reviewed the Resolution.

Commissioner Horvath spoke in favor of the resolution.

MOTION

Mayor Sikes-Kline MOVED to pass Resolution 2024-18. The motion was SECONDED by Commissioner Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

9.B.5. Resolution 2024-19: City Purchase of 241 W King Street for Middleton House Archaeology Center. (D. Birchim, City Manager)

David Birchim, City Manager reviewed the Resolution.

Commissioner Blonder said after seeing the current wet lab she understood that everything they were trying to preserve was at risk due to flooding. She was in support of the second location.

MOTION

Mayor Sikes-Kline MOVED to pass Resolution 2024-19. The motion was SECONDED Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

10. Staff Reports and Presentations

10.A. Petition for voluntary annexation and pre-annexation agreement for 4.09 acres of land adjacent to Cat's Paw Marina (A. Skinner, Director Planning and Building)

Amy Skinner, the Planning and Building Director reviewed the voluntary annexation and pre-annexation agreement adjacent to the Cat's Paw Marina. She reviewed the maps that showed the existing property, the annexed property underway, and the

newly proposed property to be incorporated into the existing Planned Unit Development.

Commissioner Horvath asked if the northeast corner on exhibit "E" Conceptual Master Plan with Aerial was not being developed.

Brad Wester, representative for the applicant advised that area had been developed since the 1940's but the area would be revised to accommodate the new boat barn. He said the section in question was labeled for future development; however, he was not sure of the exact use.

Commissioner Horvath voiced concerns about the trees as the trees had matured over time.

Mr. Wester noted they would try to incorporate as many trees as possible but there was no plan for the area yet. He said they would return for approval prior to development in that specific location.

Commissioner Blonder asked if there was a current tree survey.

Mr. Wester replied that the tree survey and arborist reports were both current.

Mayor Sikes-Kline reiterated before them was a petition for voluntary annexation and pre-annexation agreement for 4.09 acres of land adjacent to Cat's Paw Marina. She said it could be added to the Planned Unit Development as there was a public benefit that came with a PUD. She felt there was more control that came with the development under the City's purview.

Mr. Wester agreed. He said by having this added acreage, it allowed for better development of the site and provided more room. He said this would return to the Commission for final approval but only after being heard by the Planning and Zoning Board.

Commissioner Blonder agreed the City would have tighter controls if the property were to be annexed.

MOTION

Commissioner Springfield MOVED to APPROVE the Petition for voluntary annexation and pre-annexation agreement for the parcel of land adjacent to Cat's Paw Marina. The motion was SECONDED by Mayor Sikes-Kline.

VOTE ON MOTION:

AYES: Springfield, Sikes-Kline, Garris, Blonder, Horvath

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

10.B. Updated concept for the Bridge of Lions intersection improvement. (R. Franklin, Assistant City Manager)

Reuben Franklin, Assistant City Manager reviewed the updated concept for the Bridge of Lions intersection improvements. He said a public outreach meeting had taken place and feedback had been gathered from the community. He provided a brief overview of the project. He showed the final concept which had more open green space, protected time pedestrian crossings, and single post signage.

Mayor Sikes-Kline questioned the height of the existing cantilever signs.

Mr. Franklin replied that he was unsure but knew they were more than fourteen feet high; however, the cantilever signs were thirty feet across. He said there were no elevations heights on the provided documents. He said the signage would be installed on similar poles as the lighting in the downtown area on black fluted poles.

Commissioner Horvath asked if the sidewalks would be widened if Cathedral Place was made one lane.

Mr. Franklin said the improvement would make Cathedral Place west bound one way and the lane would be roughly sixteen feet, which would provide flexibility for parking and emergency vehicles and sidewalks could also be widened.

Mayor Sikes-Kline asked if more trips over the bridge were to be expected or just a better traffic flow. She noted she wanted to review the pedestrian crossing at the foot of the bridge, which should be discussed separately. She pointed out in prior renderings the pavement markers in front of Harry's Seafood that space was green grass. She asked if this area was necessary as she was in favor of having more green space.

