



HISTORIC TOWN OF EATONVILLE, FLORIDA

COUNCIL WORKSHOP AGENDA

Tuesday, July 16, 2024, at 6:30 PM

Town Hall - 307 E Kennedy Blvd

Please note that the HTML versions of the agenda and agenda packet may not reflect changes or amendments made to the agenda.

- I. CALL TO ORDER**
- II. CITIZEN PARTICIPATION (Three minutes strictly enforced)**
- III. COUNCIL DISCUSSION**
 - 1. Planning Discussion (Administration)
 - a. Review of Zoning Uses
 - b. Special Event Policies and Operations
- IV. COMMENTS**
 - 2. Staff Comments
- V. ADJOURNMENT**

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****PUBLIC NOTICE****

This is a Public Meeting, and the public is invited to attend. This Agenda is subject to change. Please be advised that one (1) or more Members of any of the Town's Advisory Boards/Committees may attend this Meeting and may participate in discussions. Any person who desires to appeal any decision made at this meeting will need a verbatim record of the proceedings and for this purpose may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based – per Section 286.0105 Florida Statutes. Persons with disabilities needing assistance to participate in any of these proceedings should contact the Town of Eatonville at (407) 623-8910 "at least 48 hours prior to the meeting, a written request by a physically handicapped person to attend the meeting, directed to the chairperson or director of such board, commission, agency, or authority" - per Section 286.26



HISTORIC TOWN OF EATONVILLE, FLORIDA

TOWN COUNCIL WORKSHOP

JULY 16, 2024, AT 06:30 PM

Cover Sheet

****NOTE**** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)

ITEM TITLE: Planning Department Discussion Items (uses and special events)
(Administration)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: ADMINISTRATION
INTRODUCTIONS		Exhibits: <ul style="list-style-type: none">Planning Department InitiativesChapter 12 Business (Town's LDC)
CONSENT AGENDA		
COUNCIL DISCUSSION	YES	
ADMINISTRATIVE		

REQUEST: Planning department to present potential update(s) on two Land Development Code regulations as directed by Council.

SUMMARY: The planning department has two items to get direction from the Council.

- 1) Consolidated Use table has been drafted to include new uses that will expand and support redevelopment. The planning department will provide an overview and highlight new uses that are being considered. The Planning Board had a workshop on 4/11/2024 date and met again 6/13/2024 to review and provide input on the proposed consolidated use table. Staff will provide an update to the Council.
- 2) Special Event Discussion. Recently there has been interest and special event applications that have resulted in Staff reviewing the overall policies in Chapter 12 that provide regulatory direction on special events. Staff will provide an overview of the regulations in Chapter 12 (attached) for direction from Council. Staff will also present overall operations, costs and summary of the most recent special events that have been approved and held on town property. Staff is looking for direction on fees, operations and policies that may support more special events.

RECOMMENDATION: Staff recommend if there are no additional modifications, the Town Council can consider scheduling a public hearing to receive public comment on any proposed ordinance changes as directed by the Council.

FISCAL & EFFICIENCY DATA: N/A

Town Council Workshop



Planning Department Initiatives

Planning Initiatives

- Updating Use(s)
- Special Event LDC Updates/Application



Use Discussion

- Background
- Issue
- Consolidated Use Table
- Highlight new uses/conditions
- Next Steps

Zoning District (existing)

Sec. 64-171. - Purpose and intent.

The purpose of this district is to delineate those areas, as identified by the town's comprehensive plan, suitable for large-scale commercial project, including shopping centers and individual commercial development along major roads.

(LDC 1982, ch. 2, § 2-8.1)

Sec. 64-172. Permitted uses.

The following uses shall be permitted by right in the C-1 Planned Commercial District:

- (1) Retail store.
- (2) Personal service store.
- (3) Business and professional office.
- (4) Business and financial service facilities.
- (5) Restaurant.
- (6) Liquor lounge, package store, or night club.
- (7) General government facilities.
- (8) Essential services.

(LDC 1982, ch. 2, § 2-8.2; Ord. No. 93-08, § 1, 1-4-1994; Ord. No. 96-02, § 1, 5-7-1996)

Sec. 64-173. Accessory uses.

