

Meeting Date: 1/11/2011



Agenda Item #

8A

CITY COUNCIL AGENDA ITEM

Contact Name: Jim Kerr, City Planner Department Director: *Ally Still*
Department/Contact # 386 775-5414 City Manager: *JCA*

- Type of Item:
- | | | | |
|--------------------------|--------------------------|-------------------------------------|---------------------|
| <input type="checkbox"/> | Public Hearing | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | Ordinance First Reading | <input checked="" type="checkbox"/> | Discussion & Action |
| <input type="checkbox"/> | Ordinance Second Reading | <input type="checkbox"/> | Council Approval |

Subject: Discussion of alleys in Orange City

BACKGROUND:

There are several alleys existing in Orange City, some of which were created in the late 1800's. Most of these alleys are located within Orange City's original historic area or district.

This report, conducted by City staff, explains how these alleys came to exist, their ownership, and who is responsible for their maintenance.

RECOMMENDATIONS:

City staff recommends that City Council consider maintaining the nineteen alleys on an as needed basis, and to consider vacating four alleys as depicted on the maps contained in this report.

ATTACHMENTS:

- Staff report dated 12-22-10
- Alley Inventory Maps depicting the alleys
- Alley Inventory spreadsheet

FINANCIAL IMPACT:

None anticipated

Reviewed by City Attorney

Reviewed by Finance Dept.

Reviewed by:

Paul Henry

1st Discussion Date: 1/11/2011	2nd Discussion Date: Click here to enter a date.	Third Discussion Date: Click here to enter a date.	Other Dates: Click here to enter a date.
---	---	--	--



Orange City Development Services Department
205 East Graves Avenue, Orange City, Florida 32763-5213
Phone 386 775-5414 - Fax 386 775-5420
E-mail: jkerr@ourorangecity.com

Memorandum

Date: January 11, 2011

Prepared by: Jim Kerr, City Planner *JHK*

RE: Report of Alleys in Orange City

Background

The attached maps depict 23 alleys existing within the City, some of which were created in the late 1800's. An alley inventory has been conducted, that analyzes access, use, need and maintenance requirements. The purpose of this report is to share the results of the inventory and to provide recommendations on future vacates and maintenance levels.

Purpose of the alleys

The City's land development code (LDC) defines an alley as "A right-of-way primarily designated to serve as a secondary means of access to the side or rear of abutting properties having principal access from a street", which said definition effectively describes the function of the alleys. However, for some properties, the alleys provide the only means for access and garbage pickup.

Typically, an alley exists between lots or properties. An alley is not considered a part of the lot it abuts. For assessment purposes, the property appraiser's office (PAO) considers an alley as public right-of-way, the same as a street. According to Florida Statute 193.0235, streets and alleys are not assessed by the PAO, and therefore, are not taxed.

Who owns the alleys

Modern subdivision codes would require dedication statements regarding alleys that provides for ownership and maintenance. However, alleys within the historic area were created prior to these rules. Due to the nature of historic use, State Law has determined that alleys are assumed to be dedicated to the public.

Who is responsible for alley maintenance,

Florida Statute 95.361 states that if a governing authority has maintained a right-of-way for four years, then that portion being maintained is considered to be public. The alleys under discussion and listed in this report have either had some intermittent maintenance performed, or, the City has performed no maintenance whatsoever.

Can the alleys be vacated

Any alley can be vacated by the City Council as described in Section 16.4 of the City's Code of Ordinances. The vacating of said alley will result in it being converted from a right-of-way to vacant property, which would be divided equally and added to the properties which abut each side of the alley. Any vacating will result in the vacated property being added to the tax roll, and revenue will be received from the taxed property. However, there are over a dozen existing properties wherein the only access is provided by an alley. The vacating of these alleys would cause significant adverse impacts to the property owner and the property.

Alley Inventory

Staff conducted an inventory of the alleys in the historic area of the City and identified 23 within the original historic square mile area. Staff analyzed the alleys using a number of criteria:

- open to use
- historic City maintenance
- access
- garbage pickup
- utilities
- dedication statement
- connectivity (length/width)

Based on these criteria, the following attached spreadsheet was created and a recommendation was derived.

