

**MINUTES
ORMOND BEACH CITY COMMISSION
HELD AT CITY HALL COMMISSION CHAMBERS**

January 10, 2023	7:00 p.m.	Commission Chambers
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Present: Mayor Bill Partington, Commissioners Lori Tolland, Travis Sargent, Susan Persis and Harold Briley, City Manager Joyce Shanahan, City Attorney Randy Hayes, Assistant City Manager Claire Whitley and City Clerk Susan Carroll Dauderis.

A G E N D A

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**
 - A. HHome for the HOLIDAYS Parade Award Winners
 - B. Human Trafficking Awareness Month
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting - December 6, 2022
- 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. 2023-01:** A RESOLUTION APPOINTING MEMBERS OF THE BUDGET ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340
 - B. RESOLUTION No. 2023-02:** A RESOLUTION APPOINTING MEMBERS OF THE CITIZENS' LAW ENFORCEMENT ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340
 - C. RESOLUTION No. 2023-03:** A RESOLUTION APPOINTING TRUSTEES TO SERVE ON THE GENERAL EMPLOYEES' PENSION PLAN BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340
 - D. RESOLUTION No. 2023-04:** A RESOLUTION APPOINTING MEMBERS TO SERVE ON THE HISTORIC LANDMARK PRESERVATION BOARD; APPOINTING AT-LARGE MEMBERS; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND

SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- E. **RESOLUTION No. 2023-05:** A RESOLUTION APPOINTING MEMBERS OF THE HUMAN RESOURCES BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- F. **RESOLUTION No. 2023-06:** A RESOLUTION APPOINTING TRUSTEES TO SERVE ON THE FIREFIGHTERS' PENSION TRUST FUND BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- G. **RESOLUTION No. 2023-07:** A RESOLUTION APPOINTING TRUSTEES TO SERVE ON THE POLICE OFFICERS' PENSION TRUST FUND BOARD; ESTABLISHING TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- H. **RESOLUTION No. 2023-08:** A RESOLUTION APPOINTING MEMBERS OF THE NEIGHBORHOOD IMPROVEMENT ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- I. **RESOLUTION No. 2023-09:** A RESOLUTION APPOINTING MEMBERS OF THE PLANNING BOARD; APPOINTING AT-LARGE MEMBERS; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- J. **RESOLUTION No. 2023-10:** A RESOLUTION APPOINTING MEMBERS OF THE GOODWILL AMBASSADOR PROGRAM; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- K. **RESOLUTION No. 2023-11:** A RESOLUTION APPOINTING A REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE AS MEMBERS OF THE RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION; ESTABLISHING TERM AND CONDITIONS OF SERVICE; SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- L. **RESOLUTION No. 2023-12:** A RESOLUTION APPOINTING A REPRESENTATIVE AS A MEMBER OF THE RIVER TO SEA BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE; ESTABLISHING TERM AND CONDITIONS OF SERVICE; SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- M. **RESOLUTION No. 2023-13:** A RESOLUTION APPOINTING A

REPRESENTATIVE AS A MEMBER OF THE RIVER TO SEA CITIZENS ADVISORY COMMITTEE; ESTABLISHING TERM AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- N. **RESOLUTION No. 2023-14:** A RESOLUTION APPOINTING A REPRESENTATIVE TO SERVE AS A MEMBER OF THE BOARD OF DIRECTORS OF ORMOND MAIN STREET, INC.; SETTING FORTH TERM AND CONDITIONS OF SERVICE; SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- O. **RESOLUTION No. 2023-15:** A RESOLUTION APPOINTING A REPRESENTATIVE TO SERVE AS A MEMBER OF THE OPIOID ABATEMENT FUNDING ADVISORY BOARD; ESTABLISHING TERM AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- P. **RESOLUTION No. 2023-16:** A RESOLUTION APPOINTING A REPRESENTATIVE TO SERVE AS A MEMBER OF THE BOARD OF DIRECTORS OF FIRST STEP SHELTER, INC.; ESTABLISHING TERM AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- Q. **RESOLUTION No. 2023-17:** A RESOLUTION AUTHORIZING EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR FISCAL YEAR 2022-2023 BETWEEN THE CITY AND THE COUNTY OF VOLUSIA; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Loretta Moisio, Grants Coordinator, (386) 676-3315

- R. **RESOLUTION No. 2023-18:** A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD FROM THE STATE OF FLORIDA, OFFICE OF THE ATTORNEY GENERAL REGARDING FUNDING FOR THE CITY'S VICTIM'S ADVOCATE PROGRAM; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS INCIDENTAL THERETO, INCLUDING ANY CONTRACT NECESSARY FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Loretta Moisio, Grants Coordinator, (386) 676-3315

- S. **RESOLUTION No. 2023-19:** A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN PUBLIC SAFETY CADETS AND THE CITY OF ORMOND BEACH; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Jesse Godfrey, Police Chief, (386) 676-3500

- T. **RESOLUTION No. 2023-20:** A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT RENEWAL OF A TOWING RELATED SERVICES CONTRACT BETWEEN THE CITY OF ORMOND BEACH AND UNIVERSAL TOWING, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Jesse Godfrey, Police Chief, (386) 676-3500

- U. **RESOLUTION No. 2023-21:** A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF BASKETBALL BACKSTOPS FROM H2I GROUP TO BE INSTALLED AT THE SOUTH ORMOND NEIGHBORHOOD CENTER GYM; AUTHORIZING EXECUTION OF AN AGREEMENT; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Alex Schumann, City Engineer, (386) 676-3302

