

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

June 6, 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, City Clerk Susan Carroll Dauderis and Assistant City Clerk Taylor Lochert.

A G E N D A

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 5. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting - May 16, 2023
- 6. 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. 2023-96:** A RESOLUTION OF THE CITY OF ORMOND BEACH ENDORSING THE CITY'S 2023-2027 STRATEGIC ECONOMIC DEVELOPMENT PLAN; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Brian Rademacher, Economic Development Director, (386) 676-3266
 - B. **RESOLUTION NO. 2023-97:** A RESOLUTION APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL PLAN FOR THE 2023-2024 FISCAL YEAR; AFFIRMING AND RATIFYING ALL ACTION TAKEN IN FURTHERANCE THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Loretta Moisio, Grants Coordinator, (386) 676-3315
 - C. **RESOLUTION NO. 2023-98:** A RESOLUTION AUTHORIZING THE EXECUTION OF A STANDARD GRANT AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE STATE OF FLORIDA, DEPARTMENT OF ENVIRONMENTAL PROTECTION, FOR FUNDING ASSISTANCE REGARDING THE SEPTIC TO SEWER CONVERSION PROJECT; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY AND INCIDENTAL THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Shawn Finley, Public Works Director, (386) 676-3292
 - D. **RESOLUTION NO. 2023-99:** A RESOLUTION ACCEPTING A BID FROM ALPHA GENERAL SERVICES, LLC FOR THE PURCHASE OF PRETREATMENT EFFLUENT PUMPS ON AN AS-NEEDED BASIS, UNDER BID NO. 2023-21; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Bob Preis, Utilities Manager, (386) 676-3305

- E. **RESOLUTION NO. 2023-100:** A RESOLUTION ACCEPTING THE BID OF SANDERSON CONCRETE CONSTRUCTION, INC. REGARDING THE NORTH RIDGEWOOD AVE. EAST SIDE SIDEWALK IMPROVEMENTS PROJECT, UNDER BID NO. 2023-12; REJECTING ALL OTHER BIDS; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **RESOLUTION NO. 2023-101:** A RESOLUTION ACCEPTING A PROPOSAL FROM PARKER MYNCHENBERG & ASSOCIATES, INC. TO PROVIDE DESIGN SERVICES REGARDING THE CONSTRUCTION OF NEW FILTERS 5 AND 6 AND A NEW MAINTENANCE FACILITY AT THE WATER TREATMENT PLANT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Bob Preis, Utilities Manager, (386) 676-3305

- G. **RESOLUTION NO. 2023-102:** A RESOLUTION RATIFYING, AFFIRMING AND AUTHORIZING EXPENDITURES FOR POND FOUNTAIN MAINTENANCE AND REPAIRS FROM EDENFIELD CORPORATION; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Kevin Gray, Deputy Public Works Director, (386) 676-3325

- H. **RESOLUTION NO. 2023-103:** A RESOLUTION AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION BETWEEN THE CITY OF ORMOND BEACH AND UNIVERSAL ENGINEERING SCIENCES, INC. FOR THE PROVISION OF BUILDING INSPECTION SERVICES ON AN AS-NEEDED BASIS; AUTHORIZING PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- I. **RESOLUTION NO. 2023-104:** A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF JAMES C. PARSONS AND CARRIE QUINN, RELEASING A SEWER EASEMENT LOCATED WITHIN THE REAR YARD AT 362 RIVERSIDE DRIVE; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- J. **RESOLUTION NO. 2023-105:** A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PUBLIC UTILITY, ACCESS AND MAINTENANCE EASEMENT FROM JAMES C. PARSONS AND CARRIE QUINN FOR PROPERTY LOCATED AT 362 RIVERSIDE DRIVE, IN CONJUNCTION WITH A SEWER RELOCATION PROJECT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- K. **RESOLUTION NO. 2023-106:** A RESOLUTION APPROVING THE APPLICATION OF LOW AND SLOW AVIATION LLC D/B/A/ CUBFLYING.COM, TO PROVIDE SERVICES AS A CATEGORY 2 FIXED BASE OPERATOR AT THE ORMOND BEACH MUNICIPAL AIRPORT; ESTABLISHING CONDITIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Lichliter, Airport Manager, (386) 615-7019