Staff Recommendation

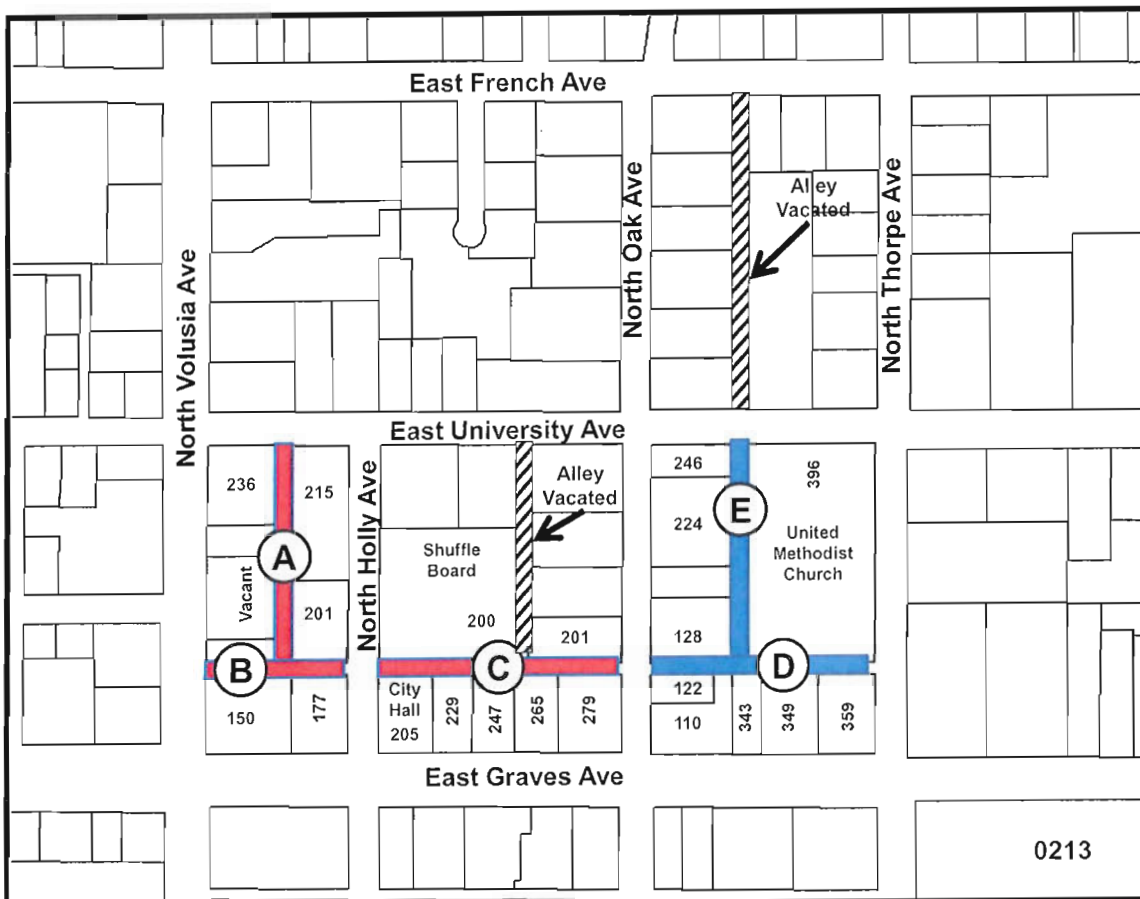
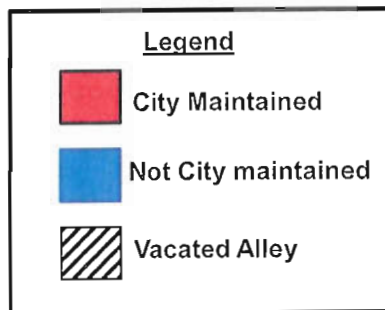
Staff recommends the City continue to assume minimum maintenance of certain alleys on an as-needed basis at a cost of approximately \$2,500 annually for 18 alleys.

