

CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

AGENDA • MARCH 8, 2016

City Commission Chamber

Regular City Commission Meeting

7:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448



City Commission Chamber
City Hall
1065 Ridgewood Avenue
Holly Hill, FL 32117

CITY COMMISSION MEMBERS

Mayor
John Penny

District 1 - Commissioner
Arthur J. Byrnes

District 3 - Commissioner
John F. Capers

District 2 - Commissioner
Penny Currie

District 4 - Commissioner
Elizabeth Albert

CITY MANAGER
Joseph Forte

CITY CLERK
Valerie Manning

1. CALL TO ORDER

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance to the Flag

2. PRESENTATION - NONE**3. PUBLIC PARTICIPATION**

Pursuant to Florida Law, the public has a right to be heard on all propositions, except when the City Commission is acting on ministerial or emergency matters, or conducting a meeting exempt from Section 286.011, Florida Statutes. Public comment time on propositions shall be five (5) minutes. The public will be provided the opportunity to be heard on non-agenda matters at the end of the meeting only if the 45 minute allotted time at the beginning of the meeting has come to a close. Proper decorum will be observed.

4. APPROVAL OF MINUTES

- 1. Minutes - February 23, 2016 - Workshop Minutes and Regular City Commission Meeting
(Requested by Valerie Manning, City Clerk)

5. CONSENT AGENDA - NONE

The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items. Is there anyone in the audience who wishes to speak on any item on the Consent Agenda?

6. REGULAR AGENDA - NONE**7. PUBLIC HEARINGS**

Please silence any cell phone, pager or noise making device as not to interrupt the meeting. Staff will introduce each item for consideration, with comments and recommendations. The applicant or appellant and supporters will be heard first. Those in opposition to the request will be heard next. Comments should be restricted to pertinent information regarding the agenda item under discussion. Out of courtesy to others, we ask that speakers keep their comments brief and try to limit these comments to information not previously discussed. Speakers should state their name and address clearly for the record. The City Clerk's office is required to retain any documents, photographs, drawings, etc. that are shown to the City Commissioners in support of a position. The City Commission may ask questions of speakers or of staff members. The Mayor will then ask the City Commission to make a recommendation or motion. Once a motion has been made and seconded, discussion will be closed to the floor. Following City Commission discussion, a vote will be taken. During voting, Commissioners who do not cast objecting votes are considered to have voted in support of the motion.

- 1. Ordinance Annexation - 1011 10Th Street - Ordinance 2970 - Second and Final Reading
(Requested by Thomas Harowski, Board of Planning and Appeals)
- 2. Ordinance Comprehensive Plan Amendment - 1011 10Th Street - Ordinance 2971 -
Second and Final Reading
(Requested by Thomas Harowski, Board of Planning and Appeals)
- 3. Ordinance Rezoning - 1011 10Th Street - Ordinance 2972 - Second and Final Reading

(Requested by Elizabeth Nelson, Board of Planning and Appeals)

4. Ordinance Police Pension Ordinance Amendment - Ordinance 2973 - First Reading

(Requested by Steve Aldrich, Police)

8. **COMMUNICATIONS**

- a. City Manager & Staff Comments
- b. City Attorney
- c. Mayor's Comments
- d. District Commissioners Comments

9. **ADJOURNMENT**

Website Address – www.hollyhillfl.org (City Clerk)

NOTICE – If any person decides to appeal any decision of the City Commission at this meeting, he/she will need a record of the proceedings and, for that purpose, he/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. The City does not prepare or provide such a record.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 248-9441



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.

In accordance with the Americans with Disabilities Act (ADA), persons needing a special accommodation to participate in the Commission proceedings should contact the City Clerk's Office no later than three (3) days prior to the proceedings.



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**City Commission
Agenda Item**

MEETING DATE: March 8, 2016
FROM: Valerie Manning
SUBJECT: Minutes - February 23, 2016 - Workshop Minutes and Regular City Commission Meeting
NUMBER: (ID # 1295)
APPLICANT:
PLANNER:

DISCUSSION:

Minutes from the February 23, 2016 workshop and regular City Commission meeting.

FISCAL ANALYSIS:

N/A

STAFF RECOMMENDATION:

Approve both sets of minutes.

COMMISSION GOAL:

N/A

MOTION:

AS DETERMINED BY THE CITY COMMISSION.

- Minutes - February 23, 2016 - Workshop - Water Ordinance (PDF)
- Minutes - February 23, 2016 - Regular City Commission meeting (PDF)



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • FEBRUARY 23, 2016

City Commission Chamber

Work Session

6:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Arthur J. Byrnes	District 1 - Commissioner	Present	
Penny Currie	District 2 - Commissioner	Present	
John F. Capers	District 3 - Commissioner	Present	
Elizabeth Albert	District 4 - Commissioner	Present	
John Penny	Mayor	Present	

II. WATER ORDINANCE CHANGES - CONTINUED FROM JANUARY 26TH WORKSHOP

Mr. Swartzlander discussed the following issues and proposals to the Mayor and City Commission: dishonored check/draft, high usage and notification, hydrant meter rentals, irrigation meter, late notices, minimum disconnect amount, new accounts are not opened when the property owner owes a debt to the city, owner responsibility for charges when an account has no active service, payment arrangement plan, prorate bills, receipt of payment, rates to repair broken equipment, sewer adjustment for plumbing leaks, sewer adjustment for swimming pools, temporary turn-on for property owners, realtors and property managers, suspended accounts (vacation turn-on).

1. -DOC-2016-4

Water Ordinance Changes - Continued from the January 26, 2016 Workshop

(Requested by Kurt Swartzlander, Finance)

There was consensus from the Mayor and Commissioners for Mr. Swartzlander to bring back an Ordinance for their consideration to approve based on the discussion and presentation.

RESULT:	PRESENTATION
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Enacted and approved this 23rd day of February, 2016, in Holly Hill



III. ADJOURNMENT

The workshop adjourned at approximately 7:00 PM.



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • FEBRUARY 23, 2016

City Commission Chamber

Regular City Commission Meeting

7:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448

1. CALL TO ORDER

A. Roll Call

Attendee Name	Title	Status	Arrived
Arthur J. Byrnes	District 1 - Commissioner	Present	
Penny Currie	District 2 - Commissioner	Present	
John F. Capers	District 3 - Commissioner	Present	
Elizabeth Albert	District 4 - Commissioner	Present	
John Penny	Mayor	Present	

B. Invocation

Pastor Pruitt led the invocation.

C. Pledge of Allegiance to the Flag

Mayor Penny led the pledge of allegiance.

2. PRESENTATION - NONE

Mayor Penny presented Commissioner Albert with a proclamation for her winning Teacher of the Year 2016.

3. PUBLIC PARTICIPATION

The following individuals spoke to the Mayor and City Commissioners: Marcy Albright, 1570 Riverside Drive, Holly Hill; Robin Hanger, 950 Ridgewood Avenue, Holly Hill.

There was consensus from the Mayor and Commissioners to allow Mr. Forte to bring back some solutions as it pertains to Ms. Albright's concerns and request to have a dock installed at 1570 Riverside Drive.

4. APPROVAL OF MINUTES

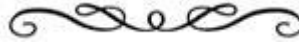
1.

Minutes - February 9, 2016 - Regular City Commission Meeting & Workshop Minutes
 (Requested by Valerie Manning, City Clerk)

Attachment: Minutes - February 23, 2016 - Regular City Commission meeting (1295 : Minutes - February 23, 2016)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

Enacted and approved this 23rd day of February, 2016, in Holly Hill



5. **CONSENT AGENDA - ITEMS (1 - 2)**

Mayor Penny asked if any member from the audience or Commission would like to remove any item on the Consent Agenda for further discussion. No one pulled any item and no one spoke.

1. Resolution

Scada System Upgrade - Engineering - Resolution 2016-R-07

(Requested by Mark Juliano, Public Works)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John F. Capers, District 3 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

RESOLUTION

Enacted and approved this 23rd day of February, 2016, in Holly Hill



2. Resolution

Special Events Calendar - Updated - Resolution 2016-R-08

(Requested by Valerie Manning, City Clerk)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John F. Capers, District 3 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

RESOLUTION

Enacted and approved this 23rd day of February, 2016, in Holly Hill



6. REGULAR AGENDA

Attorney Simpson read all three Ordinances titles at once, then each one will be voted on separately.

Mr. Harowski discussed the staff reports for the ordinances to the Mayor and Commissioners.

Mayor Penny opened public participation. No one spoke.

1. Ordinance

Annexation - 1011 10Th Street - Ordinance 2970 - First Reading

(Requested by Thomas Harowski, Board of Planning and Appeals)

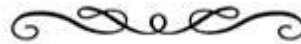
RESULT:	APPROVED AT 1ST READING [UNANIMOUS]	Next: 3/8/2016 7:00 PM
MOVER:	Elizabeth Albert, District 4 - Commissioner	
SECONDER:	Penny Currie, District 2 - Commissioner	
AYES:	Byrnes, Currie, Capers, Albert, Penny	

**2. Ordinance**

Comprehensive Plan Amendment - 1011 10Th Street - Ordinance 2971 - First Reading

(Requested by Thomas Harowski, Board of Planning and Appeals)

RESULT:	APPROVED AT 1ST READING [UNANIMOUS]	Next: 3/8/2016 7:00 PM
MOVER:	Penny Currie, District 2 - Commissioner	
SECONDER:	Elizabeth Albert, District 4 - Commissioner	
AYES:	Byrnes, Currie, Capers, Albert, Penny	

**3. Ordinance**

Rezoning - 1011 10Th Street - Ordinance 2972 - First Reading

(Requested by Elizabeth Nelson, Board of Planning and Appeals)

RESULT:	APPROVED AT 1ST READING [UNANIMOUS]	Next: 3/8/2016 7:00 PM
MOVER:	Arthur J. Byrnes, District 1 - Commissioner	
SECONDER:	Elizabeth Albert, District 4 - Commissioner	
AYES:	Byrnes, Currie, Capers, Albert, Penny	



4.

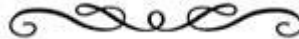
827 Hibiscus Avenue - Request for Lien Reduction

(Requested by Joseph Forte, City Manager)

Mayor Penny opened public participation. No one spoke.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

Enacted and approved this 23rd day of February, 2016, in Holly Hill



7. PUBLIC HEARINGS

1. Resolution

Street Resurfacing Fund Balance Appropriation of Gas Tax Transfer of Funds - Resolution 2015-R-06

(Requested by Mark Juliano, Public Works)

Mayor Penny opened public participation. No one spoke.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John F. Capers, District 3 - Commissioner
SECONDER:	Elizabeth Albert, District 4 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

RESOLUTION

Enacted and approved this 23rd day of February, 2016, in Holly Hill



2. Ordinance

Ordinance 2969 - Fire Pension Investments - Second and Final Reading - Ordinance 2969

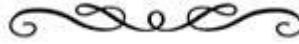
(Requested by Kurt Swartzlander, Finance)

Mayor Penny opened public participation. No one spoke.

RESULT:	ADOPTED AT 2ND READING [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

ORDINANCE

Enacted and approved this 23rd day of February, 2016, in Holly Hill



8. COMMUNICATIONS

a. City Manager & Staff Comments

Mr. Forte informed the Mayor and Commissioners that he sent off the approval letter to Mr. Dolenar, the Airborne Operations Inspection Supervisor for mosquito control over the city.

1. -DOC-2016-7

Mosquito Low Level Airborne Operations Authorization

(Requested by Joseph Forte, City Manager)

For informational purposes only.

RESULT:	PRESENTATION
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Enacted and approved this 23rd day of February, 2016, in Holly Hill



b. City Attorney Comments

None.

c. Mayor's Comments

Commissioners Byrnes, Currie, Capers and Mayor Penny congratulated Commissioner Albert on Teacher of the Year 2016.

d. District Commissioners Comments

All of the Commissioners and the Mayor thanked the Police Department for helping at the Holly Hill School last Thursday on a bomb threat that was called in. Commissioner Byrnes asked Mr. Forte if he could inform the Commissioners when an incident happens within the City so they are aware of it before it hits the paper.

Mayor Penny discussed the homeless issue and the progress that it taking place.

9. ADJOURNMENT

The meeting adjourned at approximately 8:05 PM.



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**City Commission
Ordinance**

MEETING DATE: March 8, 2016
FROM: Thomas Harowski
SUBJECT: Annexation - 1011 10Th Street - Ordinance 2970 - Second and Final Reading
NUMBER: (ID # 1285)
APPLICANT: Thomas Harowski
PLANNER:

DISCUSSION: The City has received a petition for voluntary annexation of property at 1011 Tenth Street. The applicant intends to use the parcel for the expansion of the Holly Hill Self Storage business on Nova Road which is currently within the City limits. This action is linked to an amendment to the Future Land Use Map to incorporate the annexed property as General Commercial and to an amendment to the official zoning map to assign CC-1 Corridor Commercial to the annexed property.

FISCAL ANALYSIS:

N/A

STAFF RECOMMENDATION: The Board of Planning and Appeals reviewed the application at their February 1, 2016 regular meeting and recommended the annexation.

COMMISSION GOAL:

N/A

MOTION:

APPROVE SECOND READING OF ORDINANCE 2970, ANNEXING BY VOLUNTARY

PETITION APPROXIMATELY 0.44 ACRES IDENTIFIED AS PARCEL NUMBER 4244-01-07-0057 CONTIGUOUS TO THE CITY OF HOLLY HILL; REDEFINING BOUNDARIES OF THE CITY OF HOLLY HILL TO INCLUDE SAID PROPERTY AND THE ADJACENT RIGHT-OF-WAY OF TENTH STREET; DIRECTING THE CITY CLERK TO FILE THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA COUNTY AND WITH THE DEPARTMENT OF STATE.

ATTACHMENTS:

- Parcel Survey (PDF)
- CPA 2-16-01 BOPA Staff Report (PDF)
- Minutes - February 1, 2016 (PDF)

HISTORY:

02/23/16

Next: 03/08/16

City Commission

APPROVED AT 1ST READING

Ordinance No. (ID # 1285)**ANNEXATION - 1011 10TH STREET - ORDINANCE 2970 - SECOND
AND FINAL READING****ORDINANCE 2970**

AN ORDINANCE OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, ANNEXING BY VOLUNTARY PETITION APPROXIMATELY 0.44 ACRES IDENTIFIED AS PARCEL NUMBER 4244-01-07-0057 CONTIGUOUS TO THE CITY OF HOLLY HILL; REDEFINING BOUNDARIES OF THE CITY OF HOLLY HILL TO INCLUDE SAID PROPERTY AND THE ADJACENT RIGHT-OF-WAY OF TENTH STREET; DIRECTING THE CITY CLERK TO FILE THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Holly Hill Self Storage LLC is the owner of the real property described herein; and

WHEREAS, the owner has filed, pursuant to Florida Statue 171.044, a petition for voluntary annexation of said property as described in Attachment A into the municipal limits of the City of Holly Hill; and

WHEREAS, the City Commission, of the City of Holly Hill has determined all of the property which is proposed to be annexed into the City of Holly Hill is within an unincorporated area of Volusia County, is contiguous to the City of Holly Hill, and is reasonably compact; and

WHEREAS, the map attached hereto as Exhibit B shows the property which is proposed to be annexed into the City of Holly Hill; and

WHEREAS, Exhibit A is the legal description of the property which is proposed to be annexed into the City of Holly Hill.