The following uses are permitted accessory uses incidental to the primary use within the C-1 Planned Commercial District:

- (1) Off-street parking and loading.
- (2) Other accessory uses customarily incidental to a permitted use.



Consolidated Use Table

Principal Use Table.

USE CLASSIFICATION

GUIDE

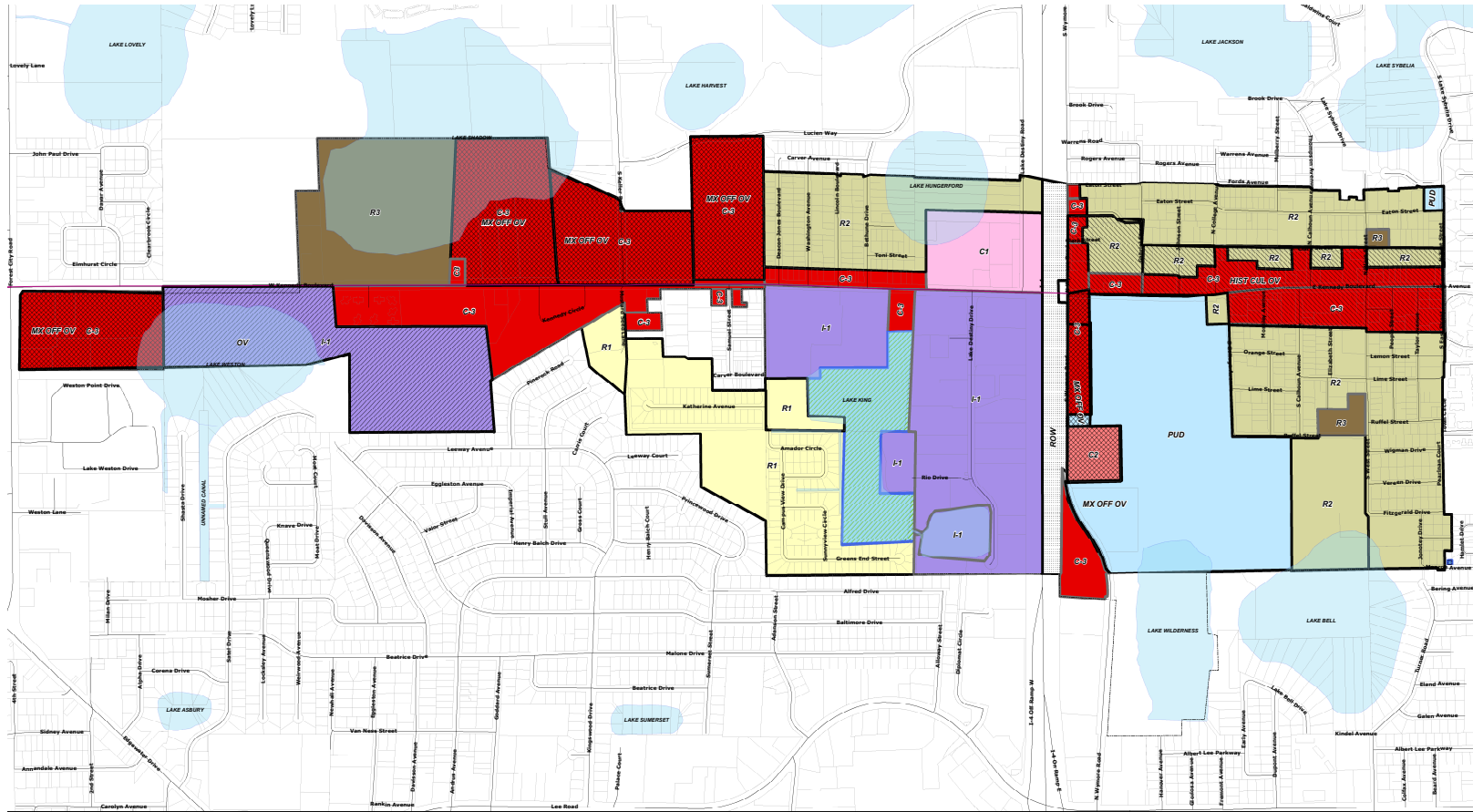
DISTRICT TYPE

ZONING DISTRICT

USE CATEGORY

Use Category P= Permitted NP= Not permitted Blank Cell – not permitted	Use Type	Residential Districts		
		R-1	R-2	R-3
Residential				
Household Living	Dwelling, single-family detached	P	P	
	Dwelling, townhouse			P
	Dwelling, two-family (duplex)			P
	Dwelling, three-family (triplex)			
	Dwelling, four-family (fourplex)			
	Dwelling, multifamily			P
	Dwelling, <u>live-work</u>			
	Dwelling unit(s) above non-residential			