- V. **RESOLUTION No. 2023-22:** A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF A PEERLESS HIGH SERVICE PUMP FROM TOM EVANS ENVIRONMENTAL FOR THE CITY'S WATER TREATMENT PLANT; AUTHORIZING THE EXECUTION OF A PURCHASE AUTHORIZATION; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Shawn Finley, Public Works Director, (386) 676-3292

- W. **RESOLUTION No. 2023-23:** A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PUBLIC ACCESS, MAINTENANCE AND UTILITY EASEMENT FROM PLANTATION OAKS OF ORMOND BEACH II, LLC, FOR PROPERTY LOCATED WITHIN PLANTATION OAKS, PHASE 2B, PART OF THE "NATIONAL GARDENS TRUST" DEVELOPMENT OF REGIONAL IMPACT AND PLANTATION OAKS PLANNED RESIDENTIAL DEVELOPMENT; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director, (386) 676-3341

- X. **RESOLUTION No. 2023-24:** A RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN ACCESS, MAINTENANCE AND UTILITY EASEMENT FOR A PUBLIC LIFT STATION FROM ADJ HUNTERS RIDGE, LLC, LOCATED IN THE "CELEDINE" SUBDIVISION, A PORTION OF THE HUNTER'S RIDGE DEVELOPMENT OF REGIONAL IMPACT (DRI) LOCATED IN FLAGLER COUNTY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director, (386) 676-3341

- Y. **RESOLUTION No. 2023-25:** A RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN ACCESS, MAINTENANCE AND UTILITY EASEMENT FROM ADJ HUNTERS RIDGE, LLC, LOCATED IN THE "CELEDINE" SUBDIVISION, A PORTION OF THE HUNTER'S RIDGE DEVELOPMENT OF REGIONAL IMPACT (DRI) LOCATED IN FLAGLER COUNTY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director, (386) 676-3341

- Z. **RESOLUTION No. 2023-26:** A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR SERVICES BETWEEN THE CITY AND HALIFAX HUMANE SOCIETY, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Jesse Godfrey, Police Chief, (386) 676-3500

- AA. **Construction & Demolition Franchise Renewal for GEL Recycling LLC**

Staff Contact: Kevin Gray, Deputy Public Works Director,

(386) 676-3325
Disposition: Approve as recommended in the City Manager memorandum dated January 10, 2023.

BB. Intent to Bid - 2023 Storm and Sewer Lining

Staff Contact: Alex Schumann, City Engineer, (386) 676-3302

Disposition: Approve as recommended in the City Manager memorandum dated January 10, 2023.

CC. Intent to Bid - Upgrade of Police Department Firearms and Accessories

Staff Contact: Jesse Godfrey, Police Chief, (386) 676-3500

Disposition: Approve as recommended in the City Manager memorandum dated January 10, 2023.

DD. Travel Approval for the City Commission

Staff Contact: Joyce Shanahan, City Manager, (386) 676-3200

Disposition: Approve as recommended in the City Manager memorandum dated January 10, 2023.

8. PUBLIC HEARINGS

- A. ORDINANCE NO. 2022-38:** AN ORDINANCE AMENDING THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING SECTION 2-17, R-4, SINGLE-FAMILY CLUSTER AND TOWNHOUSE ZONING DISTRICT; SECTION 2-18, R-5, MULTIFAMILY MEDIUM DENSITY ZONING DISTRICT; AND SECTION 2-19, R-6, MULTIFAMILY MEDIUM-HIGH DENSITY ZONING DISTRICT, OF ARTICLE II, DISTRICT REGULATIONS, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS; AND BY AMENDING SUBSECTION (84), OF SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, OF ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, TO AMEND THE DIMENSIONAL STANDARDS AND CONDITIONAL USE CRITERIA FOR TOWNHOUSES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Steven Spraker, Planning Director, (386) 676-3341

- B. ORDINANCE NO. 2022-39:** AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE III, GENERAL REGULATIONS, SECTION 2-50, ACCESSORY USES, SUBSECTIONS (Z) POOLS, AND (CC) SCREEN PORCHES/ENCLOSURES, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE REQUIRED REAR YARD SETBACK FOR SCREEN ENCLOSURES FROM TEN FEET TO FIVE FEET, AND BY AMENDING THE REQUIRED SIDE YARD SETBACK FOR SCREEN ENCLOSURES FROM SEVEN AND ONE-HALF FEET TO FIVE FEET; REPEALING ALL

INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Steven Spraker, Planning Director, (386) 676-3341

- C. **ORDINANCE NO. 2022-40:** AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE II, ADMINISTRATION AND ENFORCEMENT, SECTION 1-14, DEVELOPMENT ORDERS AND BUILDING PERMITS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE EXPIRATION OF VARIANCES FROM ONE YEAR TO TWO YEARS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Steven Spraker, Planning Director, (386) 676-3341

- D. **ORDINANCE NO. 2022-41:** AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE VII, NORTH U.S. HIGHWAY 1 INTERLOCAL PLANNING AND MUNICIPAL SERVICE AREA, DIVISION 2, ITINERANT MERCHANT REGULATIONS FOR RECOGNIZED SPECIAL EVENTS AND OUTDOOR ENTERTAINMENT ACTIVITY; TEMPORARY CAMPSITES PROHIBITED, SECTION 2-84, MUNICIPAL SERVICE AREA AND JOINT PLANNING AREA; PURPOSE, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Steven Spraker, Planning Director, (386) 676-3341