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

Section 1. The City Commission of the City of Holly Hill, based upon the above findings, hereby annexes into the City of Holly Hill by voluntary petition the following described property:

(Tax Parcel Number 4244-01-07-0057 and the adjacent right-of-way of Tenth Street)

LEGAL DESCRIPTION: See Attached Exhibit A.

Section 2. The City of Holly Hill city boundary is hereby amended to incorporate the above described property.

Section 3. That within seven (7) days of the adoption of this Ordinance, the City Clerk shall file a copy of said Ordinance with the Clerk of the Court, with the Chief Administrative Officer of Volusia County, and with the Department of State.

Section 4. That upon approval on first reading, the City Clerk is hereby directed to publish the Notice of Annexation required by Section 171.044(2), Florida Statutes, at least once each week for two (2) consecutive weeks in a newspaper of general circulation in the City of Holly Hill.

Section 5. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

Section 6. That all ordinances made in conflict with this Ordinance are hereby repealed.

Section 7. That this Ordinance shall become effective immediately upon its adoption.

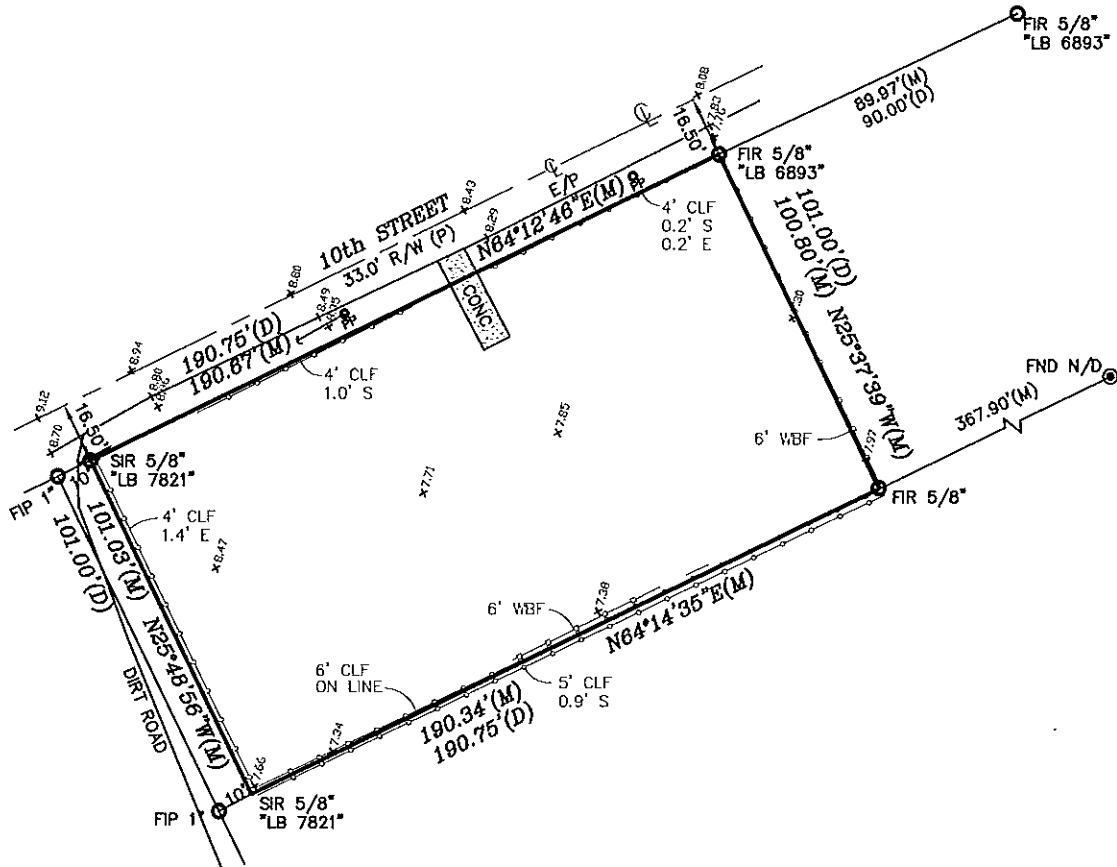
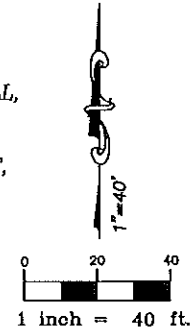
APPROVED AND AUTHENTICATED on this 8th day of March, 2016 for second reading.

**ATTACHMENT A
LEGAL DESCRIPTION**

THE NORTH 101 FEE OF THE EAST 190.75 FEET OF THE WEST
200.75 FEET OF LOT 5, BLOCK 7, EXCEPT THE NORTH 1.0 FOOT IN
10TH STREET. MASON AND CARSWELL'S SUBDIVISION OF
HOLLY HILL, AS RECORDED IN MAP BOOK 2, PAGE 90, PUBLIC
RECORDS OF VOLUSIA COUNTY, FLORIDA, SECTION 37,
TOWNSHIP 15 SOUTH, RANGE 32 EAST, LOCATED IN VOLUSIA
COUNTY, FLORIDA.



LEGAL DESCRIPTION:
 THE NORTH 101 FEET OF THE EAST 190.75 FEET
 OF THE WEST 200.75 FEET OF LOT 5, BLOCK 7,
 EXCEPT THE NORTH 1.0 FOOT IN 10TH STREET.
 MASON AND CARSWELL'S SUBDIVISION OF HOLLY HILL,
 AS RECORDED IN MAP BOOK 2, PAGE 90,
 PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA,
 SECTION 37, TOWNSHIP 15 SOUTH, RANGE 32 EAST,
 LOCATED IN VOLUSIA COUNTY, FLORIDA.



PROPERTY ADDRESS:
 1011 10TH STREET
 DAYTONA BEACH, FLORIDA 32117

LEGEND & ABBREVIATIONS

FIR	= FOUND IRON ROD
FIP	= FOUND IRON PIPE
SIR	= SET IRON ROD
N/D	= NAIL & DISK
PSM	= PROFESSIONAL SURVEYOR
&	= MAPPER
R/W	= RIGHT OF WAY
E/P	= EDGE OF PAVEMENT
FT	= FENCE TIE
PP	= POWER POLE
A/C	= AIR CONDITIONER
WVF	= WHITE VINYL FENCE
WBF	= WOOD BOARD FENCE
CLF	= CHAIN LINK FENCE
LB	= LICENSED BUSINESS
(P)	= PLAT DIMENSION
(M)	= FIELD MEASURED
☉	= CENTERLINE
EM	= WATER METER

SURVEYOR'S NOTES:

1. BASIS OF BEARING — THE SOUTHERLY RIGHT OF WAY LINE OF 10TH STREET, AS BEING N64°12'46"E, AN ASSUMED BEARING.
2. DATE OF FIELD SURVEY: DECEMBER 16, 2015
3. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING SURVEYOR.
4. PROPERTY LINES SHOULD NOT BE ESTABLISHED USING BUILDING TIES.
5. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, BURIED UTILITIES, FOUNDATIONS AND FOOTERS WERE LOCATED.
6. SURVEY FILE NUMBER: 15-12-005
7. ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), AND MORE SPECIFICALLY TO A RAPID STATIC GPS OBSERVATION USING CORS STATIONS CCV5, GNV5, ZJX1, WACH & MC05 AND SOLVED THROUGH NGS OPUS.

I HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, AND THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS REQUIRED BY CHAPTER 55-17, FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO SECTION 427.027, FLORIDA STATUTES.

LEAH M. HOFFMEIER, P.S.M., L.S. 6552
 H&H SURVEY CONSULTANTS, LLC, LB 7821

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR
 DATE OF SURVEY: DECEMBER 17, 2015



STAFF REPORT

City of Holly Hill
Community Development Department

Board of Planning and Appeals *Agenda Item*

DATE: February 1, 2016
SUBJECT: 1011 Tenth Street Comprehensive Plan Amendment
APPLICANT: Holly Hill Self Storage LLC
NUMBER: A-2016-01, CPA-2016-01, Z-2016-01
PLANNER: Thomas Harowski, AICP

INTRODUCTION: This is an application for a small scale amendment to the Future Land Use Map to incorporate annexed property into the City's comprehensive plan. This application is being considered concurrently with the annexation of the property and the assignment of zoning to the parcel. The applicant is requesting General Commercial Land Use.

BACKGROUND: The applicant owns and operates the existing self-storage facility accessed from Nova Road and has purchased the subject parcel to provide for an expansion of the self-storage operation. The applicant is planning to add approximately 10,000 square feet of storage area to the facility, with the expanded area being accessed internally from the existing business. An emergency access from 10th Street may be provided.

The immediate neighborhood is a mixture of heavy commercial and older residential uses. The south side of 10th Street is developed with an automotive repair business at the corner with Nova Road; a former single-family residence now used by the corner business; a single-family dwelling used as a business site; and the subject property which is vacant. The north side of 10th Street is developed with a commercial business with residential above at the corner with Nova Road; three single-family residences; the entrance to a plumbing business located north of the residences; and two more single-family residences. West of the last existing home is a large vacant tract. The attached aerial photograph provides additional detail.

None of the development on the south side of 10th Street has been constructed with landscaped buffers or any other design elements to provide screening. Development to the north and south of 10th Street along Nova Road is a mixture of heavy commercial and industrial uses. For the most part, development

STAFF REPORT

City of Holly Hill Community Development Department

fronting on Nova Road extends west to a depth equal to the existing storage facility and the proposed addition to this facility.

The Volusia County Comprehensive Plan designates the subject parcel and the adjacent parcel to the east as Urban Medium Intensity (UMI). The remainder of the block along 10th Street is Mixed Use (MXZ). (Refer to the attached map showing the County future land use designations.) The County Comprehensive Plan describes these land use categories as follows:

Mixed Use Zone (MXZ) - an area that contains a variety of land uses that are normally located within one development or a small geographical area. This designation allows for two distinct types of mixed use zones; Existing and Planned.

(a) Existing - An area that provides for a mixture of primarily commercial and industrial development with many different property owners. The uses are usually so intermixed and interrelated it becomes hard to distinguish between what is industrial and what is "heavy" commercial. The intermixture of these uses also presents a mapping problem. If an attempt was made to place individual designations on the Future Land Use Map, the scale of the map would make those areas indistinguishable.

The mixture of industrial and commercial uses has commonly been developed along "Truck Routes" or arterials in a strip fashion. In some instances, small clusters will exist that again have an indistinguishable mixture of commercial, residential and industrial. These zones have developed over time because of the faint distinction between what is considered industrial, warehousing and "heavy" commercial uses. Retail commercial, office use, and even some residential normally make up a minor part in each zone. The associated impacts, such as noise, dust, and odors, can make these areas somewhat undesirable for the less than "heavy" uses.

This designation was initially applied on the Future Land Use Map to areas that currently contain the above characteristics and typically contain areas less than fifteen (15) acres in size.

An Existing Mixed Use Zone may retain the zoning classifications that exist at the time of adoption of the Comprehensive Plan. A change in zoning must be consistent with the future land use designation, however, if existing zoning is more intense than the future land use designation, a change to a similar intensity zoning classification may be permitted.

STAFF REPORT

City of Holly Hill Community Development Department

Urban Medium Intensity (UMI) - Areas that contain residential development at a range of greater than four (4) to eight (8) dwelling units per acre. The types of housing typically found in areas designated urban medium intensity include single family homes, townhouses and low-rise apartments.

The UMI designation is primarily a residential designation but may allow neighborhood business areas (see Shopping Center definition in Chapter 20) and office development that meet the Comprehensive Plan's location criteria. The commercial intensity shall be no more than a fifty percent Floor Area Ratio (0.50 FAR) and shall be limited in a manner to be compatible with the allowable residential density. In order to be considered compatible, the commercial development should reflect similar traffic patterns, traffic generation, building scale, landscaping and open space, and buffers. More intensive commercial use, other than neighborhood business areas, shall be reserved to areas designated for Commercial. All requests for nonresidential uses within one-quarter (¼) mile of another jurisdiction shall require notification to that jurisdiction.

The City of Holly Hill future land use plan designates the adjacent property to the north and south as General Commercial and Wholesale, Warehouse and Industrial. Refer to the attached map showing the current City future land use designations. This pattern is typical of City land use designations along the west side of Nova Road.

The zoning pattern for the area is illustrated by the attached County zoning map. The 10th Street frontage shows a mixture of B-5 (Heavy Commercial), MH-5 (Urban Mobile Home) and R-7 (Urban Multi-Family). The area further west along 10th Street is designated R-5 (Urban Single-Family). The Heavy Commercial zoning accurately reflects the existing development pattern where the automotive based repair uses are located. The balance of the block has residential zoning that is at variance with the existing development pattern. The area designated MH-5 has one vacant lot and one single-family unit used as a business site. The area designated multi-family is developed with single-family residential uses and a heavy commercial use.

City of Holly Hill zoning along the west side of Nova Road south of LPGA Boulevard is CC-1 Commercial Corridor and I-1 for the industrial park between 8th Street and 10th Street. The existing self-storage business is zoned CC-1.

DISCUSSION: The analysis for the project will focus on three items. First is the determination of the proper land use classification for the property given the

STAFF REPORT

City of Holly Hill Community Development Department

proposed use, the character of the area and the choices available within the City's comprehensive plan. Second is the analysis of impacts to the City's public services and concurrency standards, and third is the recommendation of an appropriate zoning classification that is consistent with the comprehensive plan's future land use designation.

Future Land Use Category:

- The area along the west side of Nova Road is generally developed with general retail, heavy commercial and industrial uses to a depth of 600 feet from Nova Road in the area of 10th Street and to varying depths down to 300 feet along other areas to the north and south. In most areas residential uses have been replaced over the years with commercial and industrial development consistent with the designation of Nova Road as a truck route. The Mixed Use Zone applied by Volusia County to the majority of the area along Nova Road recognizes this development trend.
- Residential uses close to Nova Road have transitioned to commercial and industrial uses over the years. Along 10th Street where the subject property is located, this transition is well under way along the south side of 10th Street. The single-family dwellings along the north side of 10th Street will likely undergo a similar transition to non-residential uses in the future. All of these homes back up to non-residential uses and, as noted, face non-residential character development across 10th Street.
- City designation of the subject property as General Commercial seems appropriate to the character of the existing development in the general area, and it is reflective and supportive of the ongoing trend of transitioning residential properties to other uses.

Impacts to Public Services:

- The proposed use for the property is an expansion of the existing self-storage facility. The applicant has stated that the project will consist of a maximum of 10,000 square feet of additional storage units. This development level is a 0.52 FAR on the 0.44 acre parcel.
- The proposed development will be accessed internally from the existing self-storage business and there is no planned expansion of water or sewer service. Stormwater management will be done to City standards as part of the site plan review process. As there is no residential development proposed, there will be no impacts to recreation services.