Zoning Map [here](#)



Planning Department Updates

- Municipal Boundary**
- Parcels**
- Hydrology**
- Streets**
- Zoning District**
- DT HIST CULT OVERLAY
 - HD MX OFF OVERLAY
 - LAKE WESTON OVERLAY

- Miles**
- 1.8
- EC
 - C1
 - C2
 - C3
 - I-1
 - PUD
 - R1
 - R2

- R3**
- ROW**
- 1 inch = 417 feet**
- N**
- E**
- S**
- W**
- Page 6**



Uses Permitted with Criteria (primary use)



ADU's (R-1, R-2)

Criteria:

- 1 per SFH
- NTE 50% of Residence
- Setbacks to be met (rearward 10')
- Parking Requirements (1 space)
- Design Criteria (design consistent to the home)
- Height (no higher than the residence)
- Occupancy (Homestead and not a short-term rental)
- Impact fees (when in place waived for affordable, if not applies)
- Addressing (own address and option own utility meter)
- Nonconforming structures and lots are permitted to have an ADU
- Must comply with the FBC.

Micro breweries/distilleries (C-3)



Criteria:

- Must be part of a eating, drinking, entertainment business of at least 1500 sq.ft BUT no more then 65% as the micro
- Required transparency (see into the building UNLESS reuse of a building
- Off site distribution is permitted (rear of the building with proper loading/unloading

Boat Sales, Service, Rental or Repair (I-1)



Criteria:

- Boats shall be not stored as a source of parts, discarded parts to be removed promptly
- Service bays are not visible from an adjoining street and enclosed in a building.
- Outdoor boat and equipment storage is allowed in an outdoor storage area that is not visible from roadways and shall be designed to compliment the primary building on site.
- Boats that are repaired and awaiting removal shall be stored for no more than 30 consecutive days.
- Additional buffering and screening may be required where such use is located in close proximity to residential or retail commercial uses such that there is a minimum ten-foot-wide landscape buffer planted with a minimum of one shade tree every 50 linear feet and a continuous hedge with a minimum height of three feet at time of planting.
- A lighting plan shall be provided showing all outdoor lighting fixtures, type and wattage. Glare shall be minimized



Uses Permitted with Criteria (accessory use)

Food Dispensing Vehicle (C-1, C-2, C-3, HD/MX, DT HIS CL)



Criteria:

- Definitions of food truck, lunch truck, food cart
- Required to have state and town license
- Hours of operation 6am-10 pm (document says 12am)
- No more 3 then 2 time a week per site
- Permanent requires approval
- Setbacks- 5ft road, 50 ft from residential
- No alcohol sales, no constricting of pedestrian access or parking.
- Proper disposal of trash
- No amplified music



Uses Permitted with Criteria (SE now- Move to P)



Home office (R-1, R-2, R-3)

Criteria:

- Permits office in the home (25% max)
- Required to live in the residence
- No generation of traffic
- No commercial vehicles
- Meet parking (if required)
- No equipment or process that creates noise, etc.
- Outdoor display-prohibited
- Maintain proper license.

Mobile homes to house business activities (C-3)



Mobile homes intended to house business activities provided:

- The mobile home will be permitted on the site for a period not to exceed 120 days.
- The business must present plans for construction of a permanent structure at the time a request for a temporary mobile home is made.
- The business provides a \$1,000.00 bond to be forfeited to the town if the start of construction has not occurred within 60 days of issuance of a temporary mobile home use.



Uses with Criteria (special exception)

Automotive dealerships vehicle sales (I-1)



Criteria:

- All dealership related activities, including office, repair, new car displays and similar uses, ~~other than used car sales~~ shall be on contiguous property and shall not be on Kennedy Boulevard.