- E. **ORDINANCE NO. 2023-01:** AN ORDINANCE APPROVING THE FINAL PLAT FOR THE “CUPOLA AT OCEANSIDE” SUBDIVISION, A PLANNED RESIDENTIAL DEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director, (386) 676-3341

- F. **ORDINANCE NO. 2023-02:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, VACATING A PORTION OF WEST STREET, A PLATTED PUBLIC RIGHT-OF-WAY LYING WEST OF 363 PUTNAM AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4240-03-08-0150); REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director, (386) 676-3341

- G. **ORDINANCE NO. 2023-03:** AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF THREE PARCELS OF REAL PROPERTY TOTALING 4.25± ACRES LOCATED AT 264 SOUTH ATLANTIC AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4214-18-06-0010), 225 MAGNOLIA

DRIVE (VOLUSIA COUNTY PARCEL NUMBER 4214-20-04-0010), AND 300 SOUTH ATLANTIC AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4214-20-02-0010) FROM “PUBLIC/INSTITUTIONAL” TO “LOW INTENSITY COMMERCIAL” FOR APPROXIMATELY 0.76 ACRES AND FROM “PUBLIC/INSTITUTIONAL” TO “LOW DENSITY RESIDENTIAL” FOR APPROXIMATELY 3.49 ACRES; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director, (386) 676-3341

- H. **ORDINANCE NO. 2023-04:** AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE TWO PARCELS OF REAL PROPERTY TOTALING APPROXIMATELY 2.95 ACRES LOCATED AT 251 SOUTH ATLANTIC AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4214-19-07-0010) AND A PORTION OF 264 SOUTH ATLANTIC AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4214-18-06-0010) FROM B-6, OCEANFRONT TOURIST COMMERCIAL AND B-1, PROFESSIONAL OFFICE/HOSPITAL, TO PBD, PLANNED BUSINESS DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director, (386) 676-3341

- I. **ORDINANCE NO. 2023-05:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 251 SOUTH ATLANTIC AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4214-19-07-0010) AND A PORTION OF 264 SOUTH ATLANTIC AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4214-18-06-0010), TO BE KNOWN AS THE “ORMOND BEACH HOLDINGS, LLC”; AUTHORIZING THE DEVELOPMENT OF THE PROPERTY AS A HOTEL AND REMOTE PARKING LOT AND ASSOCIATED SITE IMPROVEMENTS UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director, (386) 676-3341

- J. **ORDINANCE NO. 2023-06:** AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE PORTIONS OF THREE PARCELS OF REAL PROPERTY TOTALING APPROXIMATELY 1.70 ACRES LOCATED AT A PORTION OF 264 SOUTH ATLANTIC AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4214-18-06-0010), A PORTION OF 225 MAGNOLIA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4214-20-04-0010), AND A PORTION OF 300 SOUTH ATLANTIC AVENUE (VOLUSIA COUNTY PARCEL

NUMBER 4214-20-02-0010) FROM B-1, PROFESSIONAL OFFICE/HOSPITAL TO R-3, SINGLE-FAMILY MEDIUM DENSITY; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director, (386) 676-3341

- K. **ORDINANCE NO. 2023-07:** AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF TWO PARCELS OF REAL PROPERTY TOTALING APPROXIMATELY 13.13 ACRES GENERALLY LOCATED SOUTH OF THE PLATTED ROAD OF PENNSYLVANIA AVENUE AND ALONG THE PLATTED ROADWAYS OF ROSEMARY STREET AND BENTON STREET, WEST OF PLANTATION OAKS BOULEVARD, (VOLUSIA COUNTY PROPERTY APPRAISER PARCEL IDENTIFICATION NUMBERS: 3136-01-08-0010 AND 3136-01-09-0001) FROM ORMOND BEACH “LOW INTENSITY COMMERCIAL” TO “MEDIUM DENSITY RESIDENTIAL”; LIMITING THE ALLOWED RESIDENTIAL DENSITY TO EIGHT UNITS PER ACRE; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director, (386) 676-3341

9. RESOLUTIONS

- A. **RESOLUTION No. 2023-27:** A RESOLUTION APPOINTING MEMBERS OF THE AVIATION ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- B. **RESOLUTION No. 2023-28:** A RESOLUTION APPOINTING MEMBERS AND ALTERNATE MEMBERS OF THE BOARD OF ADJUSTMENT AND APPEALS; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- C. **RESOLUTION No. 2023-29:** A RESOLUTION APPOINTING MEMBERS OF THE BROWNFIELD ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- D. **RESOLUTION No. 2023-30:** A RESOLUTION APPOINTING MEMBERS OF THE LEISURE SERVICES ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- E. **RESOLUTION No. 2023-31:** A RESOLUTION APPOINTING MEMBERS OF THE QUALITY OF LIFE ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

- F. **RESOLUTION No. 2023-32:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR “ARCHER’S MILL PHASE 1”, SHOWN AS PHASE 3A IN THE PLANTATION OAKS PLANNED RESIDENTIAL DEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director, (386) 676-3341

10. REPORTS, SUGGESTIONS, REQUESTS

11. ADJOURNMENT

MINUTES

Item #1 – Meeting Call to Order

Mayor Partington called the meeting to order at 7:01 p.m.