STAFF REPORT

City of Holly Hill

Community Development Department

- According to the ITE Traffic Generation Manual (9th Ed.) 10,000 square feet of mini-warehouse (Use 151) will generate 25 trips ADT and 2.6 trips for the PM Peak Hour. This trip generation is less than the four housing units that could be developed on the site under the current MH-5 Zoning. All of the trips will enter and exit via Nova Road. The traffic impact is minimal and within the available capacity of Nova Road.

Appropriate Zoning Category

The predominant zoning category applied along the west side of Nova Road south of LPGA is the CC-1 Commercial Corridor District. The existing self-storage facility is zoned CC-1 and according to Policy 1.1.3 of the Future Land Use Element, the CC-1 zoning is consistent with the General Commercial Land Use Classification.

Annexation

The property meets the statutory requirements for voluntary annexation. The City has received an application for annexation, and the property is abutting the current City limits. No enclaves will be created by the annexation.

RECOMMENDATION: Staff recommends the Board of Planning and Appeals recommend the City Commission annex the subject parcel, designate the parcel as General Commercial on the Future Land Use Map and designate the parcel as CC-1 on the Official Zoning Map.



Board of Planning and Appeals

BOPA Regular Meeting

~ Minutes ~

1065 Ridgewood Ave
Holly Hill, FL 32117
www.hollyhillfl.org

Liz Nelson
386-248-9442

Monday, February 1, 2016

6:30 PM

City Commission Chamber

1. Call to Order

A. Approval of Absence's

Vice Chairman Chris Via asked for a motion to approve Chairman Mike Myer's excused absence from tonight's meeting.

A. Chairman Mike Myer

1. Motion To: Approve Excused Absence

COMMENTS - Current Meeting:

Approval of Chairman Mike Myer's absence from tonight's meeting.

RESULT: APPROVED [UNANIMOUS]
MOVER: Dorothy Featherston, Board Member
SECONDER: Edward H Perkins, Board Member
AYES: Christopher Via, Edward H Perkins, Dorothy Featherston, Jim Legary
EXCUSED: Mike Myer

B. Member Jim Legary

1. Motion To: Approve Excused Absence

COMMENTS - Current Meeting:

To approve the excused absence of Jim Legary (meeting date unknown)

RESULT: APPROVED [UNANIMOUS]
MOVER: Dorothy Featherston, Board Member
SECONDER: Edward H Perkins, Board Member
AYES: Christopher Via, Edward H Perkins, Dorothy Featherston, Jim Legary
EXCUSED: Mike Myer

Attendee Name	Title	Status	Arrived
Mike Myer	Chairman	Excused	
Christopher Via	Vice Chairman	Present	
Edward H Perkins	Board Member	Present	
Dorothy Featherston	Board Member	Present	
Jim Legary	Board Member	Present	

B. Invocation

Invocation was given by Vice Chairman Chris Via.

C. Pledge of Allegiance

Pledge of Allegiance was led by Ed Perkins.

2. Minutes Approval**1. Agenda Item (ID # 1264)**

Minutes - January 4, 2016

COMMENTS - Current Meeting:

Minutes approved as submitted.

ATTACHMENTS:

- Minutes - January 4, 2016 (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jim Legary, Board Member
SECONDER:	Dorothy Featherston, Board Member
AYES:	Christopher Via, Edward H Perkins, Dorothy Featherston, Jim Legary
EXCUSED:	Mike Myer

3. Agenda Item**1. Agenda Item (ID # 1275)**

1011 Tenth Street Annexation, Comprehensive Plan and Zoning: Annexation of the Parcel at 1011 Tenth Street and Assignment of City of Holly Hill Future Land Use Map and Zoning Designations.

COMMENTS - Current Meeting:

Thomas Harowski, City Planner summarized his staff report, stating that this is an application for a small scale amendment to the Future Lane Use Map to incorporate annexed property into the City's comprehensive plan. He further commented on the background of the property as well as the surrounding parcels and their zoning. This property is surrounded by Volusia County zoning except for the property located to the south which is abutting City of Holly Hill jurisdiction and is zoned CC-1, Commercial Corridor. He recommends the Board of Planning and Appeals recommend to the City Commission to annex the parcel, designate the parcel as General Commercial on the Future Land Use Map and designate the property as CC-1 on the Official Zoning Map.

Vice Chairman Via asked about stormwater costs. Mr. Harowski, stated that if there are any stormwater improvements made to the property, the applicant would bear that cost.

ATTACHMENTS:

- 1011 10th Street Combined Application (PDF)
- Parcel Survey (PDF)

- Aerial Photograph at 2500 (PDF)
- County Future Land Use (PDF)
- Volusia County Zoning (PDF)
- CPA 2016-01 Current Land Use (PDF)
- CPA 2016-01 Proposed Land Use (PDF)

RESULT: APPROVED [UNANIMOUS]
MOVER: Edward H Perkins, Board Member
SECONDER: Jim Legary, Board Member
AYES: Christopher Via, Edward H Perkins, Dorothy Featherston, Jim Legary
EXCUSED: Mike Myer

4. Old Business

1. Agenda Item 2016-5

R-1 Setback Analysis: Proposal for Amendment of Setback Requirements for Front Yards in the R-1 Zoning Classification Including Modified Corner Lot Requirements and a Proposal for Averaging Setbacks Along Block Fronts.

COMMENTS - Current Meeting:

This is a continued discussion regarding the setbacks for the R-1 Single Family District. Thomas Harowski, City Planner, summarized his staff report. His report offers a proposal for a reduced setback on corner lots and an averaging process for the R-1 properties.

Jim Legary questioned what is the City trying to accomplish with these changes? Mr. Harowski stated that due to the amount of variances from setback requirements within the R-1 zoning district, he wanted to see if there may certain circumstances that are causing these requests or is there something structurally embedded within the code that is causing this.

Mr. Harowski, further summarized his staff report dealing with the options of front yard averaging or setting a permanent setback number. He also explained his test cases outlined in his staff report.

Scott Simpson, City Attorney gave another suggestion of maybe doing an averaging now and then set a new set-back from that averaging. Because if the property owners keep averaging, the front yard setback will get smaller and smaller.

Ronald Strange, 24 Katrinas Drive, Ormond Beach, Florida stepped to the podium. He is the property owner of a vacant lot abutting 1650 Riverside Drive. He stated that if the setbacks are left as is, a new structure being built would have to meet the current setbacks. But an existing home can apply for a variance for an addition or accessory structure. He is in favor of averaging the setbacks.

Mr. Harowski, stated that there are only a few vacant lots left, but the setback changes would also effect tear down and rebuilds within the zoning district, which their could be many along the Riverside Drive corridor.

Vice Chairman, Chris Via stated that he would like to further discuss this issue when Chairman Myer is back.

At this time, the Board's consensus was to take no action and bring this issue back at the next meeting when Chairman Myer is present.

RESULT: PRESENTATION

5. Board/Staff Communications

None

6. Adjournment

Meeting Adjourned at 7:38 PM



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**City Commission
Ordinance**

MEETING DATE: March 8, 2016
FROM: Thomas Harowski
SUBJECT: Comprehensive Plan Amendment - 1011 10Th Street - Ordinance
2971 - Second and Final Reading
NUMBER: (ID # 1286)
APPLICANT: Thomas Harowski
PLANNER:

DISCUSSION: This Ordinance is a companion ordinance to the annexation of the subject property. Once the annexation is complete, the property needs to be added to the City's comprehensive plan by giving it a land use assignment on the Future Land Use Map. The recommendation is to assign the property a General Commercial Land Use. The applicant intends to use the property for expansion of the existing self storage business from the parcel to the south. The proposed amendment will need to be approved by the Florida Department of Economic Opportunity and the Volusia Growth Management Commission.

FISCAL ANALYSIS:

N/A

STAFF RECOMMENDATION: The Board of Planning and Appeals heard this application at their February 1, 2016 regular meeting and recommended approval of the proposed amendment.

COMMISSION GOAL:

N/A

MOTION:

**APPROVE SECOND READING OF ORDINANCE 2971, AMENDING THE
COMPREHENSIVE PLAN, BY AMENDING THE FUTURE LAND USE MAP TO
DESIGNATE THE PARCELS IDENTIFIED AS 1011 TENTH STREET AS GENERAL
COMMERCIAL.**

ATTACHMENTS:

- CPA 2016-01 Proposed Land Use (PDF)
- CPA 2-16-01 BOPA Staff Report (PDF)
- CPA 2016-01 Current Land Use (PDF)
- Aerial Photograph at 2500 (PDF)
- Parcel Survey (PDF)

HISTORY:

02/23/16

City Commission

APPROVED AT 1ST READING

Next: 03/08/16

Ordinance No. (ID # 1286)**COMPREHENSIVE PLAN AMENDMENT - 1011 10TH STREET -
ORDINANCE 2971 - SECOND AND FINAL READING****ORDINANCE 2971**

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE COMPREHENSIVE PLAN, BY AMENDING THE FUTURE LAND USE MAP TO DESIGNATE THE PARCELS IDENTIFIED AS 1011 TENTH STREET AS GENERAL COMMERCIAL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill, Volusia County, Florida, has adopted a comprehensive plan pursuant to, and in compliance with 163.3161 et. Seq., Florida Statutes; and

WHEREAS, the City Commission has reviewed the future land use designation for the parcel described in Attachment A and determined that it is necessary to amend its Future Land Use Map through the small scale amendment as herein provided in order to more effectively implement its adopted comprehensive plan.

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

Section 1. The Future Land Use Map for the City of Holly Hill, is hereby amended to designate the parcel at 1011 Tenth Street identified as having parcel number 4244-01-07-0057 as described in Attachment A as General Commercial.

Section 2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court,

such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

Section 3. That all ordinances made in conflict with this Ordinance are hereby repealed.

Section 4. That this Ordinance shall become effective immediately upon its adoption.

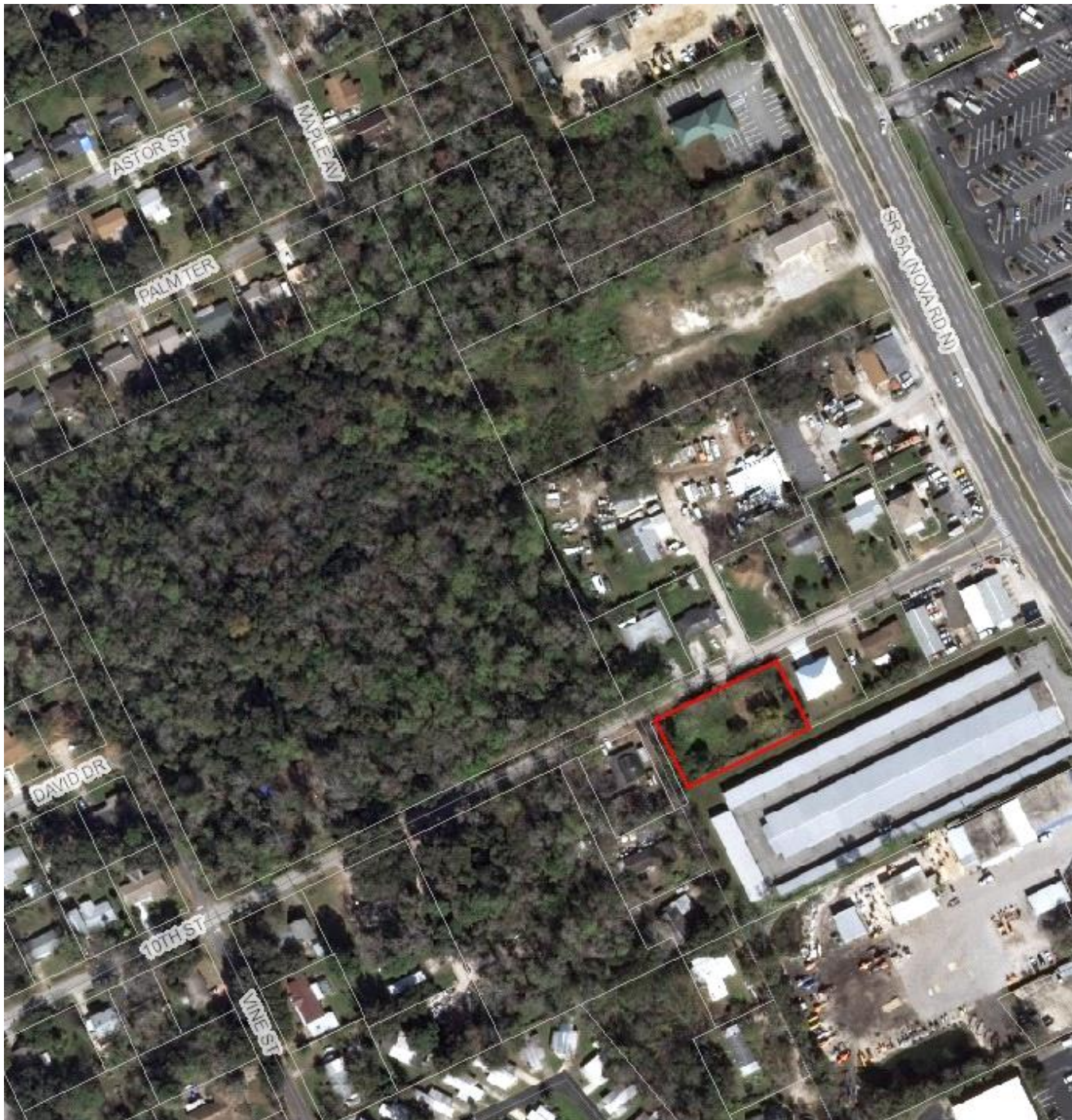
Section 5. That this Ordinance shall be posted at City Hall as required by law.

Section 6. That this Ordinance shall become effective upon completion of the appeal period for comprehensive plan amendments allowed by Florida law and upon issuance of the certificate of consistency by the Volusia Growth Management Commission.

APPROVED AND AUTHENTICATED on this 8th day of March, 2016, for second reading.