Next Steps

- Workshop Town Council
- Hearings (Adoption)



Special Event Discussion

1. LDC on Special Events (chapter 12 Business):
 - Sec 23-48 Most of the sections relate to peddlers and vendors
 - requires a background check by the police department.
 - Hours are 7am- 9:00 pm
 - Sec 12-50 Requires a health department permit (doesn't exist)
 - Sec. 12-51 vendor location
 - Sec. 12-52 perimeter (requires an ordinance)
 - Sec 12-53 Requires an investigation of applicant
 - Revocation
 - Recommendation is to add a new article (article III) under Chapter 12 Business, remove special events from article II.



Special Event Discussion

2. Fees/Town Resources

- Fee for Special Event (currently no charge or 45.00 vendor charge)
- Town has provided services for
 - Use of public facilities
 - Solid Waste
 - Police

Chapter 12 BUSINESSES

ARTICLE I. IN GENERAL

Secs. 12-1—12-20. Reserved.

ARTICLE II. SOLICITORS, PEDDLERS AND ITINERANT VENDORS

DIVISION 1. GENERALLY

Sec. 12-21. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Itinerant vendor means any person, whether a resident of the town or not, who offers articles to purchasers from one stationary location and shall sell goods, wares, and merchandise from this location for a period not to exceed seven consecutive days. Any person who uses or occupies a vehicle of conveyance or a structure for the purpose of such sales on a temporary basis, such person shall be deemed an itinerant vendor.

Peddler means any person, whether a resident of the town or not, traveling by foot, wagon, automotive vehicle, or any other conveyance, from place to place, from house to house, or from street to street, carrying, conveying or transporting goods, wares, merchandise, meats, fish, vegetables, fruit, garden truck, farm products, or provisions offering articles to purchasers, or who without traveling from place to place shall sell or offer the same for sale from a wagon, automotive vehicle, railroad car or other vehicle of conveyance. Anyone who solicits orders and, as a separate transaction, makes deliveries to purchasers as a part of a scheme or design to evade the provisions of this article shall be deemed a peddler. The term "peddler" includes the terms "hawker" and "huckster."

Solicitor means any individual, whether a resident of the town or not, traveling either by foot, wagon, automobile, motor truck or any other type of conveyance, from place to place, from house to house, or from street to street, taking or attempting to take orders for sale of goods, wares and merchandise, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject for such sale or not. Definition of the term "solicitor" includes any person who, for himself or for another person, hires, leases, uses or occupies any building, structure, apartment, tent, railroad boxcar, boat, hotel room, lodginghouse, shop or other place within the town for the purpose of exhibiting samples and taking orders for future delivery. The term "solicitor" also includes the term "canvasser."

(Ord. No. 2003-1, § I, 3-16-2004)

Sec. 12-22. Penalties for offenses.

- (a) Any person engaged in soliciting or peddling who is not authorized by the town, shall be guilty of a violation. Anyone selling or taking orders for sales without first securing a permit from the town shall be in violation of

this article. Upon notification by the police department or code enforcement inspector of a violation of this article, the property owner or on-site representative shall immediately close and remove the business. In the event that the property owner or representative refuses to move the business this could constitute an obstruction of justice of a law enforcement officer in the lawful execution of duties.

- (b) Violations of this article shall be punishable, as follows:
 - (1) First violation, by a fine of \$150.00.
 - (2) Second violation, by a fine of \$250.00.
 - (3) Third violation, by a fine of \$350.00.
 - (4) Failure to vacate the location can subject the violator to arrest.
- (c) If a violation has not been paid within 30 days, then the itinerant vendor will be prohibited from being issued another permit.
- (d) Violations under this article shall be heard by the town council. All appeals shall be in writing and must be filed within ten days of the incident; appeals must be filed with the town clerk. The decision of the town council shall be final unless appealed to a court of competent jurisdiction.

(Ord. No. 2003-1, § IV(4.10), 3-16-2004; Ord. No. 2010-18, § IV(4.9), 12-21-2010)

Secs. 12-23—12-44. Reserved.

DIVISION 2. PERMITS

Sec. 12-45. Permit—Required.