Mr. Franklin felt it would offer a more efficient traffic flow. He said this would help after an interruption in traffic flow and help get back to normal operating conditions. He said the area was currently a commercial loading zone and that allowed for more parking spaces, but it was ultimately left up to the City. He said there was a new restaurant which eliminated the curb cuts allowing for more parking.

Commissioner Springfield felt the crosswalk was very important with the increase in pedestrian traffic from the Castillo de San Marco to the City Marina. He asked if the bridge, when up would affect the intersection lights. He felt this would increase the number of vehicles in the downtown area; especially during events.

Mr. Franklin replied that the timing signal of the lights was in place to provide more green time to allow the maximum number of vehicles time to get through the intersection, and the new ones would be timed as well. He said during peak times the area would be congested but it would help with traffic flow.

Commissioner Garris thanked Mr. Franklin for providing a visual of the proposed options. She asked if Cathedral Place was

one lane would be turning right or left at the end of Cordova Street be allowed. She asked if the parking would remain as some of the churches had voiced concerns.

Mr. Franklin replied the turn on to Cordova would remain the same. He said there would be a separate pattern and presentation for around the Governor's House at a later date. He said the proposal was to remove around twenty parking spaces to widen the sidewalks and open the views of the plaza; however, that would be provided to the Commission for a decision.

Commissioner Blonder felt that bicycle lanes were missed when the Bridge of Lions was rebuilt. She asked for the proposal to include bike lanes as that was another way to get more vehicles off the road. She said as a part of the overall mobility plan it should be an option.

Mr. Franklin stated that could be done but they were limited in space and that could consume some of the parking.

Commissioner Blonder noted there were many construction projects taking place simultaneously and was fearful of voting for another project without knowing a timeline. She said this could cause more traffic and thought there needed to be a timeline.

Mr. Franklin noted it could be amended if the project needed to be extended to another date but would provide a timeline.

Mr. Franklin reiterated that the major items to be discussed and brought back would be more green space in front of Harry's restaurant, adding a bike lane, provide a project schedule, and to keep the option open to evaluate the cross walk by the Bridge of Lions.

MOTION

Mayor Sikes-Kline MOVED that the Commission was interested in pursuing the design as presented with the items

to be discussed in the future. The motion was SECONDED by Commissioner Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

11. ITEMS BY CITY ATTORNEY

11.A. 2024 Legislative Session Update-For Informational Purposes Only. (A. Owen, Assistant City Attorney)

Ms. Lopez provided an overview of the Legislative Session. She noted after October 1st business impact statements would have to be completed for everything besides budget items. She said as more bills were passed or vetoed; an update would be provided.

11.B. State Road 312 Development Order Extension-For Informational Purposes Only. (I. Lopez, City Attorney)

Ms. Lopez reviewed the topic and noted that when the Governor issued a State of Emergency, it granted an extension for developments.

Mayor Sikes-Kline noted 70% of the bills had been received by the governor and there were 105 left and Senate Bill 270, short-term rental bill would be submitted last. She said there was still time to reach out and provide an opinion.

12. ITEMS BY CITY CLERK

12.A. Request for two appointments to the Historic Architectural Review Board. (D. Galambos, City Clerk)

Darlene Galambos, City Clerk requested to appoint two applicants to the Historic Architectural Review Board. She said there were two applications and both applicants were qualified.

MOTION

Commissioner Horvath MOVED to APPROVE applicants to the Historic Architectural Review Board. The motion

was **SECONDED** by Commissioner Blonder and **APPROVED** by **UNANIMOUS VOICE VOTE**.¹

12.B. Notification of one term expiration for City of St. Augustine Audit Review Committee. (D. Galambos, City Clerk)

Darlene Galambos, City Clerk notified the Commission of an upcoming term on the Audit review committee expiration and noted the position would be advertised accordingly and see if the current member would want to continue serving.