ATTACHMENT A

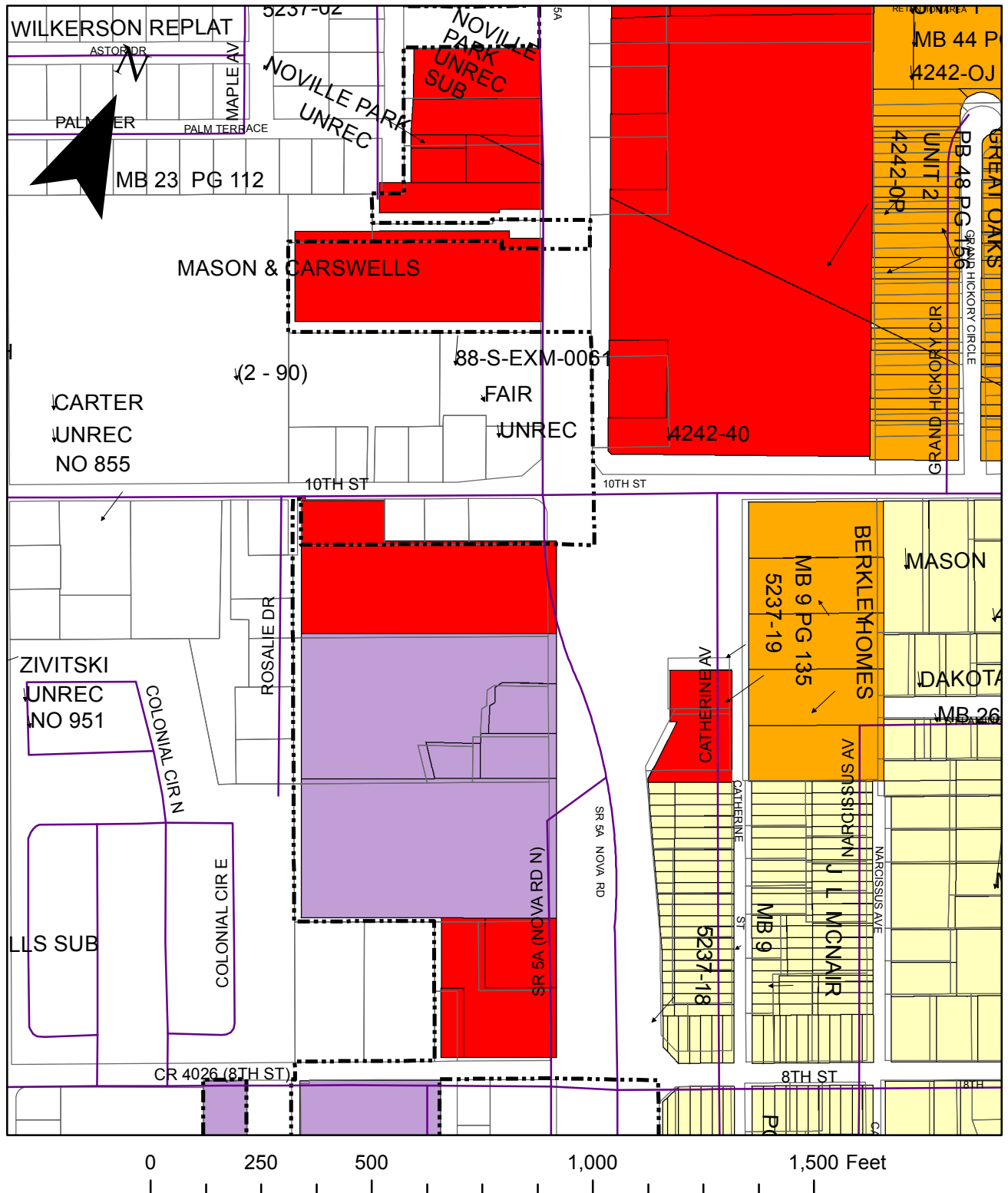
The north 101 feet of the East 190.75 feet of the West 200.75 feet of Lot 5, Block 7, except the north 1.0 foot in 10th Street. Mason and Carswell's Subdivision of Holly Hill, as recorded in Map Book 2, Page 90, Public Records of Volusia County, Florida, Section 37, Township 15 South, Range 32 East, Located in Volusia County, Florida.





PROPOSED FUTURE LAND USE MAP CITY OF HOLLY HILL, FLORIDA

7.2.a



Legend

Future Land Use

<all other values>

Future Land Use Categories

Low Density Single Family Residential

Low-Medium Density Residential

Medium Density Residential

High Density Residential

Mobile Home Residential

Mixed Use II

Mixed Use III

Residential-Based Mixed Use

General Retail Commercial

Wholesale Commercial & Industrial

Churches Schools & Institutions

Parks and Open Space

Conservation

No City Future Land Use

Packet Pg. 31



STAFF REPORT

City of Holly Hill
Community Development Department

Board of Planning and Appeals *Agenda Item*

DATE: February 1, 2016
SUBJECT: 1011 Tenth Street Comprehensive Plan Amendment
APPLICANT: Holly Hill Self Storage LLC
NUMBER: A-2016-01, CPA-2016-01, Z-2016-01
PLANNER: Thomas Harowski, AICP

INTRODUCTION: This is an application for a small scale amendment to the Future Land Use Map to incorporate annexed property into the City's comprehensive plan. This application is being considered concurrently with the annexation of the property and the assignment of zoning to the parcel. The applicant is requesting General Commercial Land Use.

BACKGROUND: The applicant owns and operates the existing self-storage facility accessed from Nova Road and has purchased the subject parcel to provide for an expansion of the self-storage operation. The applicant is planning to add approximately 10,000 square feet of storage area to the facility, with the expanded area being accessed internally from the existing business. An emergency access from 10th Street may be provided.

The immediate neighborhood is a mixture of heavy commercial and older residential uses. The south side of 10th Street is developed with an automotive repair business at the corner with Nova Road; a former single-family residence now used by the corner business; a single-family dwelling used as a business site; and the subject property which is vacant. The north side of 10th Street is developed with a commercial business with residential above at the corner with Nova Road; three single-family residences; the entrance to a plumbing business located north of the residences; and two more single-family residences. West of the last existing home is a large vacant tract. The attached aerial photograph provides additional detail.

None of the development on the south side of 10th Street has been constructed with landscaped buffers or any other design elements to provide screening. Development to the north and south of 10th Street along Nova Road is a mixture of heavy commercial and industrial uses. For the most part, development

STAFF REPORT

City of Holly Hill Community Development Department

fronting on Nova Road extends west to a depth equal to the existing storage facility and the proposed addition to this facility.

The Volusia County Comprehensive Plan designates the subject parcel and the adjacent parcel to the east as Urban Medium Intensity (UMI). The remainder of the block along 10th Street is Mixed Use (MXZ). (Refer to the attached map showing the County future land use designations.) The County Comprehensive Plan describes these land use categories as follows:

Mixed Use Zone (MXZ) - an area that contains a variety of land uses that are normally located within one development or a small geographical area. This designation allows for two distinct types of mixed use zones; Existing and Planned.

(a) Existing - An area that provides for a mixture of primarily commercial and industrial development with many different property owners. The uses are usually so intermixed and interrelated it becomes hard to distinguish between what is industrial and what is "heavy" commercial. The intermixture of these uses also presents a mapping problem. If an attempt was made to place individual designations on the Future Land Use Map, the scale of the map would make those areas indistinguishable.

The mixture of industrial and commercial uses has commonly been developed along "Truck Routes" or arterials in a strip fashion. In some instances, small clusters will exist that again have an indistinguishable mixture of commercial, residential and industrial. These zones have developed over time because of the faint distinction between what is considered industrial, warehousing and "heavy" commercial uses. Retail commercial, office use, and even some residential normally make up a minor part in each zone. The associated impacts, such as noise, dust, and odors, can make these areas somewhat undesirable for the less than "heavy" uses.

This designation was initially applied on the Future Land Use Map to areas that currently contain the above characteristics and typically contain areas less than fifteen (15) acres in size.

An Existing Mixed Use Zone may retain the zoning classifications that exist at the time of adoption of the Comprehensive Plan. A change in zoning must be consistent with the future land use designation, however, if existing zoning is more intense than the future land use designation, a change to a similar intensity zoning classification may be permitted.

STAFF REPORT

City of Holly Hill Community Development Department

Urban Medium Intensity (UMI) - Areas that contain residential development at a range of greater than four (4) to eight (8) dwelling units per acre. The types of housing typically found in areas designated urban medium intensity include single family homes, townhouses and low-rise apartments.

The UMI designation is primarily a residential designation but may allow neighborhood business areas (see Shopping Center definition in Chapter 20) and office development that meet the Comprehensive Plan's location criteria. The commercial intensity shall be no more than a fifty percent Floor Area Ratio (0.50 FAR) and shall be limited in a manner to be compatible with the allowable residential density. In order to be considered compatible, the commercial development should reflect similar traffic patterns, traffic generation, building scale, landscaping and open space, and buffers. More intensive commercial use, other than neighborhood business areas, shall be reserved to areas designated for Commercial. All requests for nonresidential uses within one- quarter ($\frac{1}{4}$) mile of another jurisdiction shall require notification to that jurisdiction.

The City of Holly Hill future land use plan designates the adjacent property to the north and south as General Commercial and Wholesale, Warehouse and Industrial. Refer to the attached map showing the current City future land use designations. This pattern is typical of City land use designations along the west side of Nova Road.

The zoning pattern for the area is illustrated by the attached County zoning map. The 10th Street frontage shows a mixture of B-5 (Heavy Commercial), MH-5 (Urban Mobile Home) and R-7 (Urban Multi-Family). The area further west along 10th Street is designated R-5 (Urban Single-Family). The Heavy Commercial zoning accurately reflects the existing development pattern where the automotive based repair uses are located. The balance of the block has residential zoning that is at variance with the existing development pattern. The area designated MH-5 has one vacant lot and one single-family unit used as a business site. The area designated multi-family is developed with single-family residential uses and a heavy commercial use.

City of Holly Hill zoning along the west side of Nova Road south of LPGA Boulevard is CC-1 Commercial Corridor and I-1 for the industrial park between 8th Street and 10th Street. The existing self-storage business is zoned CC-1.

DISCUSSION: The analysis for the project will focus on three items. First is the determination of the proper land use classification for the property given the

STAFF REPORT

City of Holly Hill

Community Development Department

proposed use, the character of the area and the choices available within the City's comprehensive plan. Second is the analysis of impacts to the City's public services and concurrency standards, and third is the recommendation of an appropriate zoning classification that is consistent with the comprehensive plan's future land use designation.

Future Land Use Category:

- The area along the west side of Nova Road is generally developed with general retail, heavy commercial and industrial uses to a depth of 600 feet from Nova Road in the area of 10th Street and to varying depths down to 300 feet along other areas to the north and south. In most areas residential uses have been replaced over the years with commercial and industrial development consistent with the designation of Nova Road as a truck route. The Mixed Use Zone applied by Volusia County to the majority of the area along Nova Road recognizes this development trend.
- Residential uses close to Nova Road have transitioned to commercial and industrial uses over the years. Along 10th Street where the subject property is located, this transition is well under way along the south side of 10th Street. The single-family dwellings along the north side of 10th Street will likely undergo a similar transition to non-residential uses in the future. All of these homes back up to non-residential uses and, as noted, face non-residential character development across 10th Street.
- City designation of the subject property as General Commercial seems appropriate to the character of the existing development in the general area, and it is reflective and supportive of the ongoing trend of transitioning residential properties to other uses.

Impacts to Public Services:

- The proposed use for the property is an expansion of the existing self-storage facility. The applicant has stated that the project will consist of a maximum of 10,000 square feet of additional storage units. This development level is a 0.52 FAR on the 0.44 acre parcel.
- The proposed development will be accessed internally from the existing self-storage business and there is no planned expansion of water or sewer service. Stormwater management will be done to City standards as part of the site plan review process. As there is no residential development proposed, there will be no impacts to recreation services.

STAFF REPORT

City of Holly Hill

Community Development Department

- According to the ITE Traffic Generation Manual (9th Ed.) 10,000 square feet of mini-warehouse (Use 151) will generate 25 trips ADT and 2.6 trips for the PM Peak Hour. This trip generation is less than the four housing units that could be developed on the site under the current MH-5 Zoning. All of the trips will enter and exit via Nova Road. The traffic impact is minimal and within the available capacity of Nova Road.

Appropriate Zoning Category

The predominant zoning category applied along the west side of Nova Road south of LPGA is the CC-1 Commercial Corridor District. The existing self-storage facility is zoned CC-1 and according to Policy 1.1.3 of the Future Land Use Element, the CC-1 zoning is consistent with the General Commercial Land Use Classification.

Annexation

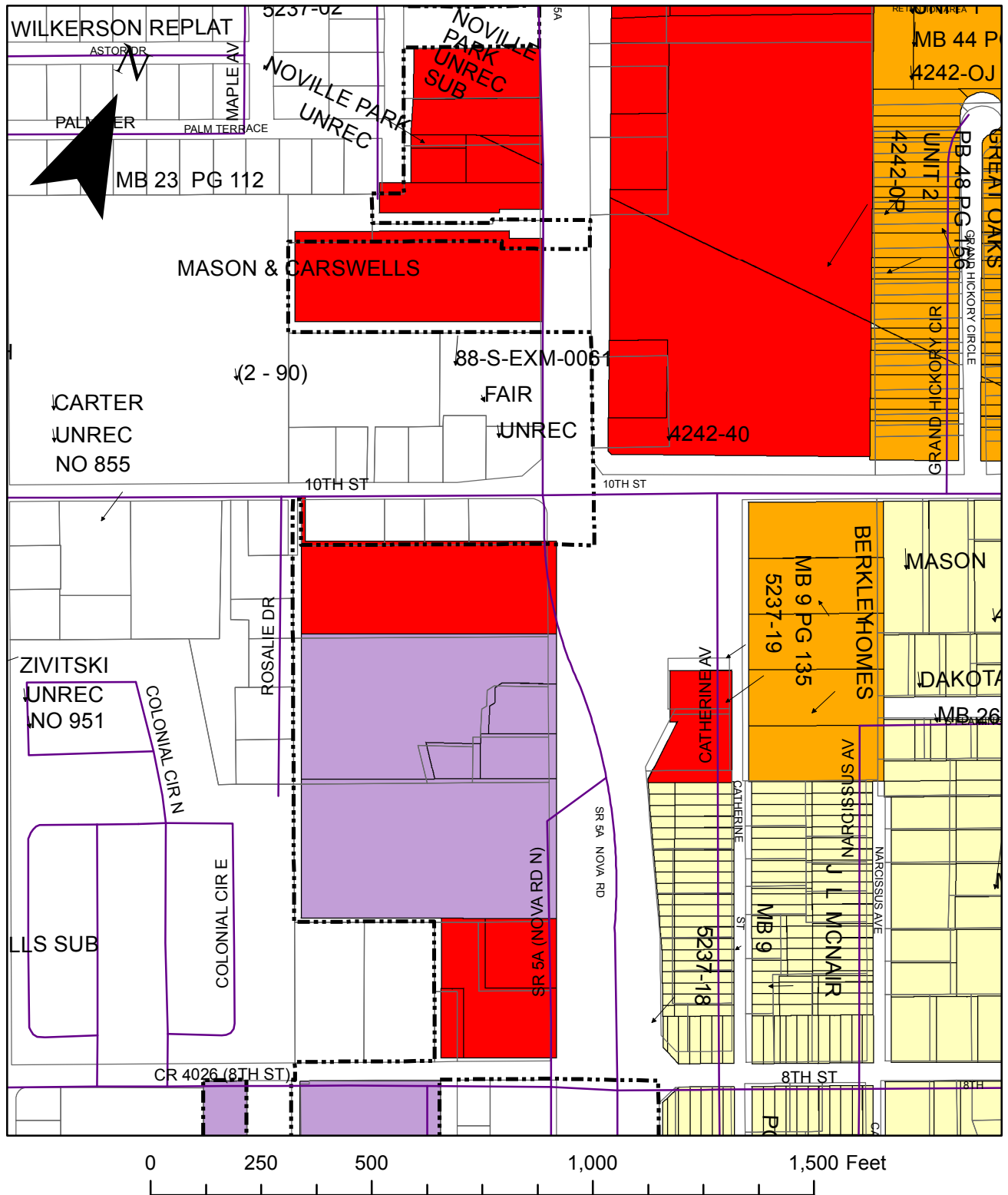
The property meets the statutory requirements for voluntary annexation. The City has received an application for annexation, and the property is abutting the current City limits. No enclaves will be created by the annexation.