- L. **RESOLUTION NO. 2023-107:** A RESOLUTION AUTHORIZING THE EXECUTION OF A CHANGE ORDER TO THE EXISTING AGREEMENT WITH TYLER TECHNOLOGIES INC., REGARDING AN ENTERPRISE RESOURCE SYSTEM DOCUMENT MANAGEMENT PROGRAM, INCLUDING IMPLEMENTATION, HOSTING AND MAINTENANCE SERVICES; AUTHORIZING PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Steven Spraker, Planning Director, (386) 676-3341
- M. **Intent to Bid - Annual Supply of Chemicals for Water and Wastewater**
Staff Contact: Bob Preis, Utilities Manager, (386) 676-3305
Disposition: Approve as recommended in the City Manager memorandum dated June 6, 2023.
- N. **Intent to Bid - Doug Thomas Way Extension**
Staff Contact: Alex Schumann, City Engineer, (386) 676-3302
Disposition: Approve as recommended in the City Manager memorandum dated June 6, 2023.
- O. **Intent to Bid - Arbor Drive Drainage Improvements**
Staff Contact: Alex Schumann, City Engineer, (386) 676-3302
Disposition: Approve as recommended in the City Manager memorandum dated June 6, 2023.
- P. **Bid Rejection for 2022 Water Treatment Plant Improvements, Bid No. 2022-15**
Staff Contact: Bob Preis, Utilities Manager, (386) 676-3305
Disposition: Approve as recommended in the City Manager memorandum dated June 6, 2023.

7. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2023-09:** 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 CONSISTING OF APPROXIMATELY 19.62 ACRES LOCATED AT 36 NORTH TYMBER CREEK ROAD (VOLUSIA COUNTY PARCEL NUMBER 4125-00-00-0221) AND 2011 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4125-00-00-0243) FROM VOLUSIA COUNTY RC, RESOURCE CORRIDOR, VOLUSIA COUNTY A-2, AGRICULTURE, AND ORMOND BEACH B-8, COMMERCIAL, TO PLANNED BUSINESS DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**
Staff Contact: Steven Spraker, Planning Director, (386) 676-3341
- B. **ORDINANCE NO. 2023-10:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 36 NORTH TYMBER CREEK ROAD (VOLUSIA COUNTY PARCEL NUMBER 4125-00-00-0221) AND 2011 WEST GRANADA

BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4125-00-00-0243), TO BE KNOWN AS THE "TYMBER CREEK APARTMENTS"; AUTHORIZING THE DEVELOPMENT OF 270 MULTI-FAMILY RESIDENTIAL UNITS AND ASSOCIATED SITE IMPROVEMENTS UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- C. **ORDINANCE NO. 2023-25:** 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 NINE (9) CERTAIN PARCELS OF REAL PROPERTY TOTALING APPROXIMATELY 103.45 ACRES LOCATED SOUTH OF PLANTATION OAKS BOULEVARD, EAST OF ADDISON DRIVE, NORTH OF THE VILLAGE OF PINE RUN SUBDIVISION, AND WEST OF THE PLANTATION OAKS SUBDIVISION (VOLUSIA COUNTY PARCEL NUMBERS: 3136-01-01-0011, 3136-01-01-0012, 3136-01-33-0110, 3136-01-25-0010, 3136-01-24-0060, 3136-01-33-0080, 3136-01-01-0020, 3136-01-23-0060, AND 3136-01-24-0050) FROM VOLUSIA COUNTY R-4, URBAN SINGLE-FAMILY RESIDENTIAL, AND ORMOND BEACH B-8, COMMERCIAL, TO ORMOND BEACH, PLANNED RESIDENTIAL DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- D. **ORDINANCE NO. 2023-26:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A PLANNED RESIDENTIAL DEVELOPMENT DEVELOPMENT ORDER FOR THE "RIDGEHAVEN" SUBDIVISION, AUTHORIZING A SUBDIVISION OF 286 LOTS ON APPROXIMATELY 103.45 ACRES TO BE LOCATED SOUTH OF PLANTATION OAKS BOULEVARD, EAST OF ADDISON DRIVE, NORTH OF THE VILLAGE OF PINE RUN SUBDIVISION, AND WEST OF THE PLANTATION OAKS SUBDIVISION; ESTABLISHING CONDITIONS AND EXPIRATION OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- E. **ORDINANCE NO. 2023-27:** 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 ONE PARCEL OF REAL PROPERTY TOTALING 3.06± ACRES LOCATED AT 1755 NORTH U.S. HIGHWAY 1 (VOLUSIA COUNTY PARCEL NUMBER 3126-00-00-0150) FROM "LOW INTENSITY COMMERCIAL" TO "LIGHT INDUSTRIAL/UTILITIES"; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- F. **ORDINANCE NO. 2023-28:** 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 ONE PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 3.06 ACRES LOCATED AT 1755 NORTH U.S. HIGHWAY 1 (VOLUSIA COUNTY PARCEL NUMBER 3126-00-00-0150), FROM B-7, HIGHWAY TOURIST COMMERCIAL, TO I-1, LIGHT INDUSTRIAL; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- G. **ORDINANCE NO. 2023-29:** AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-21, T-2, MANUFACTURED HOME ZONING DISTRICT, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY CREATING SPECIAL STANDARDS FOR PREVIOUSLY EXISTING MANUFACTURED/MOBILE HOME PARKS; 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