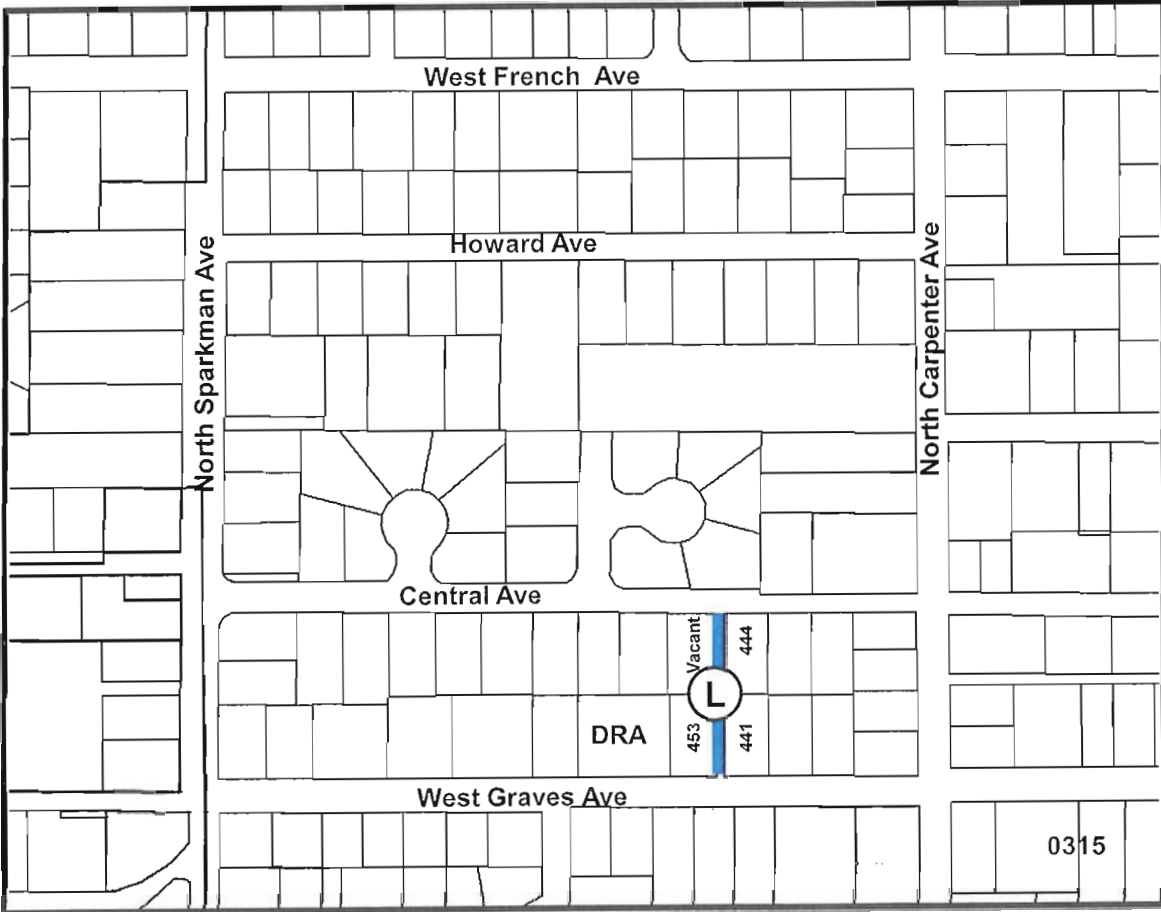
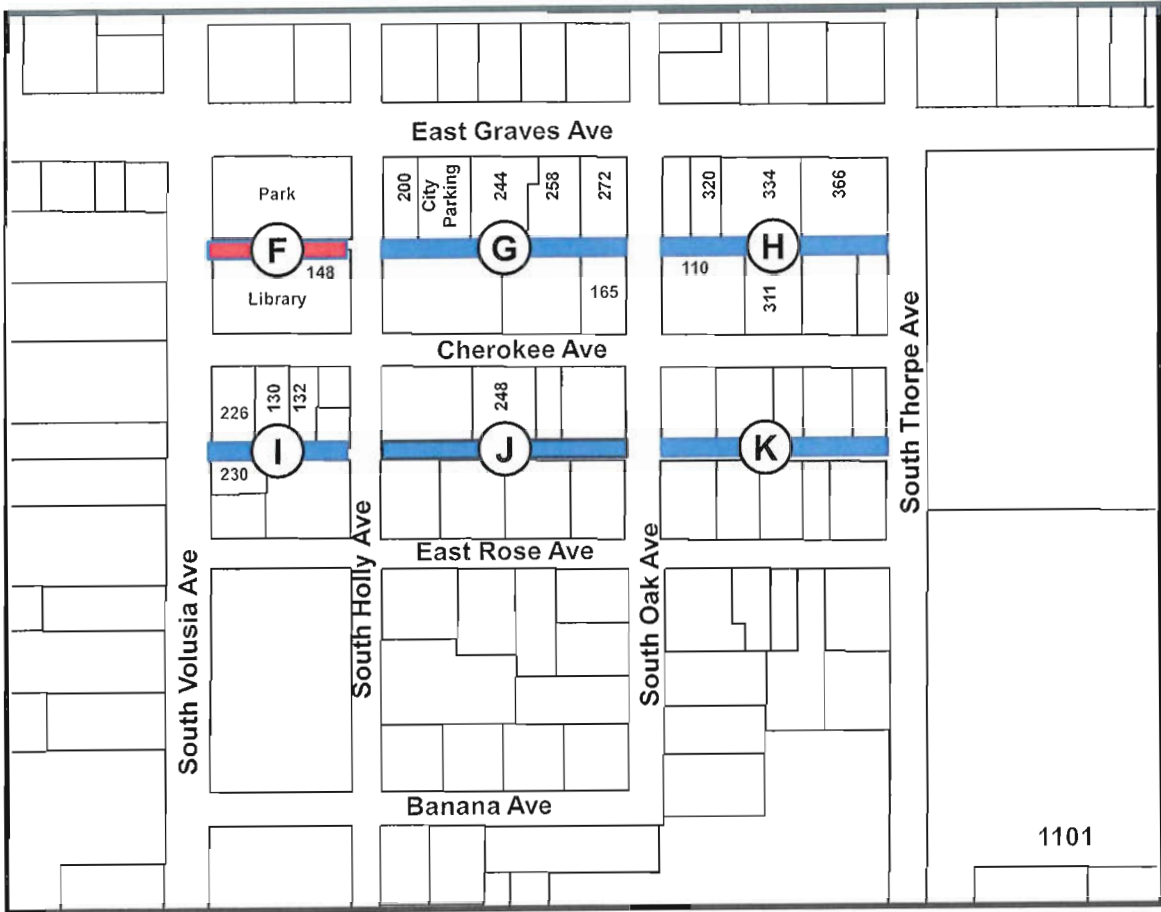
Further, because certain alleys are not being used or needed, staff recommends the City Council allow vacates on 4 alleys (L, O, P, and Q) as depicted on the attached maps.