It shall be unlawful for any person to engage in the business of peddler or solicitor or itinerant vendor, within the town, without first obtaining a permit as provided in this article. The town shall not permit solicitors, peddlers or itinerant vendors to operate from a parcel of property. Permits shall be valid for a period of time from one to seven consecutive days. No solicitor, peddler or itinerant vendor shall be allowed more than two permits of this type per calendar year.

(Ord. No. 2003-1, § IV(4.1), 3-16-2004; Ord. No. 2010-18, IV(4.1(c)), 12-21-2010)

Sec. 12-46. Same—Application.

Applicants for permits under this article must file with the business tax coordinator an application in writing which shall give the following information:

- (1) The name and physical description of the applicant.
- (2) The permanent home address and local address of the applicant.
- (3) A brief description of the nature of the business and the goods to be sold.
- (4) If employed, the name and address of the employer, together with credentials establishing the relationship and the length of time for which the right to do business is desired.
- (5) The place where the goods or property proposed to be sold, or orders taken for the sale of the property are manufactured or produced, where the goods or products are located at the time an application is filed, and the proposed method of delivery.

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- (6) A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, the nature of the offense, and the punishment or penalty assessed for the violation.
 - (7) Applicants shall specify the area of town in which they propose to conduct business. Peddlers may only operate in residentially zoned areas of the town.
 - (8) A written authorization from the property owner to the town for the applicant's use of the site.
 - (9) A description of the proposed method for disposal of solid waste products at the end of each day.
 - (10) The number and nature of all vehicles to be located on the property which may or may not be involved in this business. The planning and zoning director will make the decision.

(Ord. No. 2003-1, § IV(4.1), 3-16-2004; Ord. No. 2010-18, IV(4.1(c)), 12-21-2010)

Sec. 12-47. Fee.

All persons shall, at the time of filing of the application, pay to the town a fee of an amount on file in the town clerk's office, to cover the clerical cost and the cost of investigating the facts stated in the application.

(Ord. No. 2003-1, § IV(4.1), 3-16-2004)

Sec. 12-48. Special events—Permit.

For sponsored special events, solicitors, peddlers and itinerant vendors must apply for a permit pertaining only to their specific event. This permit is not valid for use by the solicitor, peddler and itinerant vendor for any other period of time or for any other event other than that specified for this particular permit. Sponsors, other than the town, must coordinate each special event with the town and its code enforcement staff. Prior to the event the sponsor shall be responsible to ensure that a background check is performed by the police department prior to the issuance of a permit. The hours of business for vendors operating under this permit are 6:00 a.m. to 9:00 p.m.

(Ord. No. 2003-1, § IV(4.1.2(intro.)), 3-16-2004; Ord. No. 2010-18, IV(4.1(a)), 12-21-2010)

Sec. 12-49. Same—Martin Luther King parade.

The sponsor of the annual Martin Luther King parade may apply for a permit to cover all vendors associated with the parade. No other vendor permits shall be issued or honored during the period of the parade permit. Each parade vendor shall provide the required information, noted in section 12-46, to the sponsor, who shall be responsible to ensure that a background check is performed by the police department prior to the issuance of the permit and the event. The cost to each vendor shall be determined by the sponsor, but in no case shall the cost be less than the \$35.00 cost established in section 12-47.

(Ord. No. 2003-1, § IV(4.1.2(d)), 3-16-2004; Ord. No. 2010-18, IV(4.1(b)), 12-21-2010)

Sec. 12-50. Same—Food sales.

Any vendor that is selling a consumable food product must first receive a permit from the county health department.

(Ord. No. 2003-1, § IV(4.1.2(e)), 3-16-2004)

Sec. 12-51. Same—Restrictions on vender location.

During special events, such as the Martin Luther King parade and the Zora Neale Hurston Festival, vendors shall only be permitted within a designated area along N. College Avenue between E. Kennedy Boulevard and Clark Street.

(Ord. No. 2003-1, § IV(4.1.2(f)), 3-16-2004)

Sec. 12-52. Same—Establishing perimeter.

The perimeter to be established for special events permitted should be adopted by resolution, the town council will establish the perimeter to be designated as special events and/or program with a 30-day notice prior to the special events.