Item #2 – Invocation

Pastor Neal Ganzel, Coquina Presbyterian Church, provided the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 – Presentations and Proclamations

Item #4A – HOMe for the HOLIDAYS Parade Award Winners

Mr. Brian Daly, HOMe for the HOLIDAYS Parade Chairman, thanked the sponsors, parade judges, parade board members, city staff and police department. He announced the winners of the Walkers Division: Saint James Episcopal Church, Coastal Florida Police and Fire Pipes and Drums and Tomoka Elementary School; winners of the Vehicles Division: Realty Pros Assured, Rotary Club of Downtown Ormond Beach and Universal Towing; and winners of the Floats Division: Iron Horse Saloon/United Rentals/Hot Action Sports Wear, European Performing Arts Conservatory and Iglesia Riquezas on Gloria. He presented the Ormond Beach MainStreet President Cup to Abaco Windows and awarded Best of Show to Ormond Beach Elementary School.

Item #4B – Human Trafficking Awareness Month

Mayor Partington presented Ormond Beach Police Department Victim Advocate Ms. Evelyn Rebostini with a proclamation declaring January 2023 as human trafficking awareness month, and urged all to take efforts in ending human trafficking. He noted the city was thankful for a police department that was committed to eradicating human trafficking.

Ms. Evelyn Rebostini, Victim Advocate, discussed future training for citizens and thanked the Commission for their support.

Ms. Aletha Baxter, foster parent for Deveraux Advanced Behavioral Health Florida, thanked the Mayor, Commission and Ms. Rebostini for their work and support of her work with human trafficking.

Item #5 – Audience Remarks

Mr. Jerry Valcik, 236 Ormwood Drive, encouraged the Commission to look into electric vehicles for the city’s fleet instead of traditional vehicles due to environmental factors.

Ms. Monique Coll, 594 North Beach Street, stated her dog died after a brutal attack from a neighboring home’s loose aggressive dog. She voiced her concerns regarding safety for her other dog, other neighborhood dogs, and citizens. She requested the Commission look into how to prevent future attacks.

Mr. Doyle Lewis, no listed address, discussed mental illness, lack of bicycle racks and the aggressive dog attack.

Item #6 – Approval of Minutes

Mayor Partington advised the minutes of the December 6, 2022, meeting had been sent to the Commission for review and were posted on the city’s website for public viewing. He asked for any corrections, additions, or omissions. He stated that hearing no corrections, the minutes would stand approved as presented.

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of the December 6, 2022, City Commission meetings minutes.

The motion passed by voice vote.

Item #7 – Consent Agenda

Mayor Partington advised the actions proposed for the items on the Consent Agenda were so stated on the agenda. He asked if any member of the Commission had questions or wished to discuss any items separately.

Commissioner Sargent requested Item 7Z be pulled from the Consent Agenda.

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of the consent agenda, absent Item 7Z.

Call Vote:	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
Carried.	Mayor Partington	Yes

Item #7Z – Halifax Humane Society Contract

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-26
A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT
FOR SERVICES BETWEEN THE CITY AND HALIFAX HUMANE
SOCIETY, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of Resolution No. 2023-26, as read by title only.

Commissioner Sargent inquired if the city could direct the Halifax Humane Society’s costs from the city to the animal owner; whereby, Ms. Joyce Shanahan, City Manager, stated a majority of the fees were directed to the animal owners and explained there were a few instances where the city paid due to a public safety issue.

Mr. Randy Hayes, City Attorney, stated under the Florida Statute the city can collect the fees regarding the investigation, boarding and euthanization from the animal owner and explained that was not part of the Halifax Humane Society agreement, but was part of normal operations. He explained the city was looking to revise the ordinances surrounding aggressive dogs.

Commissioner Persis expressed condolences on behalf of the Commission to Ms. Coll for the lose of her dog.

Call Vote:	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
Carried.	Mayor Partington	Yes

Comments on the Consent Agenda

Commissioner Persis and Commissioner Sargent discussed their support of Item 7CC, the upgrade of the Police Department firearms and accessories.

Item #8 – Public Hearings

Mayor Partington opened the Public Hearings.

Item #8A – Land Development Code Amendment, Townhouses in the R-4, R-5, and R-6 Zoning Districts

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2022-38
AN ORDINANCE AMENDING THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING SECTION 2-17, R-4, SINGLE-FAMILY CLUSTER AND TOWNHOUSE ZONING DISTRICT; SECTION 2-18, R-5, MULTIFAMILY MEDIUM DENSITY ZONING DISTRICT; AND SECTION 2-19, R-6, MULTIFAMILY MEDIUM-HIGH DENSITY ZONING DISTRICT, OF ARTICLE II, DISTRICT REGULATIONS, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS; AND BY AMENDING SUBSECTION (84), OF SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, OF ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, TO AMEND THE DIMENSIONAL STANDARDS AND CONDITIONAL USE CRITERIA FOR TOWNHOUSES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Persis moved, seconded by Commissioner Briley, for approval of Ordinance No. 2022-38, on second reading, as read by title only.