13. ITEMS BY CITY MANAGER

David Birchim, City Manager congratulated Roger Bansemer on being inducted into the Florida Artist Hall of Fame.

Mr. Birchim congratulated Lucy Fountain, the City Managers Administrative Assistant as she was retiring after fourteen years of service with the City.

14. Items by Mayor and Commissioners

Commissioner Horvath provided an update on the Public Art Committee. She noted the three finalists had been chosen and would hold a community outreach meeting on May 14th at the Waterworks Building from 4:00p.m.-6:00p.m. and then on May 15th the finalist would be interviewed by the Committee at a public meeting at 9:00a.m

Mayor Sikes-Kline noted the Tourist Development Council (TDC) was proposing to do an art in Public Places program.

Mayor Sikes-Kline asked for a short presentation about the extended parking hours and what the revenue would be spent on as it directly benefited the downtown area. She questioned the derelict sign issue that was brought up during public comment. She said signs and

graffiti were issues and provided information on how to make a complaint or report an issue.

Mr. Birchim noted he would look into the derelict sign and make sure it was remedied. He noted there was a very robust anti-graffiti policy.

Commissioner Garris provided the facilities coordinators contact information if graffiti needed to be reported.

Commissioner Blonder shared her excitement for Spanish Street being wonderful without traffic. She reported a gouge in the sidewalk south of US1 near the construction. She said this was unsafe and asked Mr. Franklin to notify the Department of Transportation (DOT). She spoke concerned of the seawall on the bayfront being constructed by DOT. She felt there should be more information regarding the viewshed and what it would look like afterwards. She suggested that it was time to revisit the parking ordinance and the proposed plans to include a shuttle or trolley lane on San Marco Avenue. She said perhaps there should be a dedicated transit lane. A sizeable amount of money was being spent on sewer connections as noted in the Capital Improvement Plan (CIP). She felt there were other things that impacted water quality and identified fertilizer as a big impactor. She said education was very important and mentioned there was a model ordinance from the state 'Florida Friendly Fertilizer Use on Urban Landscapes' that the City could adopt which was minimal. She said there was plenty of science that backed up these claims and with it thought there could be even more stringent requirements that could be adopted by the City. She said she would like a policy or incentives to reduce fertilizer use.

Mr. Birchim advised that if it were sponsored City staff would begin working on it.

¹ Commissioner Garris was absent for vote.

Commissioner Blonder agreed to sponsor the ordinance.

Commissioner Springfield reported there was about \$8,500 committed to send the painting to Alivés, Spain. He added the parking cost at the garage was \$5.00 and it was a good option for locals. He suggested doing an evaluation for the City Manager and City attorney as it had not been done while he had been on the Commission.

Mayor Sikes-Kline said the City Attorney had not been done but the City Manager had and that normally took place during the budget process.

Mr. Birchim advised that the process would begin in August.

Ms. Lopez said her contract was drafted differently than the City Managers; however, there were quarterly reports, and an annual report. She felt the Commission was able to review her performance at any meeting.

Mayor Sikes-Kline said it should be discussed.

Commissioner Springfield said it was more of a growth model rather than a checklist.

Mr. Birchim said he would send out what they had and if there was any feedback they could discuss it.

15. Adjournment

There being no further business, the meeting was adjourned at 7:09 P.M.²

Nancy Sikes-Kline, MAYOR

Darlene Galambos, CITY CLERK

² Transcribed by Elyse Wiemann

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim
City Manager

DATE: June 17, 2024

RE: Consent Agenda Item – Monthly Financial Report

Attached are unaudited financial summaries by fund for Commission review for the period ending May 31st 2024. The statements are in the form of an income statement and include current year budget and current year-to-date actuals, with previous year-to-date actuals for comparison purposes.

The summaries reflect activity through eight months of the fiscal year which is 67%. Comparing this percentage with the actual percentage spent/earned is a useful way to gauge our performance.