RECOMMENDATION: Staff recommends the Board of Planning and Appeals recommend the City Commission annex the subject parcel, designate the parcel as General Commercial on the Future Land Use Map and designate the parcel as CC-1 on the Official Zoning Map.



CURRENT FUTURE LAND USE MAP CITY OF HOLLY HILL, FLORIDA

7.2.c



Legend

Future Land Use

<all other values>

Future Land Use Categories

Low Density Single Family Residential

Low-Medium Density Residential

Medium Density Residential

High Density Residential

Mobile Home Residential

Mixed Use II

Mixed Use III

Residential-Based Mixed Use

General Retail Commercial

Wholesale Commercial & Industrial

Churches Schools & Institutions

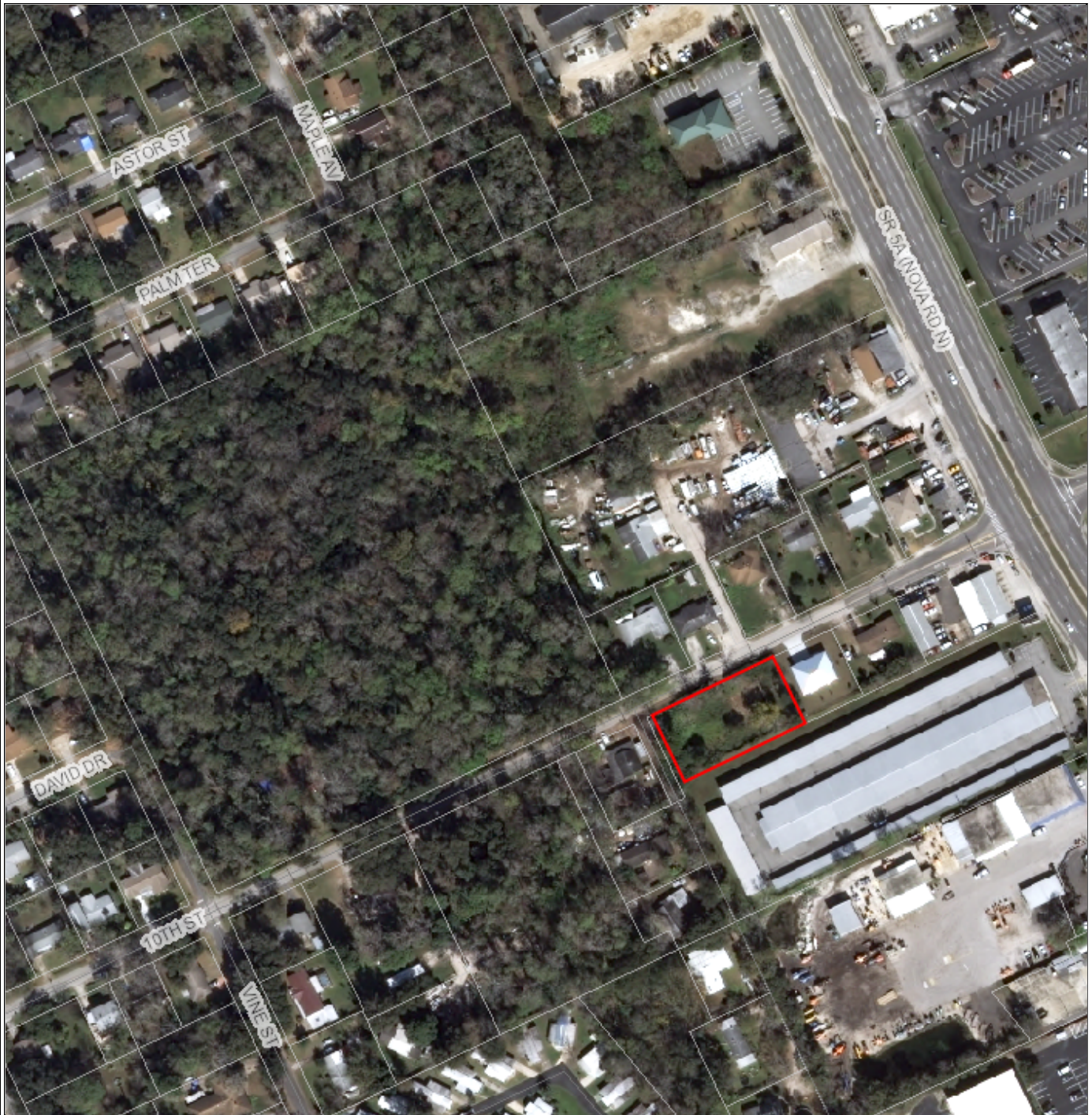
Parks and Open Space

Conservation

No City Future Land Use

Packet Pg. 37

AERIAL PHOTOGRAPH



Scale 1:2,500 - 1 in = 208 ft
 Date Created:
 06-Jan-16 09:59 AM

Legend

County Zoning

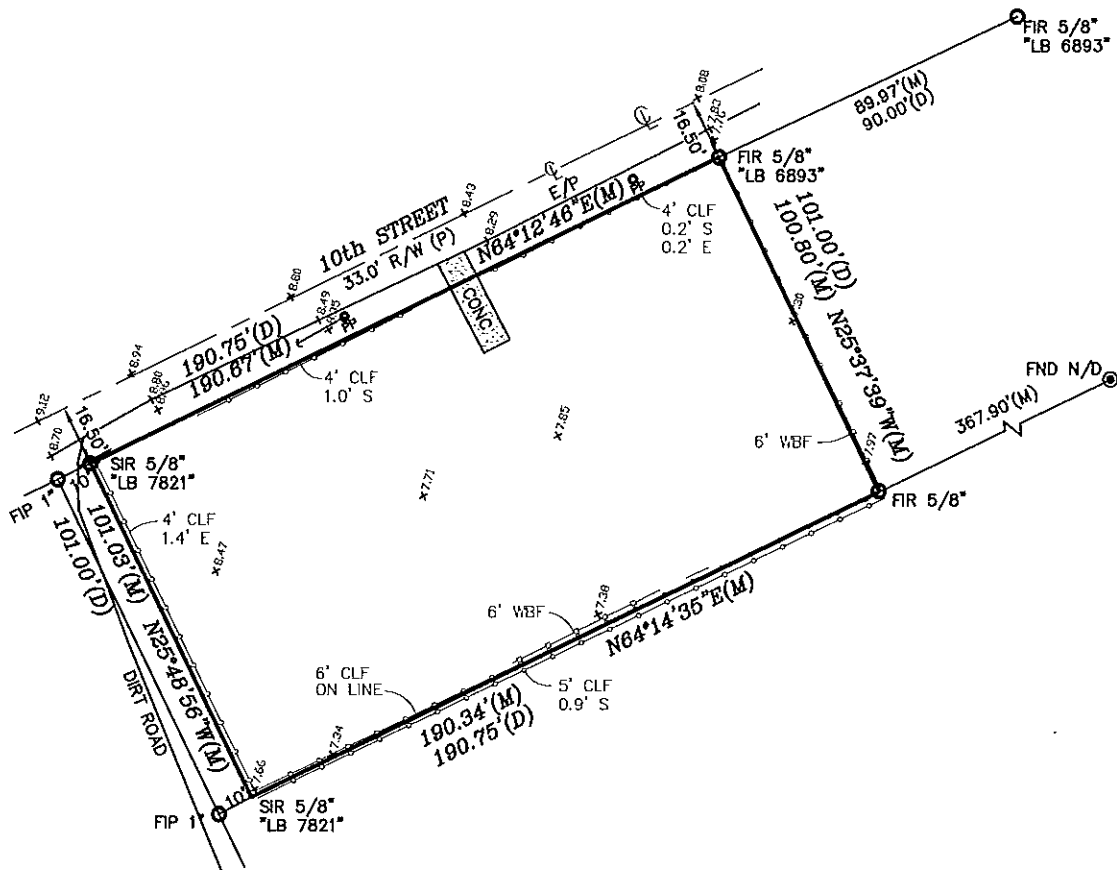
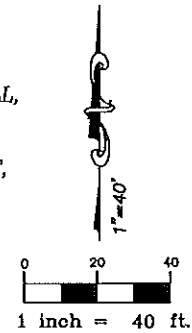


Street Names

DISCLAIMER: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. Use at your own risk.
 SOURCE: PARCEL DATA, VOLUSIA COUNTY PROPERTY APPRAISER



LEGAL DESCRIPTION:
 THE NORTH 101 FEET OF THE EAST 190.75 FEET
 OF THE WEST 200.75 FEET OF LOT 5, BLOCK 7,
 EXCEPT THE NORTH 1.0 FOOT IN 10TH STREET.
 MASON AND CARSWELL'S SUBDIVISION OF HOLLY HILL,
 AS RECORDED IN MAP BOOK 2, PAGE 90,
 PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA,
 SECTION 37, TOWNSHIP 15 SOUTH, RANGE 32 EAST,
 LOCATED IN VOLUSIA COUNTY, FLORIDA.



PROPERTY ADDRESS:
 1011 10TH STREET
 DAYTONA BEACH, FLORIDA 32117

LEGEND & ABBREVIATIONS	
FIR	= FOUND IRON ROD
FIP	= FOUND IRON PIPE
SIR	= SET IRON ROD
N/D	= NAIL & DISK
PSM	= PROFESSIONAL SURVEYOR
&	= MAPPER
R/W	= RIGHT OF WAY
E/P	= EDGE OF PAVEMENT
FT	= FENCE TIE
PP	= POWER POLE
A/C	= AIR CONDITIONER
WVF	= WHITE VINYL FENCE
WBF	= WOOD BOARD FENCE
CLF	= CHAIN LINK FENCE
LB	= LICENSED BUSINESS
(P)	= PLAT DIMENSION
(M)	= FIELD MEASURED
☉	= CENTERLINE
EM	= WATER METER

SURVEYOR'S NOTES:	
1.	BASIS OF BEARING — THE SOUTHERLY RIGHT OF WAY LINE OF 10TH STREET, AS BEING N64°12'46"E, AN ASSUMED BEARING.
2.	DATE OF FIELD SURVEY: DECEMBER 16, 2015
3.	ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING SURVEYOR.
4.	PROPERTY LINES SHOULD NOT BE ESTABLISHED USING BUILDING TIES.
5.	NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, BURIED UTILITIES, FOUNDATIONS AND FOOTERS WERE LOCATED.
6.	SURVEY FILE NUMBER: 15-12-005
7.	ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88), AND MORE SPECIFICALLY TO A RAPID STATIC GPS OBSERVATION USING CORS STATIONS CCV5, GNV5, ZJX1, WACH & MC05 AND SOLVED THROUGH NGS OPUS.

I HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, AND THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS REQUIRED BY CHAPTER 55-17, FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO SECTION 427.027, FLORIDA STATUTES.

Leah M. Hoffmeyer
 LEAH M. HOFFMEYER, P.S.M., L.S. 6552
 H&H SURVEY CONSULTANTS, LLC, LB 7821
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR
 DATE OF SURVEY: DECEMBER 17, 2015



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**City Commission
Ordinance**

MEETING DATE: March 8, 2016
FROM: Elizabeth Nelson
SUBJECT: Rezoning - 1011 10Th Street - Ordinance 2972 - Second and Final Reading
NUMBER: (ID # 1288)
APPLICANT: Thomas Harowski
PLANNER:

DISCUSSION: This rezoning is a companion action to the annexation and comprehensive plan amendment for the subject property. The proposed zoning of CC-1 is consistent with the comprehensive plan land use designation of General Commercial. The zoning will become effective when the comprehensive plan is approved.

FISCAL ANALYSIS:

N/A

STAFF RECOMMENDATION: The Board of Planning and Appeals heard this application at their February 1, 2016 regular meeting and recommended approval of the CC-1 zoning.

COMMISSION GOAL:

N/A

MOTION:

**APPROVE SECOND READING OF ORDINANCE 2972, AMENDING THE LAND
DEVELOPMENT REGULATIONS, BY REZONING THE PARCEL DESCRIBED IN**

**EXHIBIT A FROM MH-5 MOBILE HOME RESIDENTIAL TO CC-1 COMMERCIAL
CORRIDOR.**

ATTACHMENTS:

- Parcel Survey (PDF)
- Volusia County Zoning (PDF)
- CPA 2-16-01 BOPA Staff Report (PDF)

HISTORY:

02/23/16

Next: 03/08/16

City Commission

APPROVED AT 1ST READING

Ordinance No. (ID # 1288)**REZONING - 1011 10TH STREET - ORDINANCE 2972 - SECOND AND FINAL READING****ORDINANCE 2972**

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY REZONING THE PARCEL DESCRIBED IN EXHIBIT A FROM MH-5 MOBILE HOME RESIDENTIAL TO CC-1 COMMERCIAL CORRIDOR; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill, Volusia County, Florida, has adopted a comprehensive plan pursuant to, and in compliance with 163.3161 et. Seq., Florida Statutes; and

WHEREAS, the City Commission, as authorized by 163.3202, Florida Statutes, has enacted and does enforce the Land Development Regulations, based on, related to, and as a means to implement its adopted comprehensive plan; and

WHEREAS, the Holly Hill Board of Planning and Appeals has recommended that the requested rezoning be granted; and

WHEREAS, the City Commission has determined that it is necessary to amend its Land Development Regulations as herein provided in order to more effectively implement and is consistent with its adopted comprehensive plan.

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

Section 1. The Official Zoning Map of the City of Holly Hill is hereby amended to

designate the property described in Attachment A as CC-1 Commercial Corridor.

Section 2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

Section 3. That all ordinances made in conflict with this Ordinance are hereby repealed.

Section 4. That this Ordinance shall be posted at City Hall as required by law.

Section 5. That this Ordinance shall become effective upon approval of the future land use map amendment by the Florida Department of Economic Opportunity and Volusia Growth Management Commission..

APPROVED AND AUTHENTICATED on this 8th day of March, 2016, for second reading.