- H. **ORDINANCE NO. 2023-30:** AN ORDINANCE AMENDING SECTION 1-25, RESERVED, OF ARTICLE IV, SCHEDULE OF DEVELOPMENT REVIEW AND IMPACT FEES, OF CHAPTER 1, GENERAL ADMINISTRATION, TO IMPLEMENT THE WATER AND WASTEWATER UTILITY SYSTEM CONNECTION FEE STUDY BY CREATING THE WATER AND WASTEWATER CONNECTION FEE SECTION; AMENDING SECTION 1-26, MOBILITY FEE, OF ARTICLE IV, SCHEDULE OF DEVELOPMENT REVIEW AND IMPACT FEES, OF CHAPTER 1, GENERAL ADMINISTRATION, TO AMEND THE PERSON TRIP MOBILITY FEE PER THE MUNICIPAL IMPACT FEE STUDY; AMENDING SECTION 1-27, IMPACT FEES, OF ARTICLE IV, SCHEDULE OF DEVELOPMENT REVIEW AND IMPACT FEES, OF CHAPTER 1, GENERAL ADMINISTRATION, TO DELETE STORMWATER IMPACT FEES, AMEND LOCAL ROAD IMPACT FEES, AND CREATE POLICE AND FIRE IMPACT FEES PER THE MUNICIPAL IMPACT FEE STUDY AND POLICE AND FIRE IMPACT FEE STUDY; AMENDING SECTION 1-30, CERTIFICATE OF CONCURRENCY REQUIRED, OF ARTICLE V, CONCURRENCY MANAGEMENT, OF CHAPTER 1, GENERAL ADMINISTRATION; AMENDING SECTION 3-57, POTABLE WATER SYSTEM, OF ARTICLE V, UTILITY AND INFRASTRUCTURE DESIGN STANDARDS, OF CHAPTER 3, PERFORMANCE STANDARDS; AMENDING SECTION 3-59, SANITARY SEWER SYSTEMS, OF ARTICLE V, UTILITY AND INFRASTRUCTURE DESIGN STANDARDS, OF CHAPTER 3, PERFORMANCE STANDARDS; AMENDING SECTION 3-60 RECLAIMED WATER SYSTEMS, OF ARTICLE V, UTILITY AND INFRASTRUCTURE DESIGN STANDARDS, OF CHAPTER 3, PERFORMANCE STANDARDS; AMENDING SECTION 3-61, UTILITY LINE EXTENSIONS, OF ARTICLE V, UTILITY AND INFRASTRUCTURE DESIGN STANDARDS, OF CHAPTER 3, PERFORMANCE STANDARDS; AMENDING SECTION 3-62, WHOLESALE SALE OF POTABLE WATER, SEWAGE TREATMENT OR RECLAIMED