Please place on the June 24, 2024 Consent Agenda. If you have any questions about the attached statements or any other financial matter, please do not hesitate to contact me.



Nicole Hall
Deputy Director, Finance

cc: D. Galambos, City Clerk
M. Breidenstein, Assistant City Manager
R. Franklin, Assistant City Manager

City of St Augustine
Budgetary and Prior Year
Comparison of Revenues Expenditures
May 2024

General					
	2024 BUDGET	2024 ACTUAL		2023 ACTUAL	
REVENUES					
Ad Valorem Taxes	\$ 20,869,393	\$ 18,992,487	91%	\$ 17,563,739	8%
Sales, Use & Gas Taxes	930,858	285,226	31%	280,601	2%
Utility & Communication Service Taxes	2,770,631	2,014,419	73%	1,671,504	21%
Grants	-	172,235		6,342	2616%
Intergovernmental	2,309,137	1,481,625	64%	1,418,225	4%
Franchise Fees	2,121,000	1,537,332	72%	1,458,644	5%
Licenses, Permits & Other Fees	6,162,094	5,451,072	88%	5,073,255	7%
Fines and Forfeitures	181,000	396,474	219%	145,008	173%
Administrative Overhead Charges	5,670,717	3,780,478	67%	3,241,173	17%
Investment Income	1,400,360	1,240,797	89%	955,338	30%
Miscellaneous	3,621,345	1,914,824	53%	1,782,033	7%
Total Operating Revenues	46,036,535	37,266,969	81%	33,595,863	11%
EXPENDITURES					
Current Operating:					
General Government	12,743,481	7,073,221	56%	6,603,413	7%
Public Safety	16,418,688	9,916,223	60%	9,080,021	9%
Physical Environment	6,699,996	3,435,226	51%	4,040,454	-15%
Transportation	5,872,041	2,871,704	49%	2,062,349	39%
Culture/Recreation	3,075,669	1,464,163	48%	1,109,911	32%
Capital Outlay	29,683,992	6,338,804	21%	3,257,344	95%
Total Expenditures	74,493,866	31,099,341	42%	26,153,491	19%
Excess (Deficiency) of Revenues Over (Under) Expenditures	(28,457,331)	6,167,628		7,442,372	
OTHER FINANCING SOURCES (USES)					
Transfers In	33,789,977	11,203,101	33%	4,531,342	147%
Transfers (Out)	(5,332,646)	(3,572,873)	67%	(609,662)	486%
Total Other Financing Sources (Uses)	28,457,331	7,630,229		3,921,681	
Net Changes in Fund Balances	-	13,797,856		11,364,053	

City of St Augustine
Budgetary and Prior Year
Comparison of Revenues Expenditures
May 2024

Utility					
	2024 BUDGET	2024 ACTUAL		2023 ACTUAL	
OPERATING REVENUES					
User Charges	\$ 22,042,307	\$ 16,448,559	75%	\$ 14,120,545	16%
Fees	1,686,400	5,555,454	329%	361,144	1438%
Rental		-			
Other	85,000	69,458	82%	54,937	
Total Operating Revenues	23,813,707	22,073,471	93%	14,536,627	52%
OPERATING EXPENSES					
Salaries, Wages and Employee Benefits	6,982,854	3,866,212	55%	3,620,038	7%
Utilities	1,015,401	914,188	90%	568,695	61%
Supplies and Materials	1,239,539	905,711	73%	541,341	67%
Contractual Services	2,406,992	515,308	21%	629,577	-18%
Repairs and Maintenance	1,632,664	928,777	57%	799,909	16%
Cost of Goods Sold					
Other	189,383	75,408	40%	84,185	-10%
Administrative Overhead Charges	3,261,969	2,174,646	67%	2,034,436	7%
Total Operating Expenses	16,728,801	9,380,249	56%	8,278,181	13%
Operating Income (Loss)	7,084,906	12,693,222		6,258,445	103%
NON-OPERATING REVENUES (EXPENSES)					
Investment Income	829,000	1,082,242	131%	902,277	20%
Interest Expense and Fiscal Charges	(1,871,340)	(402,578)	22%	(448,295)	-10%
Gain (Loss) on Sale of Capital Assets	7,500	650	9%	7,385	-91%
Capital Expenditures	(20,559,986)	(4,320,123)	21%	(4,482,476)	-4%
Other		484,997		239,612	102%
Total Non-Operating Revenues (Expenses)	(21,594,826)	(3,154,812)		(3,781,497)	
Income Before Contributions and Transfers	(14,509,920)	9,538,410		2,476,949	
Capital Contributions	1,293,124	461,551	36%	-	
Transfers In	16,117,133	4,640,764	29%	1,525,655	204%
Transfers (Out)	(2,900,337)	(5,623,314)	194%	(1,473,690)	282%
Change in Net Position	(0)	9,017,412		2,528,914	