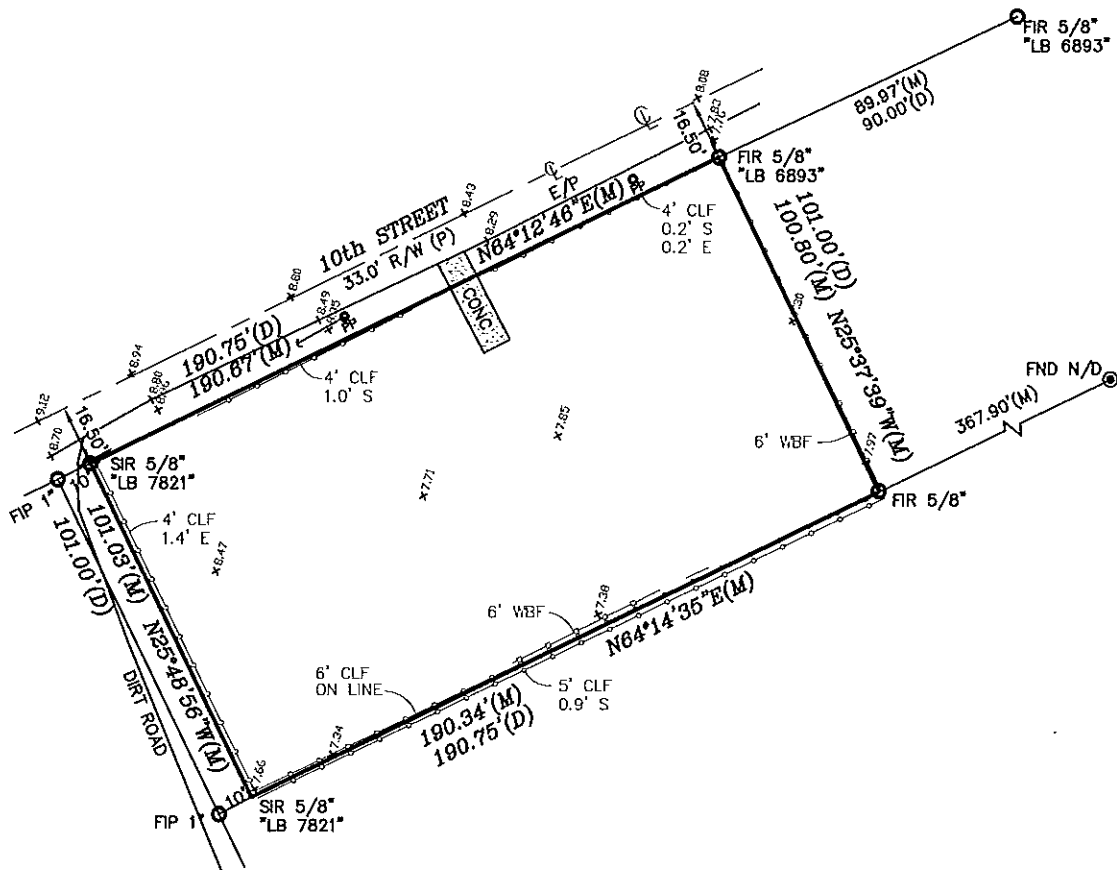
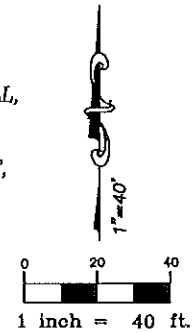
ATTACHMENT A

LEGAL DESCRIPTION

THE NORTH 101 FEE OF THE EAST 190.75 FEET OF THE WEST 200.75 FEET OF LOT 5, BLOCK 7, EXCEPT THE NORTH 1.0 FOOT IN 10TH STREET. MASON AND CARSWELL'S SUBDIVISION OF HOLLY HILL, AS RECORDED IN MAP BOOK 2, PAGE 90, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SECTION 37, TOWNSHIP 15 SOUTH, RANGE 32 EAST, LOCATED IN VOLUSIA COUNTY, FLORIDA.



LEGAL DESCRIPTION:
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 OF THE WEST 200.75 FEET OF LOT 5, BLOCK 7,
 EXCEPT THE NORTH 1.0 FOOT IN 10TH STREET.
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 AS RECORDED IN MAP BOOK 2, PAGE 90,
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 SECTION 37, TOWNSHIP 15 SOUTH, RANGE 32 EAST,
 LOCATED IN VOLUSIA COUNTY, FLORIDA.



PROPERTY ADDRESS:
 1011 10TH STREET
 DAYTONA BEACH, FLORIDA 32117

LEGEND & ABBREVIATIONS

FIR	= FOUND IRON ROD
FIP	= FOUND IRON PIPE
SIR	= SET IRON ROD
N/D	= NAIL & DISK
PSM	= PROFESSIONAL SURVEYOR & MAPPER
R/W	= RIGHT OF WAY
E/P	= EDGE OF PAVEMENT
FT	= FENCE TIE
PP	= POWER POLE
A/C	= AIR CONDITIONER
WVF	= WHITE VINYL FENCE
WBF	= WOOD BOARD FENCE
CLF	= CHAIN LINK FENCE
LB	= LICENSED BUSINESS
(P)	= PLAT DIMENSION
(M)	= FIELD MEASURED
☉	= CENTERLINE
EM	= WATER METER

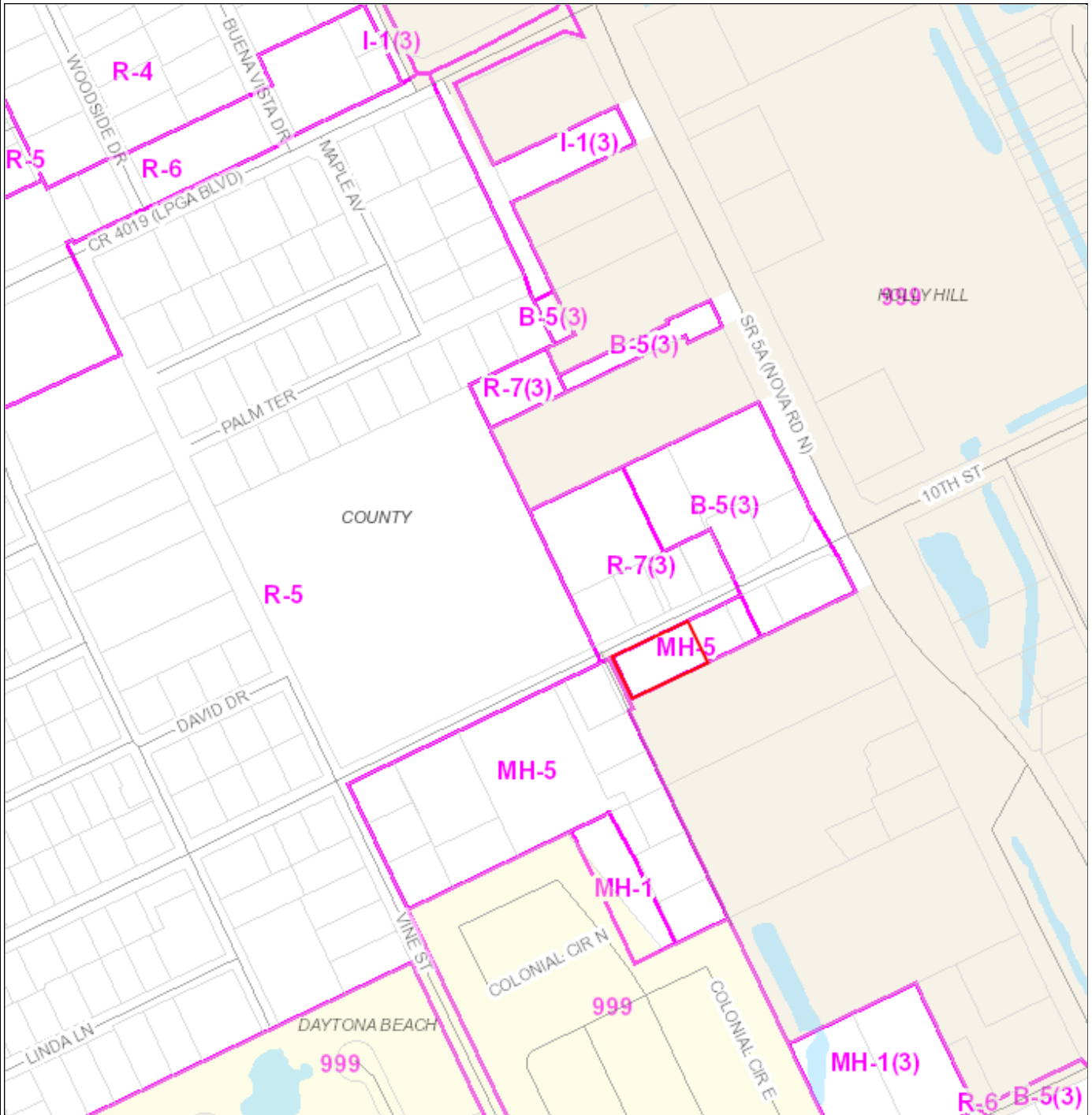
SURVEYOR'S NOTES:

1. BASIS OF BEARING — THE SOUTHERLY RIGHT OF WAY LINE OF 10TH STREET, AS BEING N64°12'46"E, AN ASSUMED BEARING.
2. DATE OF FIELD SURVEY: DECEMBER 16, 2015
3. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING SURVEYOR.
4. PROPERTY LINES SHOULD NOT BE ESTABLISHED USING BUILDING TIES.
5. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, BURIED UTILITIES, FOUNDATIONS AND FOOTERS WERE LOCATED.
6. SURVEY FILE NUMBER: 15-12-005
7. ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), AND MORE SPECIFICALLY TO A RAPID STATIC GPS OBSERVATION USING CORS STATIONS CCV5, GNV5, ZJX1, WACH & MC05 AND SOLVED THROUGH NGS OPUS.

I HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, AND THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS REQUIRED BY CHAPTER 55-17, FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO SECTION 427.027, FLORIDA STATUTES.

Leah M. Hoffmeyer
 LEAH M. HOFFMEYER, P.S.M., L.S. 6552
 H&H SURVEY CONSULTANTS, LLC, LB 7821
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR
 DATE OF SURVEY: DECEMBER 17, 2015

VOLUSIA COUNTY ZONING



Scale 1/4,000 - 1 in = 333 ft
Date Created:
06-Jan-16 09:53 AM

Legend

County Zoning



Street Names

DISCLAIMER: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. Use at your own risk.
SOURCE: PARCEL DATA, VOLUSIA COUNTY PROPERTY APPRAISER

Attachment: Volusia County Zoning (1288 : Rezoning - 1011 10Th Street - Ordinance 2972)



STAFF REPORT

City of Holly Hill
Community Development Department

Board of Planning and Appeals *Agenda Item*

DATE: February 1, 2016
SUBJECT: 1011 Tenth Street Comprehensive Plan Amendment
APPLICANT: Holly Hill Self Storage LLC
NUMBER: A-2016-01, CPA-2016-01, Z-2016-01
PLANNER: Thomas Harowski, AICP

INTRODUCTION: This is an application for a small scale amendment to the Future Land Use Map to incorporate annexed property into the City's comprehensive plan. This application is being considered concurrently with the annexation of the property and the assignment of zoning to the parcel. The applicant is requesting General Commercial Land Use.

BACKGROUND: The applicant owns and operates the existing self-storage facility accessed from Nova Road and has purchased the subject parcel to provide for an expansion of the self-storage operation. The applicant is planning to add approximately 10,000 square feet of storage area to the facility, with the expanded area being accessed internally from the existing business. An emergency access from 10th Street may be provided.

The immediate neighborhood is a mixture of heavy commercial and older residential uses. The south side of 10th Street is developed with an automotive repair business at the corner with Nova Road; a former single-family residence now used by the corner business; a single-family dwelling used as a business site; and the subject property which is vacant. The north side of 10th Street is developed with a commercial business with residential above at the corner with Nova Road; three single-family residences; the entrance to a plumbing business located north of the residences; and two more single-family residences. West of the last existing home is a large vacant tract. The attached aerial photograph provides additional detail.

None of the development on the south side of 10th Street has been constructed with landscaped buffers or any other design elements to provide screening. Development to the north and south of 10th Street along Nova Road is a mixture of heavy commercial and industrial uses. For the most part, development

STAFF REPORT

City of Holly Hill Community Development Department

fronting on Nova Road extends west to a depth equal to the existing storage facility and the proposed addition to this facility.

The Volusia County Comprehensive Plan designates the subject parcel and the adjacent parcel to the east as Urban Medium Intensity (UMI). The remainder of the block along 10th Street is Mixed Use (MXZ). (Refer to the attached map showing the County future land use designations.) The County Comprehensive Plan describes these land use categories as follows:

Mixed Use Zone (MXZ) - an area that contains a variety of land uses that are normally located within one development or a small geographical area. This designation allows for two distinct types of mixed use zones; Existing and Planned.

(a) Existing - An area that provides for a mixture of primarily commercial and industrial development with many different property owners. The uses are usually so intermixed and interrelated it becomes hard to distinguish between what is industrial and what is "heavy" commercial. The intermixture of these uses also presents a mapping problem. If an attempt was made to place individual designations on the Future Land Use Map, the scale of the map would make those areas indistinguishable.

The mixture of industrial and commercial uses has commonly been developed along "Truck Routes" or arterials in a strip fashion. In some instances, small clusters will exist that again have an indistinguishable mixture of commercial, residential and industrial. These zones have developed over time because of the faint distinction between what is considered industrial, warehousing and "heavy" commercial uses. Retail commercial, office use, and even some residential normally make up a minor part in each zone. The associated impacts, such as noise, dust, and odors, can make these areas somewhat undesirable for the less than "heavy" uses.

This designation was initially applied on the Future Land Use Map to areas that currently contain the above characteristics and typically contain areas less than fifteen (15) acres in size.

An Existing Mixed Use Zone may retain the zoning classifications that exist at the time of adoption of the Comprehensive Plan. A change in zoning must be consistent with the future land use designation, however, if existing zoning is more intense than the future land use designation, a change to a similar intensity zoning classification may be permitted.

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City of Holly Hill Community Development Department

Urban Medium Intensity (UMI) - Areas that contain residential development at a range of greater than four (4) to eight (8) dwelling units per acre. The types of housing typically found in areas designated urban medium intensity include single family homes, townhouses and low-rise apartments.

The UMI designation is primarily a residential designation but may allow neighborhood business areas (see Shopping Center definition in Chapter 20) and office development that meet the Comprehensive Plan's location criteria. The commercial intensity shall be no more than a fifty percent Floor Area Ratio (0.50 FAR) and shall be limited in a manner to be compatible with the allowable residential density. In order to be considered compatible, the commercial development should reflect similar traffic patterns, traffic generation, building scale, landscaping and open space, and buffers. More intensive commercial use, other than neighborhood business areas, shall be reserved to areas designated for Commercial. All requests for nonresidential uses within one- quarter ($\frac{1}{4}$) mile of another jurisdiction shall require notification to that jurisdiction.

The City of Holly Hill future land use plan designates the adjacent property to the north and south as General Commercial and Wholesale, Warehouse and Industrial. Refer to the attached map showing the current City future land use designations. This pattern is typical of City land use designations along the west side of Nova Road.

The zoning pattern for the area is illustrated by the attached County zoning map. The 10th Street frontage shows a mixture of B-5 (Heavy Commercial), MH-5 (Urban Mobile Home) and R-7 (Urban Multi-Family). The area further west along 10th Street is designated R-5 (Urban Single-Family). The Heavy Commercial zoning accurately reflects the existing development pattern where the automotive based repair uses are located. The balance of the block has residential zoning that is at variance with the existing development pattern. The area designated MH-5 has one vacant lot and one single-family unit used as a business site. The area designated multi-family is developed with single-family residential uses and a heavy commercial use.

City of Holly Hill zoning along the west side of Nova Road south of LPGA Boulevard is CC-1 Commercial Corridor and I-1 for the industrial park between 8th Street and 10th Street. The existing self-storage business is zoned CC-1.

DISCUSSION: The analysis for the project will focus on three items. First is the determination of the proper land use classification for the property given the

STAFF REPORT

City of Holly Hill Community Development Department

proposed use, the character of the area and the choices available within the City's comprehensive plan. Second is the analysis of impacts to the City's public services and concurrency standards, and third is the recommendation of an appropriate zoning classification that is consistent with the comprehensive plan's future land use designation.

