



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
January 15, 2013
7:00 PM**

Mayor Ed Kelley

Zone 1 – Commissioner James Stowers

Zone 3 – Commissioner Rick Boehm

Zone 2 – Commissioner Troy Kent

Zone 4 – Commissioner Bill Partington

COMMISSION CHAMBERS

22 South Beach Street, Ormond Beach, FL 32174

Phone: 386-677-0311

Web: www.ormondbeach.org

1. CALL TO ORDER

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS AND PROCLAMATIONS

A. Home for the Holidays Parade Award Winners

5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

6. APPROVAL OF MINUTES

A. Minutes from the January 8, 2013 City Commission Meeting will be available at the next scheduled meeting on February 5, 2013

7. CONSENT AGENDA

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.

- A. **RESOLUTION NO. 2013-34** : A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NUMBER ONE (1) TO THAT CONTRACT AWARDED TO UTILITY TECHNICIANS, INC., REGARDING THE TRANSFER STATION LIFT STATION UPGRADES PROJECT, BY INCREASING THE CONTRACT PRICE BY \$4,847.00; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: John Noble, City Engineer (386-676-3269)

APPROVED

- B. **RESOLUTION NO. 2013-35** : A RESOLUTION OF THE CITY OF ORMOND BEACH SUPPORTING THE PLANNING PROCESS TO UPDATE THE VOLUSIA COUNTY MULTI-JURISDICTIONAL LOCAL MITIGATION STRATEGY THROUGH THE DEVELOPMENT OF A REVISED INTEGRATED FLOODPLAIN MANAGEMENT PLAN, AND SETTING FORTH AN EFFECTIVE DATE .

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED

- C. **Bid Specifications for 2" Water Main Replacement North Peninsula**

Staff Contact: John Noble, City Engineer (386-676-3269)

Disposition: Approve as recommended in the City Manager memorandum dated January 15, 2013. **APPROVED**

- D. **Taxiway Alpha Relocation and General Airfield Improvements Project - Change Order #1**

Staff Contact: Joe Mannarino, Economic Development Director (386-676-3266)

Disposition: Approve as recommended in the City Manager memorandum dated January 15, 2013. **APPROVED**

8. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2013-2** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE IV, SCHEDULE OF DEVELOPMENT REVIEW AND IMPACT FEES, OF CITY OF ORMOND BEACH THE LAND DEVELOPMENT CODE BY ADDING SECTION 1-26, MOBILITY FEE; AMENDING; ARTICLE V, CONCURRENCY MANAGEMENT, SECTION 1- 32 F, TRAFFIC CIRCULATION BY ADDING SUBSECTION (12); AMENDING SECTION 1-32 G, PROPORTIONATE FAIR SHARE PROGRAM FOR TRANSPORTATION AND PUBLIC SCHOOL FACILITIES, BY AMENDING SUBSECTIONS (1), (3) AND DELETING SUBSECTION (13), REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED ON SECOND READING

- B. **ORDINANCE NO. 2013-3** : AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATION; BY AMENDING SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, SUBSECTIONS R 5, RESTAURANT, TYPE "A"; R 6, RESTAURANT TYPE "B"; R 7, RESTAURANT TYPE "C"; AND R 8. RESTAURANT TYPE "D ARE DELETED IN THEIR ENTIRETY; BY ADDING SECTION 2-57 R 5, RESTAURANT TYPES BY PROVIDING A TABLE THAT CATEGORIZES THE REGULATIONS BY RESTAURANT TYPES AND A FLORIDA STATUTE 509.233 DOG DINING EXEMPTION FOR RESTAURANTS; PROVIDING FOR THE IMPLEMENTATION OF FEES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED ON SECOND READING

- C. **ORDINANCE NO. 2013-4** : AN ORDINANCE AMENDING CHAPTER 8, BUILDINGS AND CONSTRUCTION REGULATIONS, ARTICLE I, IN GENERAL, SECTION 8-10, APPLICATION PROCESSING FEES, PARAGRAPH (G) MISCELLANEOUS OF THE CODE OF ORDINANCES, BY CREATING A NEW SUBSECTION 11 ESTABLISHING A FEE SCHEDULE FOR REVIEW AND INSPECTION OF DOGGIE DINING LICENSES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED ON SECOND READING