City of St Augustine
Budgetary and Prior Year
Comparison of Revenues Expenditures
May 2024

	Stormwater				
	2024 BUDGET	2024 ACTUAL		2023 ACTUAL	
OPERATING REVENUES					
User Charges	\$ 1,510,274	\$ 1,019,310	67%	\$ 963,661	6%
Fees	-	-			
Rental		-			
Other		-			
Total Operating Revenues	1,510,274	1,019,310	67%	963,661	6%
OPERATING EXPENSES					
Salaries, Wages and Employee Benefits	443,279	155,280	35%	261,738	-41%
Utilities	1,857	719	39%	917	-22%
Supplies and Materials	27,304	11,671	43%	13,057	-11%
Contractual Services	172,881	-	0%	4,500	0%
Repairs and Maintenance	444,985	60,930	14%	23,266	162%
Cost of Goods Sold		-			
Other	9,175	1,400	15%	4,565	-69%
Administrative Overhead Charges	465,959	310,639	67%	295,663	5%
Total Operating Expenses	1,565,440	540,640	35%	603,706	35%
Operating Income (Loss)	(55,166)	478,671		359,955	
NON-OPERATING REVENUES (EXPENSES)					
Investment Income	35,000	30,352	87%	23,398	30%
Interest Expense and Fiscal Charges	-				
Gain (Loss) on Sale of Capital Assets					
Capital Expenditures	(8,771,826)	(476,430)	5%	(21,806)	2085%
Other	-				
Total Non-Operating Revenues (Expenses)	(8,736,826)	(446,078)		1,592	
Income Before Contributions and Transfers	(8,791,992)	32,592		361,547	
Capital Contributions	7,643,924	421,430	6%	-	
Transfers In	1,404,936	66,079	5%	63,661	4%
Transfers (Out)	(256,868)	(171,245)	67%	(170,205)	1%
Change in Net Position	(0)	348,856		255,003	

City of St Augustine
Budgetary and Prior Year
Comparison of Revenues Expenditures
May 2024