Call Vote:	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
Carried.	Mayor Partington	Yes

Item #8B – Land Development Code Amendment, Section 2-50, Screen Porches/Enclosures

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2022-39
AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE III, GENERAL REGULATIONS, SECTION 2-50, ACCESSORY USES, SUBSECTIONS (Z) POOLS, AND (CC) SCREEN PORCHES/ENCLOSURES, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE REQUIRED REAR YARD SETBACK FOR SCREEN ENCLOSURES FROM TEN FEET TO FIVE FEET, AND BY AMENDING THE REQUIRED SIDE YARD SETBACK FOR SCREEN ENCLOSURES FROM SEVEN AND ONE-HALF FEET TO FIVE FEET; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Briley moved, seconded by Commissioner Tolland, for approval of Ordinance No. 2022-39, on second reading, as read by title only.

Call Vote:	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
Carried.	Mayor Partington	Yes

Item #8C – Land Development Code Amendment, Section 1-14, Variance Expiration

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2022-40
AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE II, ADMINISTRATION AND ENFORCEMENT, SECTION 1-14, DEVELOPMENT ORDERS AND BUILDING PERMITS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE EXPIRATION OF VARIANCES FROM ONE YEAR TO TWO YEARS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.
(SECOND READING)

Commissioner Tolland moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2022-40, on second reading, as read by title only.

Call Vote:	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
Carried.	Mayor Partington	Yes

Item #8D – Land Development Code Amendment - Chapter 2, Article VII Division 2, Section 2-84(a) Municipal Service Area

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2022-41
AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE VII, NORTH U.S. HIGHWAY 1 INTERLOCAL PLANNING AND MUNICIPAL SERVICE AREA, DIVISION 2, ITINERANT MERCHANT REGULATIONS FOR RECOGNIZED SPECIAL EVENTS AND OUTDOOR ENTERTAINMENT ACTIVITY; TEMPORARY CAMPSITES PROHIBITED, SECTION 2-84, MUNICIPAL SERVICE AREA AND JOINT PLANNING AREA; PURPOSE, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Persis moved, seconded by Commissioner Tolland, for approval of Ordinance No. 2022-41, on second reading, as read by title only.

Call Vote:	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
Carried.	Mayor Partington	Yes

Item #8E – Cupola at Oceanside, Final Plat

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-01
AN ORDINANCE APPROVING THE FINAL PLAT FOR THE “CUPOLA AT OCEANSIDE” SUBDIVISION, A PLANNED RESIDENTIAL DEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Steven Spraker, Planning Director, explained the item was to approve a final plat at 100 North Halifax Drive that was reviewed by the city surveyor, city attorney and the Site Plan Review Committee.

Commissioner Persis moved, seconded by Commissioner Briley, for approval of Ordinance No. 2023-01, on first reading, as read by title only.

Call Vote:	Commissioner Persis	Yes
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	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
Carried.	Mayor Partington	Yes

Item #8F – West Street, Partial Right-of-Way Vacation

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-02
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, VACATING A PORTION OF WEST STREET, A PLATTED PUBLIC RIGHT-OF-WAY LYING WEST OF 363 PUTNAM AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4240-03-08-0150); REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker stated the request was for a partial right-of-way vacation at 363 Putnam Avenue and reviewed the next steps if approved.

Commissioner Sargent moved, seconded by Commissioner Briley, for approval of Ordinance No. 2023-02, on first reading, as read by title only.

Call Vote:	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
Carried.	Mayor Partington	Yes

Item #8G – Small Scale Comprehensive Plan Land Use Map Amendment, 264 South Atlantic Avenue, 225 Magnolia Drive, and 300 South Atlantic Avenue

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-03
AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF THREE PARCELS OF REAL PROPERTY TOTALING 4.25± ACRES LOCATED AT 264 SOUTH ATLANTIC AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4214-18-06-0010), 225 MAGNOLIA DRIVE (VOLUSIA COUNTY PARCEL NUMBER 4214-20-04-0010), AND 300 SOUTH ATLANTIC AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4214-20-02-0010) FROM “PUBLIC/INSTITUTIONAL” TO “LOW INTENSITY COMMERCIAL” FOR APPROXIMATELY 0.76 ACRES AND FROM “PUBLIC/INSTITUTIONAL” TO “LOW DENSITY RESIDENTIAL” FOR APPROXIMATELY 3.49 ACRES; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker reviewed a PowerPoint and noted the PowerPoint would be for Items 8G, 8H, 8I and 8J regarding the Ormond Beach Holdings, LLC applications. He summarized the first application was for a land use amendment, the second and third applications were for a zoning map amendment to Planned Business Development (PBD) and issuance of a development order and the fourth application was for a zoning map amendment to R-3 Single-Family Residential. He noted there would be a fifth application before the Commission at a future meeting. He explained for Item 8G it would allow the land use amendment from Public/Institutional to Low Intensity Commercial to allow for a parking lot associated with the host hotel and to Low Density Residential. He stated Items 8H was to allow a zoning map amendment from Oceanfront Tourist Commercial to PBD and from Professional Office/Hospital to PBD. He explained Item 8I was for the issuance of a development order for the PBD. He stated the proposed development was for a hotel at 251 South Atlantic Avenue. He reviewed the proposed site plan and proposed building elevations.

Ms. Margaret Sharifi, 210 Valencia Drive, voiced her concerns regarding the public notification process, project timelines and traffic patterns.

Mr. Rob Merrell, Cobb Cole, thanked Mr. Spraker and staff for their work with the project. He reviewed the Planning Board meeting and neighborhood meeting that took place.