Future Land Use Category:

- The area along the west side of Nova Road is generally developed with general retail, heavy commercial and industrial uses to a depth of 600 feet from Nova Road in the area of 10th Street and to varying depths down to 300 feet along other areas to the north and south. In most areas residential uses have been replaced over the years with commercial and industrial development consistent with the designation of Nova Road as a truck route. The Mixed Use Zone applied by Volusia County to the majority of the area along Nova Road recognizes this development trend.
- Residential uses close to Nova Road have transitioned to commercial and industrial uses over the years. Along 10th Street where the subject property is located, this transition is well under way along the south side of 10th Street. The single-family dwellings along the north side of 10th Street will likely undergo a similar transition to non-residential uses in the future. All of these homes back up to non-residential uses and, as noted, face non-residential character development across 10th Street.
- City designation of the subject property as General Commercial seems appropriate to the character of the existing development in the general area, and it is reflective and supportive of the ongoing trend of transitioning residential properties to other uses.

Impacts to Public Services:

- The proposed use for the property is an expansion of the existing self-storage facility. The applicant has stated that the project will consist of a maximum of 10,000 square feet of additional storage units. This development level is a 0.52 FAR on the 0.44 acre parcel.
- The proposed development will be accessed internally from the existing self-storage business and there is no planned expansion of water or sewer service. Stormwater management will be done to City standards as part of the site plan review process. As there is no residential development proposed, there will be no impacts to recreation services.

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City of Holly Hill

Community Development Department

- According to the ITE Traffic Generation Manual (9th Ed.) 10,000 square feet of mini-warehouse (Use 151) will generate 25 trips ADT and 2.6 trips for the PM Peak Hour. This trip generation is less than the four housing units that could be developed on the site under the current MH-5 Zoning. All of the trips will enter and exit via Nova Road. The traffic impact is minimal and within the available capacity of Nova Road.

Appropriate Zoning Category

The predominant zoning category applied along the west side of Nova Road south of LPGA is the CC-1 Commercial Corridor District. The existing self-storage facility is zoned CC-1 and according to Policy 1.1.3 of the Future Land Use Element, the CC-1 zoning is consistent with the General Commercial Land Use Classification.

Annexation

The property meets the statutory requirements for voluntary annexation. The City has received an application for annexation, and the property is abutting the current City limits. No enclaves will be created by the annexation.

RECOMMENDATION: Staff recommends the Board of Planning and Appeals recommend the City Commission annex the subject parcel, designate the parcel as General Commercial on the Future Land Use Map and designate the parcel as CC-1 on the Official Zoning Map.



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**City Commission
Ordinance**

MEETING DATE: March 8, 2016
FROM: Steve Aldrich
SUBJECT: Police Pension Ordinance Amendment - Ordinance 2973 - First Reading
NUMBER: (ID # 1294)
APPLICANT:
PLANNER:

DISCUSSION: This Ordinance amendment is to address the proper effective date, October 1, 2015, of changes to the Police Officers contribution rates as agreed upon between the City and the Coastal Florida Police Benevolent Association.

FISCAL ANALYSIS: The financial impact to the City was the result of the collective bargaining agreement between the Coastal Florida P.B.A. and the City. See attached Actuarial Impact Statement. The Actuarial Impact Statement indicates and expected increase of \$4,543.00 to the city of the course of the current fiscal year.

STAFF RECOMMENDATION: Approval of Ordinance amendment as stated.

COMMISSION GOAL: Develop and maintain a sound and sustainable financial plan for the city that establishes sufficient reserves for all funds, ensures (whenever possible) that user fees pay for services rendered, provides a realistic capital improvement program, water, storm water, waste water and solid waste management and disaster preparedness with a focus on intergovernmental collaboration, private sector partnerships, and utilization of technologies and proven innovations.

MOTION: Motion to approve Ordinance 2973 for first reading as amended.

ATTACHMENTS:

- Actuarial Impact Statement for Ordinance change - 2016 (PDF)
- Implement CBA Changes Ordinance Amendment (15Feb2016) (PDF)
- Artical 31 - Pension update - 2015 (PDF)

Ordinance No. (ID # 1294)**POLICE PENSION ORDINANCE AMENDMENT - ORDINANCE 2973 -
FIRST READING****ORDINANCE 2973**

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING CHAPTER 42 (PENSION AND RETIREMENT) ARTICLE II - POLICE OFFICERS, OF THE CODE OF ORDINANCES OF THE CITY OF HOLLY HILL, FLORIDA, PROVIDING FOR CLARIFICATION OF THE NEW CONTRIBUTION RATES; PROVIDING FOR A REPEALER, PROVIDING FOR A SAVINGS CLAUSE, PROVIDING FOR CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill and the Coastal Florida Police Benevolent Association have agreed to a new collective bargaining agreement that will be in effect from October 1, 2015 through September 30, 2018; and

WHEREAS, the new collective bargaining agreement contains several changes to the pension benefits offered to police officers; and

WHEREAS, the City Council wishes to clarify the changes reached in collective bargaining and to comply with the terms of Chapter 185, Florida Statutes, and

WHEREAS, the trustees of the Police Officers Pension Trust Fund of the City of Holly Hill have requested and approved such amendment as being in the best interests of the participants and beneficiaries as well as improving the administration of the plan, and

WHEREAS, the City Council has received, reviewed and considered an actuarial impact statement describing the actual impact of the amendments provided for herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
CITY OF HOLLY HILL, FLORIDA:**

Section 1. That Section 42-31(4) and 42-31(5) of the Code of Ordinances of the City of Holly Hill, Florida are hereby amended as follows:

Sec. 42-31. Pension Benefits.

- (4) All police officers employed by the city shall contribute 19.2 percent of each installment of salary to the police officers' retirement trust fund. Effective October 1, 2005, all police officer contributions shall be reduced to five percent of each installment of salary. Each police officer who is not in the DROP and was hired on or after July 1, 2011, shall, ~~beginning effective~~ effective July 1, 2011, contribute ~~seven~~ eight percent of each installment of salary to the pension plan. Effective October 1, 2015 police officers hired after July 1, 2011 shall contribute seven percent of each installment of salary to the pension plan. This contribution shall be considered an employee contribution in accordance with Ordinance No. 2373, code subsection 42-31(d) of the Code of Ordinances of Holly Hill, Florida. The city shall withhold such percentage from each installment of salary of each police officer which shall be deposited in the retirement trust fund at least monthly. This contribution shall also be considered as an employee contribution and shall be included in the computation of the police officers' average final compensation. However, police officers employed with the city prior to October 1, 1999, shall have 10.6 percent added to their final average compensation. No police officer shall have the option of choosing to receive the contributed amounts directly instead of having them paid by the city directly to the retirement trust fund. All withholdings as required by state and federal laws shall be deducted from the above described contributions and the remaining net contribution shall be distributed to the retirement trust fund. All such contributions by the city shall be deemed and considered as part of the police officers accrued contributions and subject to all provisions of this plan pertaining to accrued contributions of police officers, except as set forth below. This city pickup of contributions is intended to comply with section 414(h)(2) of the Internal Revenue Code.
- (5) The effective date of allowing police officers to retire upon the earlier of attaining the age of 55 and completion of ten years of credited service or upon completion of 20 years of credited service regardless of age shall be October 1, 1993. The effective date of the increase of employee deductions from 9.2 percent to 11.2 and

the decrease of the employee contribution in lieu of payroll deductions from 10.6 percent to eight percent shall be as of October 1, 1999. The effective date of the decrease of employee deductions from 11.2 percent to five percent and the decrease of the employee contribution in lieu of payroll deductions from eight percent to zero shall be as of October 1, 2005. Each police officer who is not in the DROP and was hired on or after July 1, 2011 shall, effective July 1, 2011, contribute ~~seven~~ eight percent of each installment of salary to the pension plan. Effective October 1, 2015 police officers hired after July 1, 2011 shall contribute seven percent of each installment of salary to the pension plan.

Section 2. That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, all charter sections or parts of sections, and all resolutions or parts of resolutions in conflict herewith, are hereby repealed to the extent of such conflict.

Section 3. If any word, phrase, clause, subsection or section of this ordinance be for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 4. That codification of this Ordinance in the City Code of Ordinances is hereby authorized and directed.

Section 5. That this Ordinance shall become effective immediately upon its adoption.

Section 6. That this Ordinance shall be posted at City Hall as required by law.

APPROVED AND AUTHENTICATED on this 8th day of March, 2016 for first reading.

CITY OF HOLLY HILL
POLICE OFFICERS' RETIREMENT TRUST FUND

ACTUARIAL IMPACT STATEMENT

January 4, 2016
(Page 1)

Attached hereto is a comparison of the impact on the Total Required Contribution (per Chapter 112, Florida Statutes), and the Required City Contributions, resulting from the implementation of the following changes:

- 1.) For Members hired after July 1, 2011 the Member Contribution rate is decreased from 8% of pay to 7% of pay effective October 1, 2015.
- 2.) Establishing a share plan.
- 3.) The bargaining parties mutually consent to allowing the use of all State Monies received to be utilized to offset the City's Required Contribution.

The cost impact, determined as of October 1, 2014, as applicable to the plan/fiscal year ending September 30, 2016, is as follows:

	<u>Current</u>	<u>Proposed</u>
Total Required Contribution	641,027	640,061
Expected Member Cont.	76,516	71,007
Required City and State Cont	564,511	569,054
Estimated State Contribution ¹	102,019	102,019
Balance From City	462,492	467,035

¹ Represents the amount received during fiscal 2015. The City may use all amounts received to offset their required contribution.

CITY OF HOLLY HILL
POLICE OFFICERS' RETIREMENT TRUST FUND

ACTUARIAL IMPACT STATEMENT

January 4, 2016
(Page 2)

The changes presented herein are in compliance with Part VII, Chapter 112, Florida Statutes and Section 14, Article X of the State Constitution. The undersigned is familiar with the immediate and long-term aspects of pension valuations and meets the Qualification Standards of the American Academy of Actuaries necessary to render the actuarial opinions contained herein. All of the sections of this report and the October 1, 2014 valuation report are considered an integral part of the actuarial opinions.



Patrick T. Donlan, ASA, MAAA
Enrolled Actuary #14-6595

STATEMENT OF PLAN ADMINISTRATOR

The prepared information presented herein reflects the estimated cost of the proposed improvement.

Chairman, Board of Trustees

COMPARATIVE SUMMARY OF PRINCIPAL VALUATION RESULTS

	New Benefits <u>10/1/2014</u>	Old Benefits <u>10/1/2014</u>
A. Participant Data		
Number Included		
Actives	23	23
Service Retirees	14	14
DROP Retirees	0	0
Beneficiaries	1	1
Terminated Vested	7	7
Disability Retirees	<u>2</u>	<u>2</u>
Total	47	47
Total Annual Payroll	\$1,090,976	\$1,090,976
Payroll Under Assumed Ret. Age	1,090,976	1,090,976
Annual Rate of Payments to:		
Service Retirees	591,030	591,030
DROP Plan Members	0	0
Beneficiaries	14,283	14,283
Terminated Vested	62,860	62,860
Disability Retirees	20,698	20,698
B. Assets		
Actuarial Value ¹	8,362,160	8,362,160
Market Value ¹	8,756,934	8,756,934
C. Liabilities		
Present Value of Benefits		
Active Members		
Retirement Benefits	3,673,581	3,673,581
Disability Benefits	32,620	32,633
Death Benefits	26,595	27,341
Vested Benefits	539,256	539,256
Refund of Contributions	78,322	82,581
Service Retirees	7,205,876	7,205,876
DROP Plan Members ¹	0	0
Beneficiaries	129,257	129,257
Terminated Vested	392,916	392,916
Disability Retirees	151,829	151,829
Excess State Monies Reserve	<u>0</u>	<u>0</u>
Total	12,230,252	12,235,270

C. Liabilities - (Continued)	New Benefits 10/1/2014	Old Benefits 10/1/2014
Present Value of Future Salaries	6,375,583	6,375,583
Present Value of Future Member Contributions	377,323	406,595
EAN Normal Cost (Retirement)	152,200	152,200
EAN Normal Cost (Disability)	3,665	3,666
EAN Normal Cost (Death)	2,679	2,778
EAN Normal Cost (Vesting)	35,929	35,929
EAN Normal Cost (Refunds)	13,071	13,804
Total Normal Cost (Entry Age Method)	207,544	208,377
Present Value of Future Normal Costs (Entry Age)	1,223,346	1,227,711
Accrued Liability (Retirement)	2,779,377	2,779,377
Accrued Liability (Disability)	11,199	11,200
Accrued Liability (Death)	11,761	11,842
Accrued Liability (Vesting)	311,741	311,741
Accrued Liability (Refunds)	12,950	13,521
Accrued Liability (Inactives) ¹	7,879,878	7,879,878
Excess State Monies Reserve	0	0
Total Actuarial Accrued Liability	11,006,906	11,007,559
Unfunded Actuarial Accrued Liability (UAAL)	2,644,746	2,645,399
D. Actuarial Present Value of Accrued Benefits		
Vested Accrued Benefits		
Inactives ¹	7,879,878	7,879,878
Actives	1,570,788	1,570,788
Member Contributions	434,396	434,396
Total	9,885,062	9,885,062
Non-vested Accrued Benefits	244,372	244,372
Total Present Value Accrued Benefits	10,129,434	10,129,434
Increase (Decrease) in Present Value of Accrued Benefits Attributable to:		
Plan Amendments	0	
Assumption Changes	0	
New Accrued Benefits	0	
Benefits Paid	0	
Interest	0	
Other	0	
Total:	0	

Valuation Date Applicable to Fiscal Year Ending	New Benefits 10/1/2014 <u>9/30/2016</u>	Old Benefits 10/1/2014 <u>9/30/2016</u>
E. Pension Cost		
Normal Cost (with interest) ¹ % of Total Annual Payroll	\$228,247	\$229,163
Administrative Expenses (with interest) ¹ % of Total Annual Payroll	\$24,146	\$24,146
Payment Required to Amortize Unfunded Actuarial Accrued Liability over 30 years ¹ (as of 10/1/2014) % of Total Annual Payroll	\$387,668	\$387,718
Total Required Contribution % of Total Annual Payroll	\$640,061	\$641,027
Expected Member Contributions ¹ % of Total Annual Payroll	\$71,007	\$76,516
Expected City & State Contribution % of Total Annual Payroll	\$569,054	\$564,511

¹ Contributions developed as of 10/1/2014 displayed above have been adjusted to account for assumed salary increases and interest components.

ACTUARIAL ASSUMPTIONS AND METHODS

<u>Mortality Rate</u>	RP-2000 Table with no projection – Based on a study of over 650 public safety funds, this table reflects a 10% margin for future mortality improvements. (Disabled lives set forward 5 years).
<u>Interest Rate</u>	7.50% per year compounded annually, net of investment related expenses.
<u>Retirement Age</u>	Earlier of age 55 and 6 years of service (10 years of service if hired after July 1, 2011), or the completion of 20 years of service, regardless of age. Also, any member who has reached Normal Retirement is assumed to continue employment for one additional year.
<u>Early Retirement</u>	Commencing with eligibility for Early Retirement Age (age 50 with 6 years of Service (10 years of service if hired after July 1, 2011)), members are assumed to retire with an immediate subsidized benefit at the rate of 5.00% per year.
<u>Disability Rate</u>	See table below (1201), 75% of disablements are assumed to be service related.
<u>Termination Rate</u>	See table below (1305).
<u>Salary Increases</u>	6.00% per year until the assumed retirement age; see table below. Projected salary at retirement is increased 40% to account for non-regular compensation.
<u>Payroll Increase</u>	Up to 5.00% per year (1.32% for 10/1/2014 Val).
<u>Cost of Living Adjustments</u>	2.00% per year for all retirees who retired after September 30, 2006 commencing 5 years after retirement (including disability retirees & beneficiaries of retirees).
<u>Administrative Expenses</u>	\$21,956 annually.
<u>Funding Method</u>	Entry Age Normal Actuarial Cost Method.
<u>Asset Valuation Method</u>	Each year, the prior Actuarial Value of Assets is brought forward utilizing the historical geometric 4-year average Market Value return. It is possible that over time this technique will produce an insignificant bias above or below Market Value.