		Solid Waste			
		2024 BUDGET	2024 ACTUAL		2023 ACTUAL
OPERATING REVENUES					
User Charges	\$ 5,701,595	\$ 3,779,878	66%	\$ 3,626,538	4%
Fees	50,000	25,100	50%	42,459	-41%
Rental		-			
Other	15,000	10,430	70%	14,461	-28%
Total Operating Revenues	5,766,595	3,815,408	66%	3,668,997	4%
OPERATING EXPENSES					
Salaries, Wages and Employee Benefits	2,271,396	1,274,886	56%	1,128,325	13%
Utilities	13,477	6,457	48%	8,844	-27%
Supplies and Materials	407,530	277,865	68%	227,679	22%
Contractual Services	2,045,156	1,228,188	60%	1,505,497	-18%
Repairs and Maintenance	51,309	193,486	377%	241,742	-20%
Cost of Goods Sold	-	-	0%		
Other	14,800	1,533	10%	1,054	46%
Administrative Overhead Charges	783,784	522,523	67%	356,481	47%
Total Operating Expenses	5,587,452	3,504,938	63%	3,469,623	1%
Operating Income (Loss)	179,143	310,470		199,374	
NON-OPERATING REVENUES (EXPENSES)					
Investment Income	60,000	44,728	75%	47,682	0%
Interest Expense and Fiscal Charges	-	-			
Gain (Loss) on Sale of Capital Assets	-	28,712	0%	108,200	0%
Capital Expenditures	(409,688)	(122,278)	30%	(290,794)	
Other	10,000	6,253	0%	7,412	0%
Total Non-Operating Revenues (Expenses)	(339,688)	(42,586)		(127,501)	
Income Before Contributions and Transfers	(160,545)	267,884		71,873	
Capital Contributions	-	65,013		-	
Transfers In	530,509	355,441	67%	1,502,615	-76%
Transfers (Out)	(369,964)	(247,876)	67%	(239,228)	4%
Change in Net Position	-	440,462		1,335,260	

City of St Augustine
Budgetary and Prior Year
Comparison of Revenues Expenditures
May 2024

Marina					
	2024 BUDGET	2024 ACTUAL		2023 ACTUAL	
OPERATING REVENUES					
User Charges	\$ 4,090,530	\$ 3,438,090	84%	\$ 3,619,860	-5%
Fees		-			
Rental	31,340	17,747	57%	21,353	-17%
Other	82,313	89,825	109%	41,909	
Total Operating Revenues	4,204,183	3,545,662	84%	3,683,122	-22%
OPERATING EXPENSES					
Salaries, Wages and Employee Benefits	967,408	534,925	55%	509,311	5%
Utilities	141,700	64,802	46%	78,132	-17%
Supplies and Materials	93,802	37,363	40%	35,723	5%
Contractual Services	153,208	96,167	63%	486,742	-80%
Repairs and Maintenance	271,135	194,586	72%	147,875	32%
Cost of Goods Sold	1,852,407	1,281,529	69%	1,444,075	-11%
Other	195,430	161,573	83%	148,511	9%
Administrative Overhead Charges	385,560	257,039	67%	219,589	17%
Total Operating Expenses	4,060,651	2,627,983	65%	3,069,960	-14%
Operating Income (Loss)	143,532	917,678	639%	613,163	50%
NON-OPERATING REVENUES (EXPENSES)					
Investment Income	100,000	87,290	87%	74,296	15%
Interest Expense and Fiscal Charges		-		-	
Gain (Loss) on Sale of Capital Assets	-	3,335		1,076	68%
Capital Expenditures	(4,786,446)	(4,728,196)	99%	16,744	100%
Other				-	
Total Non-Operating Revenues (Expenses)	(4,686,446)	(4,637,572)		92,116	
Income Before Contributions and Transfers	(4,542,914)	(3,719,893)		705,279	
Capital Contributions	3,771,262	3,771,262	100%	(16,744)	
Transfers In	1,024,499	686,414	67%	10,010	6758%
Transfers (Out)	(252,847)	(169,407)	67%	(76,493)	121%
Change in Net Position	-	568,376		622,052	

City of St Augustine
Budgetary and Prior Year
Comparison of Revenues Expenditures
May 2024