Mr. Chris Sandkunler, Studio Z Architecture, stated the project was a Residence Inn by Marriott and would be 5 stories with 137 rooms and discussed its features. He showed a short video of the proposed hotel. He reviewed the single-family homes and explained the homes match the style of the hotel with the old-Florida styling.

Commissioner Persis expressed her excitement for the project and inquired if the crosswalk had lights; whereby, Mr. Spraker indicated there would be flashing lights.

Mr. Merrell stated the crosswalks would be completed by Florida Department of Transportation.

Commissioner Persis inquired to the number of cars that would fit in the drop off location; whereby, Mr. Merrell stated between four and eight. She complimented the proposed parking and inquired about the seawall; whereby Mr. Merrell stated a new seawall would be built and described the updated design. She disclosed she spoke with the applicant regarding the project.

Commissioner Briley discussed his support of the projects. He inquired if there would be extensive vegetation buffers between the parking lot and homes; whereby, Mr. Merrell stated there would be a buffer. Commissioner Briley disclosed he spoke with the applicant prior to the meeting.

Commissioner Sargent voiced his support of the item and inquired about the fill of the lots compared to the neighboring residents; whereby, Mr. Merrell stated the property was on the dune so there would not be too much fill. Commissioner Sargent disclosed he had a phone call with the applicant prior to the meeting.

Mr. Merrell discussed the updated stormwater improvements.

Commissioner Tolland disclosed she had phone conversation with the applicant and noted she was on the Planning Board when the item passed through the Planning Board. She discussed her support of the project and its features. She requested the notification process of alerting neighbors within 300 feet of the project be brought before the Commission as a discussion item.

Mayor Partington disclosed he spoke with the applicant prior to the meeting.

Commissioner Briley moved, seconded by Commissioner Persis, for approval of Ordinance No. 2023-03, on first reading, as read by title only.

Call Vote:	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
Carried.	Mayor Partington	Yes

Item #8H – Zoning Map Amendment, Ormond Beach Holdings LLC, 251 South Atlantic Avenue and a portion of 264 South Atlantic Avenue

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-04
AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE TWO PARCELS OF REAL PROPERTY TOTALING APPROXIMATELY 2.95 ACRES LOCATED AT 251 SOUTH ATLANTIC AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4214-19-07-0010) AND A PORTION OF 264 SOUTH ATLANTIC AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4214-18-06-0010) FROM B-6, OCEANFRONT TOURIST COMMERCIAL AND B-1, PROFESSIONAL OFFICE/HOSPITAL, TO PBD, PLANNED BUSINESS DEVELOPMENT;

AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Doyle voiced his concerns regarding the project and traffic issues in the area.

Commissioner Persis moved, seconded by Commissioner Briley, for approval of Ordinance No. 2023-04, on first reading, as read by title only.

Call Vote:	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
Carried.	Mayor Partington	Yes

Item #8I – Issuance of a Development Order, Ormond Beach Holdings, LLC, 251 South Atlantic Avenue and a portion of 264 South Atlantic Avenue

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-05
AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 251 SOUTH ATLANTIC AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4214-19-07-0010) AND A PORTION OF 264 SOUTH ATLANTIC AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4214-18-06-0010), TO BE KNOWN AS THE “ORMOND BEACH HOLDINGS, LLC”; AUTHORIZING THE DEVELOPMENT OF THE PROPERTY AS A HOTEL AND REMOTE PARKING LOT AND ASSOCIATED SITE IMPROVEMENTS UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Sargent moved, seconded by Commissioner Tolland, for approval of Ordinance No. 2023-05, on first reading, as read by title only.

Call Vote:	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
Carried.	Mayor Partington	Yes

Item #8J – Zoning Map Amendment, Ormond Beach Holdings, LLC portions of 264 South Atlantic Avenue, 225 Magnolia Avenue, and 300 South Atlantic Avenue

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-06
AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE PORTIONS OF THREE PARCELS OF REAL PROPERTY TOTALING APPROXIMATELY 1.70 ACRES LOCATED AT A PORTION OF 264 SOUTH ATLANTIC AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4214-18-06-0010), A PORTION OF 225 MAGNOLIA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4214-20-04-0010), AND A PORTION OF 300 SOUTH ATLANTIC AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4214-20-02-0010) FROM B-1, PROFESSIONAL OFFICE/HOSPITAL TO R-3, SINGLE-FAMILY MEDIUM DENSITY; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Briley moved, seconded by Commissioner Persis, for approval of Ordinance No. 2023-06, on first reading, as read by title only.

Call Vote:	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
Carried.	Mayor Partington	Yes

Item #8K – Small Scale Comprehensive Plan Land Use Map Amendment RidgeHaven West

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-07

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF TWO PARCELS OF REAL PROPERTY TOTALING APPROXIMATELY 13.13 ACRES GENERALLY LOCATED SOUTH OF THE PLATTED ROAD OF PENNSYLVANIA AVENUE AND ALONG THE PLATTED ROADWAYS OF ROSEMARY STREET AND BENTON STREET, WEST OF PLANTATION OAKS BOULEVARD, (VOLUSIA COUNTY PROPERTY APPRAISER PARCEL IDENTIFICATION NUMBERS: 3136-01-08-0010 AND 3136-01-09-0001) FROM ORMOND BEACH “LOW INTENSITY COMMERCIAL” TO “MEDIUM DENSITY RESIDENTIAL”; LIMITING THE ALLOWED RESIDENTIAL DENSITY TO EIGHT UNITS PER ACRE; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained the item was a comprehensive land use map amendment from low intensity commercial to medium density residential. He stated with the change it would be more in line with abutting properties. He explained the land use amendment provided a framework for use and density and noted any site development would go before the Site Plan Review Committee and dependent upon the content would go before the Commission. He reviewed the next steps if approved.