- D. **ORDINANCE NO. 2013-5** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF SEVENTY-THREE (73) PARCELS OF REAL PROPERTY TOTALING +11.5-ACRES LOCATED AT 1- 103 BELLA VITA WAY FROM VOLUSIA COUNTY "COMMERCIAL" AND "URBAN MEDIUM INTENSITY" TO ORMOND BEACH "MEDIUM DENSITY RESIDENTIAL"; AUTHORIZING TRANSMITTAL;. REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED ON FIRST READING

- E. **ORDINANCE NO. 2013-6** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +0.53-ACRES LOCATED AT 1428 NORTH US HIGHWAY 1 (PARCEL ID NO. 3136-01-58-0460), FROM VOLUSIA COUNTY "COMMERCIAL" TO ORMOND BEACH "LOW INTENSITY COMMERCIAL"; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICT; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED ON FIRST READING

- F. **ORDINANCE NO. 2013-7** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF FOUR (4) PARCELS OF REAL PROPERTY TOTALING +3.97-ACRES LOCATED AT 1433, 1435, 1437 AND 1439 NORTH US HIGHWAY 1 FROM VOLUSIA COUNTY "COMMERCIAL" TO ORMOND BEACH "LOW INTENSITY COMMERCIAL"; AUTHORIZING TRANSMITTAL; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED ON FIRST READING

- G. **ORDINANCE NO. 2013-8** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +0.15-ACRES LOCATED AT 1438 NORTH US HIGHWAY 1 (PARCEL ID NO. 3136-01-58-0210), FROM VOLUSIA COUNTY "COMMERCIAL" TO ORMOND BEACH "LOW INTENSITY COMMERCIAL"; AUTHORIZING TRANSMITTAL; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED ON FIRST READING

- H. **ORDINANCE NO. 2013-9** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +0.72-ACRES LOCATED AT 1444 NORTH US HIGHWAY 1 (PARCEL ID NO. 3136-01-58-0190), FROM VOLUSIA COUNTY "COMMERCIAL" TO ORMOND BEACH "LOW INTENSITY COMMERCIAL"; AUTHORIZING TRANSMITTAL; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED ON FIRST READING

- I. **ORDINANCE NO. 2013-10** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF TYMBER CREEK ROAD AND AIRPORT ROAD AND BEING COMMONLY LOCATED AT 305 NORTH TYMBER CREEK ROAD; SETTING FORTH ZONING, PRIVILEGES AND OBLIGATIONS REGARDING THE PROPERTY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; SETTING FORTH ZONING, PRIVILEGES, AND OBLIGATIONS OF SAID PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED ON FIRST READING

- J. **ORDINANCE NO. 2013-11** : AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF ARTICLE II, DISTRICT REGULATIONS, SECTION 2.14.B.9.B, R-2.5, SINGLE-FAMILY LOW-MEDIUM DENSITY, TO REDUCE THE REQUIRED REAR YARD SETBACK TO 20 FEET, SECTION 2-15.B.9.B, R-3, SINGLE-FAMILY MEDIUM DENSITY TO REDUCE THE REQUIRED REAR YARD SETBACK TO 20 FEET; SECTION 2-17.B.9.B, R-4, SINGLE-FAMILY CLUSTER & TOWNHOUSE TO REDUCE THE REQUIRED REAR YARD SETBACK TO 20 FEET FOR SINGLE-FAMILY, CLUSTER, PATIO, ZERO-LOT-LINE, MULTI-FAMILY, DUPLEX, TRIPLEX, AND TOWNHOUSE TYPES OF USES; SECTION 2- 18.B.9.B, R-5, MULTI-FAMILY MEDIUM DENSITY TO REDUCE THE REQUIRED REAR YARD SETBACK TO 20 FEET FOR SINGLE-FAMILY, CLUSTER, PATIO, ZERO-LOTLINE, MULTI-FAMILY, DUPLEX, TRI-PLEX, AND TOWNHOUSE TYPES OF USES; SECTION 2-19.B.9.B, R-6, MULTI-FAMILY MEDIUM-HIGH DENSITY TO REDUCE THE REQUIRED REAR YARD SETBACK TO 20 FEET FOR SINGLE-FAMILY, CLUSTER, PATIO, ZERO-LOT-LINE, MULTI-FAMILY, DUPLEX, TRI-PLEX, AND TOWNHOUSE TYPES OF USES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED ON FIRST READING