(Ord. No. 2003-1, § IV(4.1.2(g)), 3-16-2004)

Sec. 12-53. Investigation of applicant.

Upon receipt of an application for a permit under this section, the chief of police shall cause an investigation of the applicant's business and criminal history to be made as he deems necessary for the protection of the public good. If as a result of the investigation the applicant's character or business responsibility is found to be unsatisfactory, the chief of police shall notify the applicant, that the application is disapproved, and that the decision may be appealed to the town council within five days. If as a result of the investigation, the character and business responsibility of the applicant is satisfactory, the police chief shall recommend approval of a permit addressed to the applicant for the business.

(Ord. No. 2003-1, § IV(4.2), 3-16-2004)

Sec. 12-54. Town permit—Exhibition, expiration.

Peddlers, itinerant vendors and solicitors are required to exhibit their town permit at the request of the chief of police, a police officer, or any citizen of the town.

(Ord. No. 2003-1, § IV(4.3), 3-16-2004; Ord. No. 2010-18, IV(4.2), 12-21-2010)

Sec. 12-55. Same—Revocation.

- (a) Permits issued under this section may be revoked in the police chief for any of the following causes:
 - (1) Fraud, misrepresentation, or false statement made in the course of carrying the business as peddler, itinerant vendor or solicitor, or a false statement contained in the application for the permit.
 - (2) Any violation of this article.
 - (3) Conviction of any crime or misdemeanor involving moral turpitude.
 - (4) Conducting the business of soliciting or peddling in an unlawful manner or in such a manner as to constitute a breach of the peace, or constitute a menace to the health, safety or general welfare of the public.
- (b) Appeal from a revocation of a permit may be taken to the town council. A majority vote of the town council shall determine whether the permit may be reinstated or permanently revoked.

(Ord. No. 2003-1, § IV(4.4), 3-16-2004; Ord. No. 2010-18, IV(4.3), 12-21-2010)

Sec. 12-56. Hours of solicitation.

Persons issued permits under this article shall be allowed to solicit orders from citizens of the town between the hours of 9:00 a.m. and 4:00 p.m., Monday through Saturday, holidays excluded, but only upon the exhibition of proper credentials.

(Ord. No. 2003-1, § IV(4.5), 3-16-2004; Ord. No. 2010-18, IV(4.4), 12-21-2010)

Sec. 12-57. Unlawful begging and soliciting.

It shall be unlawful for any person in the streets or public places of the town to aggressively beg or solicit gifts or money or to exhibit his person for the purpose of obtaining gifts or money.

(Ord. No. 2003-1, § IV(4.6), 3-16-2004; Ord. No. 2010-18, IV(4.5), 12-21-2010)

Sec. 12-58. Standards of good conduct.

All solicitors, canvassers, itinerant vendors and peddlers who engage or carry on their business and activity in the town shall at all times conduct themselves in an orderly and gentlemanly manner and shall be polite and courteous in dealing with the members of the public so as to avoid any annoyance, vexation, disturbance or harassment thereto.

(Ord. No. 2003-1, § IV(4.7), 3-16-2004; Ord. No. 2010-18, IV(4.6), 12-21-2010)

Sec. 12-59. Unlawful to remain at residence.

It shall be unlawful for any person who appear at any private residence for the purpose of soliciting, canvassing, or peddling, whether holding a permit or identification card or not, to stay or remain on the premises of such private residence, or to return thereto for the same purpose after first departing or after having been requested to leave by the occupant thereof.

(Ord. No. 2003-1, § IV(4.8), 3-16-2004; Ord. No. 2010-18, IV(4.7), 12-21-2010)

Sec. 12-60. Duties of police officers.

(a) It shall be the duty of any police officer of the town to:

- (1) Require any person seen soliciting or peddling to produce his permit.
- (2) Enforce the provisions of this article against any person found to be violating the same.

(b) The police chief shall report to the town council all convictions for violations of this article and the town clerk shall maintain a record of each permit issued, and record the reports of violations therein.

(Ord. No. 2003-1, § IV(4.9), 3-16-2004; Ord. No. 2010-18, IV(4.8), 12-21-2010)