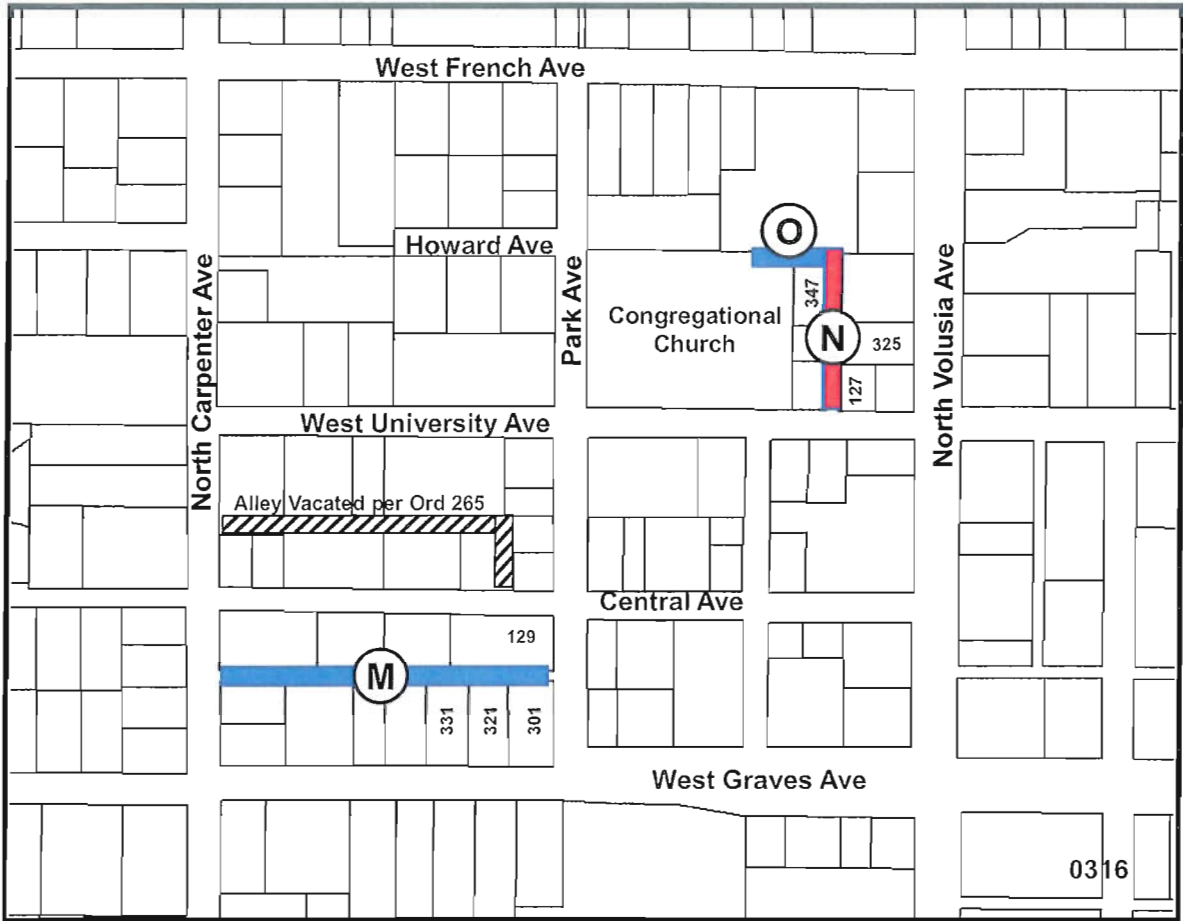
Orange City

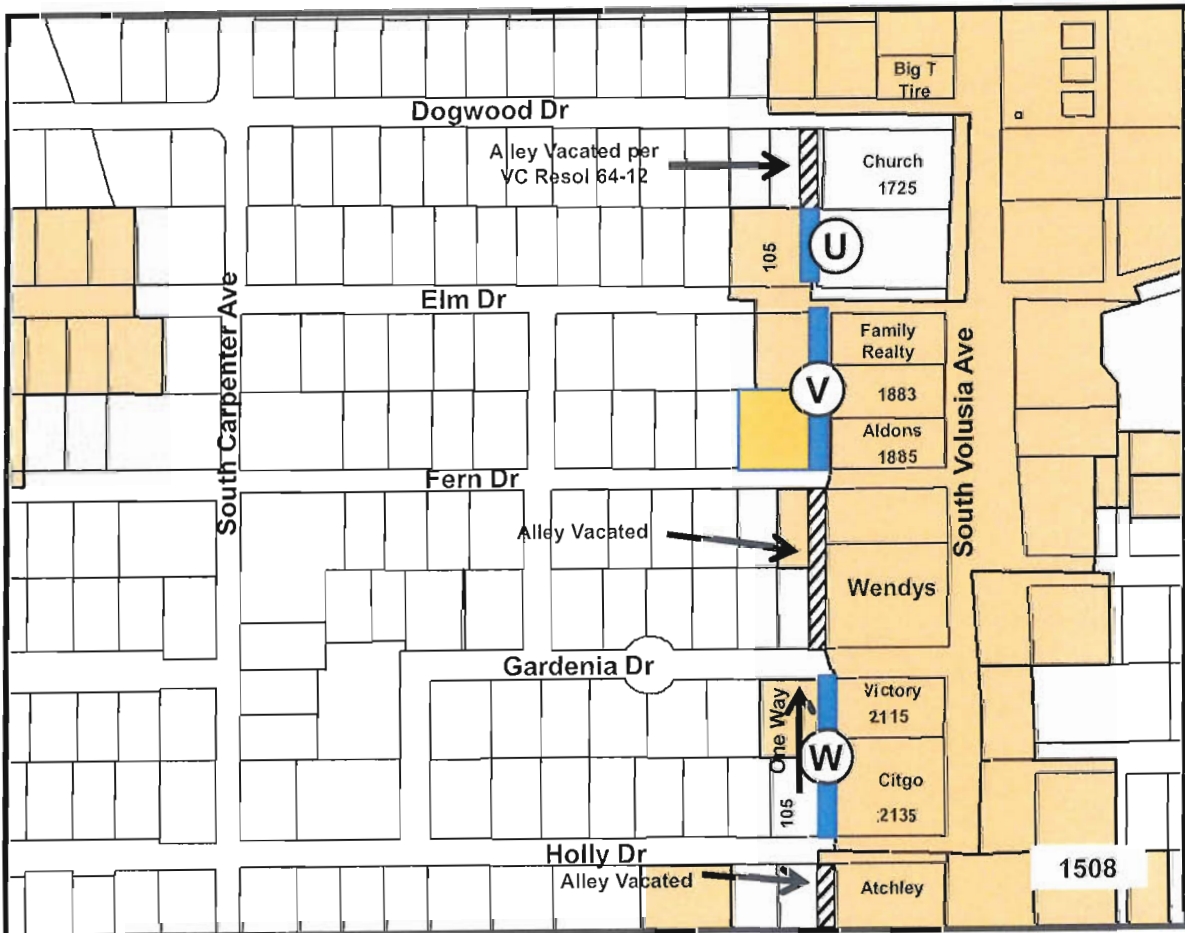