- K. **ORDINANCE NO. 2013-12** : AN ORDINANCE AMENDING CHAPTER 3, PERFORMANCE STANDARDS, OF ARTICLE IV, SIGN REGULATIONS, SECTION 3-49, MASTER SIGN PLAN, BY DELETING THE SECTION IN ITS ENTIRETY TO BE REPLACED BY A NEW SECTION ENTITLED "SIGN VARIANCES", TO BE NUMBERED SECTION 3-47.B.2, BY AMENDING THE MAXIMUM HEIGHT OF MONUMENT SIGNAGE TO EIGHT (8') FEET; AMENDING SECTION 3-47.B.6 BY AMENDING THE MAXIMUM NUMBER OF TENANT PANELS FOR MONUMENT SIGNAGE TO EIGHT; BY AMENDING SECTION 3-47.C.4, BY AMENDING THE MAXIMUM NUMBER OF TENANT PANELS FOR POLE SIGNAGE TO EIGHT; SECTION 3-47.C TO ADD THE TERM "GROUND" TO THE SUBSECTION TITLE; AMENDING CHAPTER 1, GENERAL ADMINISTRATION OF ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, TO AMEND THE DEFINITION OF SIGN, MONUMENT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED ON FIRST READING

- L. **ORDINANCE NO. 2013-13** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, BY ADDING WATER SURVIVAL INSTRUCTION; AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, BY ADDING AS A CONDITIONAL USE WATER SURVIVAL INSTRUCTION WITHIN THE RURAL ESTATE/AGRICULTURAL (REA), RURAL RESIDENTIAL (RR), SUBURBAN RESIDENTIAL (SR), RURAL ESTATE (R- 1), SINGLE-FAMILY LOW DENSITY (R-2), SINGLE-FAMILY LOW-MEDIUM (R-2.5), SINGLE-FAMILY MEDIUM DENSITY (R-3), NEIGHBORHOOD PRESERVATION (NP), SINGLE-FAMILY CLUSTER & TOWNHOUSE (R-4); MULTIFAMILY MEDIUM DENSITY (R-5), MULTI-FAMILY MEDIUM-HIGH DENSITY (R-6), MANUFACTURED/MOBILE HOME (T-1); AND MANUFACTURED HOME (T-2) ZONING DISTRICTS, AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE IV, CONDITIONAL USES AND SPECIAL EXCEPTIONS BY ADDING CONDITIONAL USE CRITERIA FOR WATER SURVIVAL INSTRUCTION; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED ON FIRST READING

9. DISCUSSION ITEMS

- A. **Request for Rescission or Reduction of Four Special Magistrate Liens**

Staff Contact: Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)

10. REPORTS, SUGGESTIONS, REQUESTS

11. ADJOURNMENT

Website Address – www.ormondbeach.org

NOTICE – Pursuant to Section 286.0105 of the Florida Statutes, if any person decides to appeal any decision made by the City Commission with respect to any matter considered at this public meeting, such person will need a record of the proceedings and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance.
Phone: 386-677-0311



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 with a disability, such as a vision, hearing or speech impairment, or persons needing other types of assistance, and who wish to attend City Commission meetings or any other board or committee meeting may contact the City Clerk's Office in writing, or may call 386-677-0311 for information regarding available aids and services.