Commissioner Tolland stated the density would go no higher than eight units per acre; whereby, Mr. Spraker explained that was correct and noted there was no increase in density.

Mr. Glenn Storch, Applicant, stated the issue with the commercial designation was lack of access to the site and noted with the lower density of the proposed designation it would help lower potential traffic and utility impacts.

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-07, on first reading, as read by title only.

Call Vote:	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
Carried.	Mayor Partington	Yes

Mayor Partington closed the public hearings.

Item #9 – Resolutions

Item #9A – Aviation Advisory Board Appointments

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-27

A RESOLUTION APPOINTING MEMBERS OF THE AVIATION ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Briley moved, seconded by Commissioner Persis, for approval of Resolution No. 2023-27, as read by title only.

Mayor Partington stated that his nomination, Dr. Bruce Manne, held a hangar lease agreement with the city. He noted that pursuant to Section 2-205 of the Code of Ordinances, the conflict of interest may be waived by a two-thirds vote of the Commission.

Commissioner Persis explained the Zone 3 nomination, Ms. Michelle Widick, was employed by Zev Cohen and Associates, a civil engineering firm that performed engineering services under contract with the city. She stated that pursuant to Section 2-205 of the Code of Ordinances, the conflict of interest may be waived by a two-thirds vote of the Commission.

Commissioner Briley stated the Zone 4 nomination, Mr. Todd Phillips, was employed by Waste Pro, a solid waste collections vendor under contract with the city. He noted that pursuant to Section 2-205 of the Code of Ordinances, the conflict of interest may be waived by a two-thirds vote of the Commission.

Mayor Partington noted Dr. Manne, Ms. Widick and Mr. Phillips would be required to abstain from voting on any issues before the Aviation Advisory Board that would be perceived as a conflict of interest.

Commissioner Persis moved, seconded by Commissioner Tolland, to waive the conflict.

Call Vote:	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
Carried.	Mayor Partington	Yes

Mayor Partington asked City Clerk Ms. Susan Dauderis to call the vote on the underlying appointing resolution.

Call Vote:	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
Carried.	Mayor Partington	Yes

Item #9B – Board of Adjustments and Appeals Advisory Board Appointments

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-28
A RESOLUTION APPOINTING MEMBERS AND ALTERNATE MEMBERS OF THE BOARD OF ADJUSTMENT AND APPEALS; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Persis moved, seconded by Commissioner Briley, for approval of Resolution No. 2023-28, as read by title only.

Commissioner Tolland stated the Zone 1 nomination, Mr. Jake Stehr, was employed by Zev Cohen and Associates, a civil engineering firm that performed engineering services under contract with the city. She explained that pursuant to Section 2-205 of the Code of Ordinances, the conflict of interest may be waived by a two-thirds vote of the Commission.

Mayor Partington noted that Mr. Stehr would be required to abstain from voting on any issues before the Board of Adjustments and Appeals that would be perceived as a conflict of interest.

Commissioner Briley moved, seconded by Commissioner Tolland, to waive the conflict.

Call Vote:	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes

Carried.	Commissioner Briley	Yes
	Mayor Partington	Yes

Mayor Partington asked City Clerk Ms. Susan Dauderis to call the vote on the underlying appointing resolution.

Call Vote:	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
Carried.	Mayor Partington	Yes

Item #9C – Brownfield Advisory Board Appointments

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-29
A RESOLUTION APPOINTING MEMBERS OF THE BROWNFIELD
ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF
SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Sargent moved, seconded by Commissioner Tolland, for approval of Resolution No. 2023-29, as read by title only.

Commissioner Tolland stated the Zone 1 nomination, Mr. Jake Stehr, was employed by Zev Cohen & Associates, an engineering firm that performed engineering services under contract with the city. She explained that pursuant to Section 2-205 of the Code of Ordinances, the conflict of interest may be waived by a two-thirds vote of the Commission.

Mayor Partington noted that Mr. Stehr would be required to abstain from voting on any issues before the Brownfield Advisory Board that would be perceived as a conflict of interest.

Commissioner Persis moved, seconded by Commissioner Briley, to waive the conflict.

Call Vote:	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
Carried.	Mayor Partington	Yes

Mayor Partington asked City Clerk Ms. Susan Dauderis to call the vote on the underlying appointing resolution.

Call Vote:	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
Carried.	Mayor Partington	Yes

Item #9D – Leisure Services Advisory Board Appointments

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-30
A RESOLUTION APPOINTING MEMBERS OF THE LEISURE SERVICES
ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF
SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of Resolution No. 2023-30, as read by title only.

Mayor Partington stated that Youth Soccer’s nomination, Mr. Rob Bowling, was employed by Brown and Brown Insurance, an insurance brokerage firm under contract with the city. He noted that pursuant to Section 2-205 of the Code of Ordinances, the conflict of interest may be waived by a two-thirds vote of the Commission. He explained

that Mr. Bowling would be required to abstain from voting on any issues before the Leisure Services Advisory Board that would be perceived as a conflict of interest.

Commissioner Briley moved, seconded by Commissioner Sargent, to waive the conflict.