	VIC				
	2024 BUDGET	2024 ACTUAL		2023 ACTUAL	
OPERATING REVENUES					
User Charges	\$ 700,000	\$ 485,295	69%	\$ 497,861	-3%
Fees	5,813,062	4,069,930	70%	3,701,365	10%
Rental	65,000	24,671	38%	47,813	-48%
Other	250,000	250,000	100%	250,000	
Total Operating Revenues	6,828,062	4,829,896		4,497,040	7%
OPERATING EXPENSES					
Salaries, Wages and Employee Benefits	1,489,691	845,587	57%	765,067	11%
Utilities	189,447	107,846	57%	91,951	17%
Supplies and Materials	105,178	56,472	54%	54,946	3%
Contractual Services	378,439	145,242	38%	146,617	-1%
Repairs and Maintenance	1,708,342	477,037	28%	238,892	100%
Cost of Goods Sold	350,000	183,347	52%	201,471	-9%
Other	174,355	106,160	61%	108,086	-2%
Administrative Overhead Charges	506,897	337,931	67%	295,007	15%
Total Operating Expenses	4,902,349	2,259,622	46%	1,902,038	19%
Operating Income (Loss)	1,925,714	2,570,273		2,595,002	-1%
NON-OPERATING REVENUES (EXPENSES)					
Investment Income	175,000	164,242	94%	125,197	31%
Interest Expense and Fiscal Charges	(1,551,248)	(373,579)	24%	(360,235)	4%
Gain (Loss) on Sale of Capital Assets		-			
Capital Expenditures	(225,405)	(19,835)	9%	(280,995)	-93%
Other	-	11,964		18,377	-35%
Total Non-Operating Revenues (Expenses)	(1,601,653)	(217,208)		(622,853)	
Income Before Contributions and Transfers	324,061	2,353,066		1,972,149	
Capital Contributions	92,500	-	0%	144,715	-100%
Transfers In	2,130,324	1,800,896	85%	360,325	400%
Transfers (Out)	(2,546,885)	(1,706,413)	67%	(944,426)	81%
Change in Net Position	(0)	2,447,549		1,532,763	

City of St Augustine
Budgetary and Prior Year
Comparison of Revenues Expenditures
May 2024

Total Proprietary Funds					
	2024 BUDGET	2024 ACTUAL		2023 ACTUAL	
OPERATING REVENUES					
User Charges	\$ 34,044,706	\$ 25,171,132	74%	\$ 22,828,466	10%
Fees	7,549,462	9,650,484	128%	4,104,968	135%
Rental	96,340	42,418	44%	69,167	-39%
Other	432,313	419,712	97%	361,307	16%
Total Operating Revenues	42,122,821	35,283,747	84%	27,349,446	29%
OPERATING EXPENSES					
Salaries, Wages and Employee Benefits	12,154,628	6,676,889	55%	6,284,480	6%
Utilities	1,361,882	1,094,011	80%	748,540	46%
Supplies and Materials	1,873,352	1,289,082	69%	872,747	48%
Contractual Services	5,156,676	1,984,905	38%	2,772,934	-28%
Repairs and Maintenance	4,108,435	1,854,817	45%	1,451,684	28%
Cost of Goods Sold	2,202,407	1,464,876	67%	1,645,546	-11%
Other	583,143	346,074	59%	346,401	0%
Administrative Overhead Charges	5,404,169	3,602,779	67%	3,201,176	13%
Total Operating Expenses	32,844,693	18,313,433	56%	17,323,507	6%
Operating Income (Loss)	9,278,128	16,970,314		10,025,939	69%
NON-OPERATING REVENUES (EXPENSES)					
Investment Income	1,199,000	1,408,854	118%	1,172,851	20%
Interest Expense and Fiscal Charges	(3,422,588)	(776,157)	23%	(808,530)	-4%
Gain (Loss) on Sale of Capital Assets	7,500	32,697	436%	116,661	-72%
Capital Expenditures	(34,753,351)	(9,666,863)	28%	(5,059,327)	91%
Other	10,000	503,214	5032%	265,401	90%
Total Non-Operating Revenues (Expenses)	(36,959,439)	(8,498,255)		(4,438,142)	
Income Before Contributions and Transfers	(27,681,311)	8,472,059		5,587,797	
Capital Contributions	12,800,810	4,719,256	37%	127,971	3588%
Transfers In	21,207,401	7,549,595	36%	3,462,266	118%
Transfers (Out)	(6,326,901)	(7,918,256)	125%	(2,904,041)	173%
Change in Net Position	0	12,822,655		6,273,992	