<u>Age</u>	<u>% Terminating During the Year</u>	<u>% Becoming Disabled During the Year</u>	<u>Current Salary as % of Salary at age 50</u>
20	17.2%	0.03%	17.4%
30	15.0	0.04	31.2
40	8.2	0.07	55.8
50	1.7	0.18	100.0

SUMMARY OF CURRENT PLAN
(Through Ordinance No. 2945)

<u>Latest Amendment Date</u>	November 12, 2013.
<u>Eligibility</u>	Full-time employees who are classified as full-time sworn police officers shall participate in the System as a condition of employment.
<u>Credited Service</u>	Total years and fractional parts of years of continuous employment with the City as a Police Officer.
<u>Earnings</u>	Total W-2 Earnings plus all tax deferred or tax exempt items of income. Additional 10.6% of Earnings included for calculating AFC if employed prior to 10/1/1999.
<u>Average Final Compensation (AFC)</u>	Average Earnings for the highest 5 years during the 10 years immediately preceding retirement or termination.
<u>Member Contributions</u>	5.00% of Earnings, 8.00% if hired on or after July 1, 2011.
<u>Member Contributions by City</u>	8.00% of Earnings prior to October 1, 2005; 0.00% thereafter. Members hired on or after 10/1/1999 vest in these contributions 16.66% for each complete year of Credited Service to 100% after 6 years of Credited Service. Members hired before 10/1/1999 are 100% vested in these contributions.
<u>City and State Contributions</u>	Remaining amount necessary to pay current costs and amortize past service cost if any, over 30 years.
<u>Normal Retirement</u>	
Date	Earlier of Age 55 and 6 years of Credited Service or 20 years of Credited Service. For Members hired on or after July 1, 2011, the Earlier of age 55 and 10 years of Credited Service or 20 years of credited service regardless of age.
Benefit	3.00% of Average Final Compensation times Credited Service. Members retiring after 10/1/1999 receive \$150 per month, payable for life.
Form of Benefit	Ten Year Certain and Life Annuity (options available).

Early Retirement

Eligibility Age 50 and 6 Years of Credited Service. For Members hired on or after July 1, 2011, age 55 and 10 Years of Credited Service.

Benefit Accrued benefit, reduced 3% per year.

Cost of Living Adjustment

Annual 2.00% increase commencing 5 years after retirement for those Members who retire on or after October 6, 2009 (including disability retirees and beneficiaries, but not including those who terminate prior to reaching their Early or Normal Retirement Date and later begin drawing benefits).

Vesting

Schedule 100% after 6 years of Credited Service. For Members hired on or after July 1, 2011, 100% after 10 years of Credited Service.

Benefit Amount Member will receive the vested portion of his (her) accrued benefit payable at the otherwise Normal Retirement Date.

Disability

Eligibility Service Incurred: Covered from date of employment.
Non-Service Incurred: 10 years of Credited Service.

Benefit Benefit accrued to date of disability but not less than 42% of Average Final Compensation (Service Incurred), or 25% of Average Final Compensation (Non-Service Incurred).

Duration Payable for life (with 120 months guaranteed) or until recovery (as determined by the Board). Options are available.

Death Benefits

Pre-Retirement Vested: Monthly accrued benefit payable to designated beneficiary for 10 years.
Non-vested: Refund of accumulated contributions without interest.

Post-Retirement Benefits payable to beneficiary in accordance with option selected at retirement.

Board of Trustees

- a. Two Commission appointees,
- b. Two Members of the Department elected by the membership, and
- c. Fifth Member elected by other 4 and appointed by Commission.

Deferred Retirement Option Plan

Eligibility

Eligibility for Normal Retirement.

Participation

Not to exceed 60 months.

Rate of Return

Actual net rate of investment return (total return net of brokerage commissions, management fees and transaction costs).

Form of Distribution

Lump sum at termination of employment.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING CHAPTER 42 (PENSION AND RETIREMENT) ARTICLE II - POLICE OFFICERS, OF THE CODE OF ORDINANCES OF THE CITY OF HOLLY HILL, FLORIDA, PROVIDING FOR CLARIFICATION OF THE NEW CONTRIBUTION RATES; PROVIDING FOR A REPEALER, PROVIDING FOR A SAVINGS CLAUSE, PROVIDING FOR CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill and the Coastal Florida Police Benevolent Association have agreed to a new collective bargaining agreement that will be in effect from October 1, 2015 through September 30, 2018; and

WHEREAS, the new collective bargaining agreement contains several changes to the pension benefits offered to police officers; and

WHEREAS, the City Council wishes to clarify the changes reached in collective bargaining and to comply with the terms of Chapter 185, Florida Statutes, and

WHEREAS, the trustees of the Police Officers Pension Trust Fund of the City of Holly Hill have requested and approved such amendment as being in the best interests of the participants and beneficiaries as well as improving the administration of the plan, and

WHEREAS, the City Council has received, reviewed and considered an actuarial impact statement describing the actual impact of the amendments provided for herein; now, therefore,

THE CITY OF HOLLY HILL, FLORIDA HEREBY ORDAINS AS
FOLLOWS:

Section 1. That Section 42-31(4) and 42-31(5) of the Code of Ordinances of the City of Holly Hill, Florida are hereby amended as follows:

Sec. 42-31. Pension Benefits.

...

- (4) All police officers employed by the city shall contribute 19.2 percent of each installment of salary to the police officers' retirement trust fund. Effective October 1, 2005, all police officer contributions shall be reduced to five percent of each installment of salary. Each police officer who is not in the DROP and was hired on or after July 1, 2011, shall, ~~beginning effective~~ effective July 1, 2011, contribute ~~seven~~ eight percent of each installment of salary to the pension plan. Effective October 1, 2015 police officers hired after July 1, 2011 shall contribute seven percent of each installment of salary to the pension plan. This contribution shall be considered an employee contribution in accordance with Ordinance No. 2373, code subsection 42-31(d) of the Code of Ordinances of Holly Hill, Florida. The city shall withhold such percentage from each installment of salary of each police officer which shall be deposited in the retirement trust fund at least monthly. This contribution shall also be considered as an employee contribution and shall be included in the computation of the police officers' average final compensation. However, police officers employed with the city prior to October 1, 1999, shall have 10.6 percent added to their final average compensation. No police officer shall have the option of choosing to receive the contributed amounts directly instead of having them paid by the city directly to the retirement trust fund. All withholdings as required by state and federal laws shall be deducted from the above described contributions and the remaining net contribution shall be distributed to the retirement trust fund. All such contributions by the city shall be deemed and considered as part of the police officers accrued contributions and subject to all provisions of this plan pertaining to accrued contributions of police officers, except as set forth below. This city pickup of

contributions is intended to comply with section 414(h)(2) of the Internal Revenue Code.

- (5) The effective date of allowing police officers to retire upon the earlier of attaining the age of 55 and completion of ten years of credited service or upon completion of 20 years of credited service regardless of age shall be October 1, 1993. The effective date of the increase of employee deductions from 9.2 percent to 11.2 and the decrease of the employee contribution in lieu of payroll deductions from 10.6 percent to eight percent shall be as of October 1, 1999. The effective date of the decrease of employee deductions from 11.2 percent to five percent and the decrease of the employee contribution in lieu of payroll deductions from eight percent to zero shall be as of October 1, 2005. Each police officer who is not in the DROP and was hired on or after July 1, 2011 shall, effective July 1, 2011, contribute ~~seven~~ eight percent of each installment of salary to the pension plan. Effective October 1, 2015 police officers hired after July 1, 2011 shall contribute seven percent of each installment of salary to the pension plan.

...

Section 2. That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, all charter sections or parts of sections, and all resolutions or parts of resolutions in conflict herewith, are hereby repealed to the extent of such conflict.

Section 3. If any word, phrase, clause, subsection or section of this ordinance be for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 4. That codification of this Ordinance in the City Code of Ordinances is hereby authorized and directed.

Section 5. That this Ordinance shall become effective immediately upon its adoption.

Section 6. That this Ordinance shall be posted at City Hall as required by law.

The foregoing Ordinance was introduced and read on first reading before the City Council of the City of Holly Hill, Florida, at its regular meeting held in council chambers at City Hall, on the ____ day of _____, 20__.

It was moved by Councilman _____ and seconded by Councilman _____ that said Ordinance be approved on first reading. A roll call vote of the Council held on said motion for approval of the Ordinance resulted as follows:

Mayor	_____
Councilman	_____
Councilman	_____
Councilman	_____
Councilman	_____

The foregoing Ordinance was introduced and read on second reading before the City Council of the City of Holly Hill, Florida, at its regular meeting held in council chambers at City Hall, on the ____ day of _____, 20__.

It was moved by Councilman _____ and seconded by Councilman _____ that said Ordinance be adopted. A roll call vote of the Council held on said motion to adopt the Ordinance resulted as follows:

Mayor	_____
Councilman	_____
Councilman	_____
Councilman	_____
Councilman	_____

Whereupon, the Mayor of the City of Holly Hill, Florida has hereunto set her official signature, duly attested by the City Clerk, and has caused the official seal of said City to be affixed, all at City Hall in the City of Holly Hill, Florida, this ____ day of _____, 20__, as is required by law.

CITY OF HOLLY HILL, FLORIDA

Mayor

ATTEST:

CITY CLERK

Approved as to form and legality:

CITY ATTORNEY

ARTICLE 31

PENSION

31.1 The pension plan includes a five (5) year “Drop Plan” as outlined in the amendment to ordinance Chapter 42 section 42.31 (c) Pension Benefits adding a Deferred Retirement Option Program. A copy of the proposed ordinance change is attached for reference. The addition of this DROP was determined to be “cost neutral” by the fund’s actuary and will have no negative or positive impact on the fund. Bargaining unit member’s electing to enter the DROP must make application and abide by the provisions of the DROP with the understanding that participation is irrevocable.

31.2 The City shall eliminate the contributions the City makes to the fund on the behalf of each bargaining unit member. For purposes of calculating the final average compensation for each bargaining unit member who was enrolled in the pension plan as of September 30, 1999, final average compensation shall be calculated at the rate of one hundred ten and six-tenths percent (110.6%) of Pension able Income. All others will be compensated at 100% of final average compensation.

31.3 The City and the Association agree to modify the present pension plan as of October 1, 2005, to include the following provisions:

a. Each bargaining unit member who is not in the DROP shall, beginning October 1, 2005, contribute five (5%) percent of each installment of salary to the pension plan. This contribution shall be considered an bargaining unit member contribution in accordance with Ordinance #2373, Code Section 42-31(d)-of the Code of Ordinances of Holly Hill, Florida.

b. The plan will include an annual two percent (2%) cost of living increase for all bargaining unit member retiring on or after September 30, 2006, beginning on the first year

anniversary of their retirement date. Any bargaining unit member retiring after ratification of this contract, the (2%) cost of living increase will commence on the fifth (5th) anniversary year of their retirement date.

c. Each bargaining unit member who is not in the DROP and was hired on or after July 1, 2011 shall, beginning July 1, 2011, contribute seven (7%) percent of each installment of salary to the pension plan. This contribution shall be considered a bargaining unit member contribution in accordance with Ordinance #2373, Code Section 42-31(d) of the Code of Ordinances of Holly Hill, Florida.

31.4 The medical stipend benefit supplement will be increased to \$150.00 per month, payable to all future retirees and disability recipients for the life of the member's pension benefits, regardless of service.

31.5 The benefit rate multiplier of the plan shall increase from two and one-half percent (2.5%) to three percent (3.0%) for all bargaining unit members who retired on or after October 1, 1999.

31.6 When a bargaining unit member of the fund terminates employment prior to retirement, they may choose to withdraw the money they contributed to the fund. All bargaining unit members will receive 100% of the contribution they made as a police officer contribution. Bargaining unit members enrolled in the fund as of September 30, 1999 will receive 100% of the contribution the City made to the fund in the name of the officer less applicable taxes.

31.7 Normal Retirement. A bargaining unit member's normal retirement date shall be the first day of month coincident with, or next following, the later of attainment of his 55th birthday, and the completion of six (6) years of credited service in the system or the completion of twenty (20) years of credited service in the system, regardless of age. A bargaining unit member's

normal retirement date for officers hired on July 1, 2011 or thereafter shall be the first day of the month coincident with, or next following, the latter of attainment of his/her 55th birthday, and the completion of ten (10) years of credited service in the system or the completion of twenty (20) years of credited service in the system, regardless of age.

31.8 Credit for Military Service. A bargaining unit member may buy back up to four (4) years of creditable service in the system subject to the following conditions:

a. The bargaining unit member must have 10 years vested in the Holly Hill Pension System.

b. The bargaining unit member makes both the required bargaining unit member contribution and the

employer contribution.

c. Military service is defined as active duty in the Armed Forces of the United

States and bargaining unit member has received an honorable discharge DD-214.

d. Military service used in any other retirement system, including a pension

system under chapter 67 of Title 10 of the United States Code is not eligible

buy-back unto the system

31.9 Credit for Previous Law Enforcement Experience. A bargaining unit member may buy back creditable service time for periods of public law enforcement employment with the State of Florida or another state subject to the following:

- a. Previous law enforcement experience must have been as a sworn law enforcement officer and performed in the employ of a state political subdivision, thereof, or with the Federal Government.
- b. Service was provided prior to a period of membership in this pension system.
- c. Not more than four (4) years of creditable service may be purchased.
- d. The bargaining unit member makes both the required bargaining unit member contribution and the employer contribution.
- e. The bargaining unit member must have 6 years vested in the Holly Hill Pension System. For bargaining unit member hired July 1, 2011 or thereafter, the member must have ten (10) years vested in the Holly Hill Pension System.
- f. Previous law enforcement experience used in any other retirement system or where the bargaining unit member received a retirement benefit during that time of employment is not eligible.

31.10 Credit for both military and previous employment shall not exceed a total of four (4) years combined.

31.11 The parties agree that all funds in the excess state monies reserve (in the growth amount above year 2012) shall be applied to reduce the unfunded actuarial accrued liability of the Pension Plan. In addition, the parties agree that all premium tax revenues received in the future pursuant to Chapter 185, Florida Statutes shall be applied to reduce the City's annual required contribution to the Pension Plan. The parties agree that the City will establish a defined contribution plan (share plan) as a component of the Pension Plan in accordance with 2015 SB 172, but that the defined contribution plan (share plan) will not be funded during the term of this Agreement.