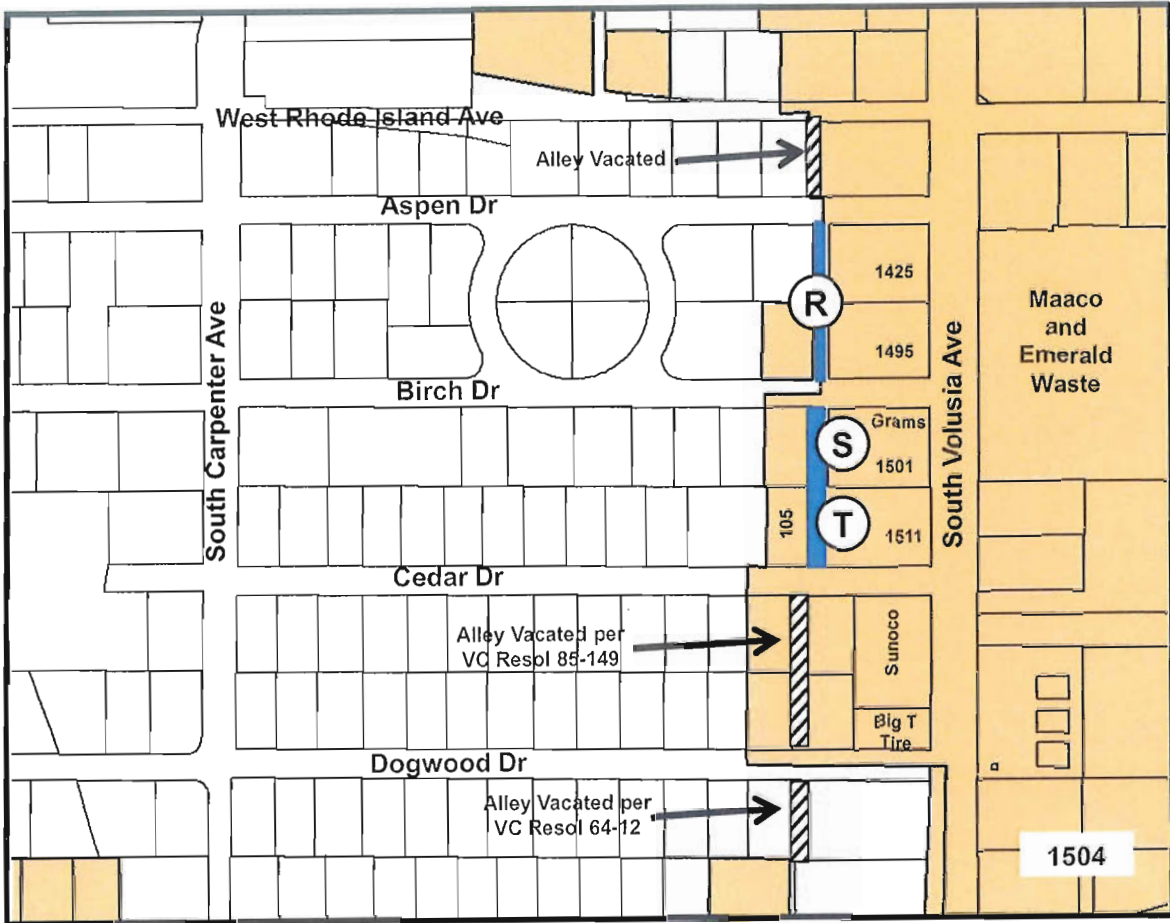
Alley Inventory

