

M I N U T E S
ORMOND BEACH PLANNING BOARD
Regular Meeting

December 11, 2014

7:00 PM

City Commission Chambers
22 South Beach Street
Ormond Beach, FL 32174

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, SAID PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

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 IN WRITING, OR MAY CALL 677-0311 FOR INFORMATION REGARDING AVAILABLE AIDS AND SERVICES.

I. ROLL CALL

Members Present

Al Jorczak
Harold Briley, Vice Chair
Doug Wigley
Doug Thomas, Chair
Pat Behnke (absent)
Rita Press (absent)
Lewis Heaster (absent)

Staff Present

Laureen Kornel, AICP, Senior Planner
Randy Hayes, City Attorney
Melanie Nagel, Recording Technician

II. INVOCATION

Doug Wigley led the invocation.

III. PLEDGE OF ALLEGIANCE

IV. NOTICE REGARDING ADJOURNMENT

NEW ITEMS WILL NOT BE HEARD BY THE PLANNING BOARD AFTER 10:00 PM UNLESS AUTHORIZED BY A MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. ITEMS WHICH HAVE NOT BEEN HEARD BEFORE 10:00 PM MAY BE CONTINUED TO THE FOLLOWING THURSDAY OR TO THE NEXT REGULAR MEETING, AS DETERMINED BY AFFIRMATIVE VOTE OF THE MAJORITY OF THE BOARD MEMBERS PRESENT (PER PLANNING BOARD RULES OF PROCEDURE, SECTION 2.7).

V. MINUTES

November 13, 2014

Mr. Briley moved to approve the November 13, 2014 Minutes. Mr. Jorczak seconded the motion. Vote was called, and the motion unanimously approved.

VI. PLANNING DIRECTOR'S REPORT

Mr. Goss, Planning Director, asked Ms. Kornel to let the committee know that the non-conforming determination of the Ocean Shore properties has been completed, and they were found non-conforming. City Attorney, Randy Hayes, stated that this will not be coming to the Planning Board at all. The non-conforming determination is an administrative determination by the Planning Director, and the determination was that the rentals originated at the time the condominiums were constructed in 1969 – 1971, and was a lawful conforming use under the zoning that was in place all the way up until 2006. In 2006 it became a non-conforming use. Under the Land Development Code, parties or people who believe they are adversely affected by written determination of city officials, including the Planning Director, can take an appeal to the City Commission. The Planning Director's determination is going to be appealed to the City Commission. The two matters that were before this Board, the Comp Plan Amendment and Zoning, have been delayed pending the resolution of the non-conforming use combination.

VII. PUBLIC HEARINGS

A. LDC 14-103: LDC Amendment – Adding R-6, Multifamily Medium-High Density Zoning District to Section 2-02, Future Land Use Map Designations and Compatible Zoning Districts

Ms. Lauren Kornel, Senior Planner, City of Ormond Beach, stated this is an amendment to the Land Development Code to add the R-6 zoning district to the MDR Land Use category. Staff discovered an inconsistency between Land Use and Zoning on properties shown on the map. Most of the properties are already developed, and currently the R-6 zoning district is not allowed under the MDR land use category. To correct this inconsistency, rather than re-zoning the subject properties, Staff is proposing to add the R-6 zoning district to the MDR Land Use category in the Land Development Code. There are about 706 properties listed on the map. By adding the R-6 zoning district under the MDR Land Use category, the subject 706 properties will be consistent with their assigned MDR Land Use designation. In the event of a catastrophe, the allowed density would be 12 units per acre, because the MDR Land Use is capped at 12 units per acre. Without the amendment, the subject properties could potentially be re-developed at 32 units per acre, under the R-6 multifamily zoning district. In the analysis, the R-5 and R-6 zoning districts are essentially the same, except for the density and height of the multifamily. Adding the R-6 zoning district to the MDR land use category ensures a maximum density of 12 units per acre, in the event of a catastrophe, because Land Use supersedes the zoning. These properties are already developed with an average density of 10 units per acre. This is a matter of internal housekeeping to keep consistency between the city's Comprehensive Plan and the Land Development Code. Staff recommends approval of LDC 14-103.

Mr. Wigley questioned that in the event that there was a hurricane and there was mass destruction, and a developer wanted to come in and rebuild, with the MDR they could put in 12 units per acre instead of 10. Ms. Kornel stated no, because under MDR the cap is 12 units per acre, but they certainly could have the option to request a Land Use amendment to the HDR which would allow up to 32 units per acre. This is just an inconsistency and staff is trying to correct it.

Chairman Thomas asked the people in the audience if they had any questions. Ms. Cheryl Osborne, 136 Seville St, stated that the city of Ormond Beach had tried to annex them at one time, but they are hoping to stay in the county. Ms. Osborne saw notices in the paper about land use amendments, and they were hoping that they weren't involved in them. Chairman Thomas explained that the changes being discussed apply to The Trails and Tomoka Meadows, which are off of Nova.

Mr. Ron Houser, 136 Seville St, stated that he was just wondering about the annexing, and that is why he is attending the meeting. Ms. Kornel took contact information for both Ms. Osborne and Mr. Houser and stated that she would look into their inquiry, and let them know what is going on with their property.

Mr. Briley moved to approve LDC 14-103 LDC Amendment adding R-6, Multifamily Medium-High Density Zoning District to Section 2-02, Future Land Use Map Designations and Compatible Zoning Districts. Mr. Jorczak seconded the motion. Vote was taken and the motion carried unanimously (4-0).

B. MM 14-138: 2014 Capital Improvements Element (CIE) Annual Update

Ms. Kornel stated that this is the Capital Improvements Element annual update that is done every year. The schedules are required by legislation to be updated, and it will not be submitted as a Comprehensive Plan amendment, because it is no longer required. The purpose of the amendment is to identify capital improvements needed to implement the Comprehensive Plan to ensure the City is meeting previously determined levels of service standards. No goals, objectives or policies of the Comprehensive Plan have changed as a result of this update. The only level of service we are not meeting is the solid waste. Staff recommends approval of the 2014 CIE update.

Mr. Jorczak asked what the solid waste was at. Ms. Kornel stated that the solid waste collections average around 5.11, which are slightly down from last year at 5.19. Recycling collections average 6.87, and the actual level for service standards is 4.0.

Mr. Wigley moved to approve MM 14-138, 2014 Capital Improvements Element (CIE) Annual Update. Mr. Briley seconded the motion. The motion carried unanimously (4-0).

OTHER BUSINESS

None.

VIII. MEMBER COMMENTS

Mr. Jorczak wished everyone a merry Christmas and a safe and happy holiday season. He also thanked everyone for serving on the Board, and is looking forward to a very busy 2015.

Mr. Briley also wished everyone a happy holiday and thanked the Staff for their hard work throughout the year. He also thanked everyone on the Board, and stated it was a pleasure to work with them.

Chairman Thomas thanked Staff for the wonderful job they do. The Board appreciates all the work that is put into everything.

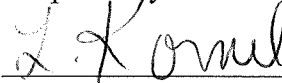
Chairman Thomas asked who was working on the old hospital building site. He thinks the site would be a perfect place for City Hall.

Chairman Thomas wished everyone a great holiday.

IX. ADJOURNMENT

The meeting was adjourned at 7:24 p.m.

Respectfully submitted,



Lauren Kornel, AICP, Senior Planner

ATTEST:



Doug Thomas, Chair

Minutes transcribed by Melanie Nagel.