Call Vote:	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
Carried.	Mayor Partington	Yes

Mayor Partington asked City Clerk Ms. Susan Dauderis to call the vote on the underlying appointing resolution.

Call Vote:	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
Carried.	Mayor Partington	Yes

Item #9E – Quality of Life Advisory Board Appointments

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-31
A RESOLUTION APPOINTING MEMBERS OF THE QUALITY OF LIFE
ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF
SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of Resolution No. 2023-31, to include Mr. Sam Walter and Mr. Doug Thomas Jr. as the At-Large appointments.

Mayor Partington requested the Commission consider Mr. Evan Altes in place of Mr. Walter as Mr. Walter was appointed to two boards. He stated Mr. Altes was a young professional in the community, he noted Mr. Brian Nave and Mr. Gordon Currie who were nominated by Commissioner Briley were involved in the community.

Commissioner Briley and Commissioner Sargent rescinded their motions.

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of Resolution No. 2023-31, to include Mr. Evan Altes and Mr. Doug Thomas Jr.

Call Vote:	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
Carried.	Mayor Partington	Yes

Item #9F – Archer’s Mill, Phase 3A Preliminary Plat, Plantation Oaks Planned Residential Development

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-32
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT
FOR “ARCHER’S MILL PHASE 1”, SHOWN AS PHASE 3A IN THE
PLANTATION OAKS PLANNED RESIDENTIAL DEVELOPMENT;
ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL;
AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained the item was for a preliminary plat for Archer’s Mill, which was part of the Plantation Oaks Planned Residential Development. He stated there were 94 lots on approximately 42 acres and explained the streets within the subdivision would be private. He discussed the features of the property.

Commissioner Persis moved, seconded by Commissioner Tolland, for approval of Resolution No. 2023-32, as read by title only.

Call Vote:	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
Carried.	Mayor Partington	Yes

Item #10 – Reports, Suggestions, Requests

Events and Congratulations

Ms. Shanahan reviewed future workshops including one on January 24, 2023, January 31, 2023 and February 7, 2023 and noted the annual workshops in June and July, 2023. She stated the Florida League of Cities Action Days (Action Days) was scheduled for April 3 through April 5, 2023 and noted the conflicting Commission meeting scheduled for April 4, 2023. She looked for Commission direction on the conflict.

Mayor Partington stated he would be in favor of finding an alternate date to allow the Commission to attend Action Days.

Ms. Shanahan stated she would look into alternate dates and bring them back to the Commission. She informed the Commission of future events including Starry Starry Night, Martin Luther King Jr. Breakfast and Arbor Day.

Commissioner Persis, Commissioner Briley complimented the parade and discussed the fun they had attending.

Commissioner Persis discussed Holidays at the Casements and complimented the event. She stated she went to Paradise Pointe, an assisted living facility, and noted it was a great facility. She explained she would be unable to attend Starry Starry Night and the Martin Luther King Breakfast due to a prior commitment.

Commissioner Briley stated he would be unable to attend the Martin Luther King Breakfast due to a prior commitment.

Commissioner Tolland complimented the city holiday events and stated she was looking forward to the future workshops. She stated she hoped for a discussion regarding updating the aggressive dog ordinance. She congratulated the citizens appointed to the advisory boards and encouraged them to be active in their participation.

Commissioner Sargent encouraged residents to attend the monthly Family Art Night at the Ormond Memorial Art Museum.

Mayor Partington thanked Commissioner Persis for her words to Ms. Coll regarding the aggressive dog and stated he would like a discussion on updating the ordinance. He stated the Commission could discuss the public notification of public hearing items and potentially adding a social media component. He discussed the Martin Luther King Breakfast and stated he looked forward to seeing residents at the events.

Andy Romano Beachfront Park

Ms. Shanahan presented photographs on the seawall damage at Andy Romano Beachfront Park. She stated the goal was to open a part of the park as soon as possible and fence off the sections that were not accessible. She stated the splash pad and playground would be closed and noted the stairs to the beach were washed away during the 2022 hurricanes. She explained the pavilions and bathrooms would be open.

Mayor Partington inquired about the age of the seawall; whereby, Ms. Shanahan stated it was over 50 years old.

Commissioner Sargent requested the website be updated to include the Andy Romano Beachfront Park update as well as other updates from around the city to help keep the residents informed.

Mayor Partington agreed with updating the website noting there were a few sites that he would prefer to be streamlined and more user friendly.

First Responders

Commissioner Sargent stated he was pleased to support the dedicated millage for first responder equipment but noted his concern regarding their mental health. He explained he was available if any first responders wished to talk with him. He read an editorial about Ormond Beach Police Chief Jesse Godfrey from the Ormond Beach Observer and expressed his support of Chief Godfrey.

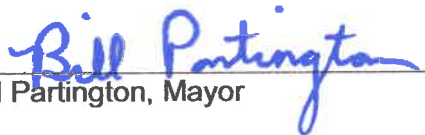
Mayor Partington discussed his support of Chief Godfrey. He stated staff made efforts to let the employees know there were services available and would remind staff after difficult situations of the resources available.

Item #11 – Adjournment

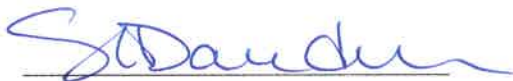
The meeting was adjourned at 9:01 p.m.

APPROVED: January 24, 2023

BY:


Bill Partington, Mayor

ATTEST:


Susan Carroll Dauderis,
City Clerk