January 11, 2011









Orange City Alley Inventory

Map Nbr	Map Loc	Name	From	To	Width	Length	City Maint Yes or No	Clear Access Yes or No	Subdivision Name	Dedication Statement	Primary Access	Secondary Access	Garbage pickup in alley	Status
0213	A	No Name	Fire House Lane	E. University	20	400	Yes	Yes	Stillmans	No	201	215, 236	Yes	
0213	B	Fire House Lane	Volusia Avenue	No. Holly	20	270	Yes	Yes	Stillmans	No		150, 177	Yes	
0213	C	Fire House Lane	No. Holly	No. Oak	20	449	No	Yes	Stillmans	No	205, 229, 247, 265	229, 200, 201	Yes	
0213	D	Fire House Lane	No. Oak	No. Thorpe	20	410	No	Yes	Orange City	No	110, 122, 343, 349, 359	128, 343	Yes	
0213	E	No Name	E. University	Fire House Lane	20	400	No	Yes	Orange City	No	224, 246	396	No	
1101	F	Albertus Way	Volusia Avenue	No. Holly	20	270	Yes	Yes	Orange City Blk 1	No	Library at 148 and park		Yes	
1101	G	Albertus Way	No. Holly	No. Oak	20	449	No	Yes	Orange City Blk 2	No	244, 258	200 parking	Yes	
1101	H	Albertus Way	No. Oak	No. Thorpe	20	400	No	Partial	Orange City Blk 3	No	110, 320	311, 334, 366	Yes	
1101	I	No Name	Volusia Avenue	No. Holly	20	270	No	Yes	Orange City Blk 6	No	230	226, 130, 132	No	
1101	J	No Name	No. Holly	No. Oak	20	449	No	Partial	Orange City Blk 5	No		240, 248	No	
1101	K	No Name	No. Oak	No. Thorpe	20	400	No	No	Orange City Blk 4	No		Wooded	No	May be vacated
0315	L	No Name	Central	Graves	10	150	No	No	Lot 4 Blk 31	No		Partially cleared and wooded	No	May be vacated
0316	M	No Name	Carpenter	Park	15	610	No	Yes	Masseys	No		129, 301, 321, 331	No	Used as access
0316	N	Antique Alley	University	Turn	20	280	Yes	Yes	Orange City	No	325, 347	127	Yes	
0316	O	No Name	Turn	Terminus	20	130	No	No	Orange City	No			No	Wooded, no access
1012	P	No Name, Blk A	So. Carpenter	So. Park	10	606	No	No	Magnolia Park 1st	Yes			No	Wooded, no access Fence and shed in alley
1012	Q	No Name, Blk B	So. Carpenter	So. Park	10	606	No	No	Magnolia Park 1st	Yes			No	Wooded, no access Fence and shed in alley
1504	R	Mimosa Drive	Aspen Drive	Birch Drive	30	280	No	Yes	Spring Lakes	Yes		1425, 1495	Yes	
1504	S	Mimosa Drive	Birch Drive	Half way	30	140	No	Yes	Spring Lakes	Yes		Grams at 1501	Yes	
1504	T	No Name	Half way	Cedar Drive	20	140	No	Yes	Spring Lakes 1st	Yes		105, 1511	Yes	
1508	U	No Name	Half way	Elm Drive	20	141	No	Yes	Orange City Hills 1	Yes		105	No	
1508	V	No Name	Elm Drive	Fern Drive	20	280	No	Yes	Orange City Hills 1	Yes		1883, 1885	Yes	
1508	W	No Name	Gardenia Drive	Holly Drive	20	280	No	Yes	Orange City Hills 2	Yes		105	No	One Way alley