WATER, OF ARTICLE V, UTILITY AND INFRASTRUCTURE DESIGN STANDARDS, OF CHAPTER 3, PERFORMANCE STANDARDS; AMENDING SECTION 3-65, INTERIM PACKAGE-TYPE WASTEWATER TREATMENT FACILITIES, OF ARTICLE V, UTILITY AND INFRASTRUCTURE DESIGN STANDARDS, OF CHAPTER 3, PERFORMANCE STANDARDS; OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, TO IMPLEMENT THE RECOMMENDATIONS OF THE WATER AND WASTEWATER UTILITY SYSTEM CONNECTION FEE STUDY, MUNICIPAL IMPACT FEE STUDY, AND POLICE & FIRE IMPACT FEE STUDY; 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

- I. **ORDINANCE NO. 2023-31:** AN ORDINANCE AMENDING SECTION 8-10, APPLICATION PROCESSING FEES, OF ARTICLE I, IN GENERAL, OF CHAPTER 8, BUILDINGS AND CONSTRUCTION REGULATIONS; REPEALING SECTION 8-421, PURPOSE AND INTENT, OF ARTICLE IX, IMPACT FEES, OF CHAPTER 8, BUILDINGS AND CONSTRUCTION REGULATIONS; REPEALING SECTION 8-422, FEES IMPOSED, OF ARTICLE IX, IMPACT FEES, OF CHAPTER 8, BUILDINGS AND CONSTRUCTION REGULATIONS; REPEALING SECTION 8-423, IMPACT FEE FINANCING, OF ARTICLE IX, IMPACT FEES, OF CHAPTER 8, BUILDINGS AND CONSTRUCTION REGULATIONS; REPEALING SECTION 22-2, DETERMINATION OF EQUIVALENT LIVING UNITS, OF DIVISION 1, GENERALLY, OF ARTICLE I, WATER, OF CHAPTER 22, WATER AND SEWERS; AMENDING SECTION 22-29, SPECIAL PROVISIONS FOR WATER FOR IRRIGATION AND SWIMMING POOLS, OF DIVISION 2, RATES AND CHARGES, OF ARTICLE I, WATER, OF CHAPTER 22, WATER AND SEWERS; REPEALING SECTION 22-115, FEE IMPOSED; SCHEDULE, OF ARTICLE III, IMPACT FEE FOR SYSTEM EXTENSIONS, OF CHAPTER 22, WATER AND SEWERS; REPEALING SECTION 22-118, PROPERTY SUBJECT TO FEE; METHOD OF PAYMENT, OF ARTICLE III, IMPACT FEE FOR SYSTEM EXTENSIONS, OF CHAPTER 22, WATER AND SEWERS; REPEALING SECTION 22-119, IMPACT FEE FINANCING, OF ARTICLE III, IMPACT FEE FOR SYSTEM EXTENSIONS, OF CHAPTER 22, WATER AND SEWERS; AMENDING SECTION 22-132, LEGISLATIVE FINDINGS; PURPOSE, OF ARTICLE IV, HUNTER'S RIDGE-FLAGLER COUNTY DRI SERVICE AREA, OF CHAPTER 22, WATER AND SEWERS; AMENDING SECTION 22-133, SERVICE AREA, DEFINED, OF ARTICLE IV, HUNTER'S RIDGE-FLAGLER COUNTY DRI SERVICE AREA, OF CHAPTER 22, WATER AND SEWERS; AMENDING SECTION 22-135, RATES FOR WATER AND SEWER SERVICES; IMPACT FEES, OF ARTICLE IV, HUNTER'S RIDGE-FLAGLER COUNTY DRI SERVICE AREA, OF CHAPTER 22, WATER AND SEWERS; AMENDING SECTION 22-140, IMPACT FEES, OF ARTICLE IV, HUNTER'S RIDGE-FLAGLER COUNTY DRI SERVICE AREA, OF CHAPTER 22, WATER AND SEWERS; AMENDING SECTION 22-162, BOUNDARIES AND PURPOSE, OF ARTICLE VI, WEST ORMOND UTILITIES DISTRICT, OF CHAPTER 22, WATER AND SEWERS; AMENDING SECTION 22-165, IMPACT FEES, OF ARTICLE VI, WEST ORMOND UTILITIES DISTRICT, OF CHAPTER 22, WATER AND SEWERS; AMENDING SECTION 22-168, OUTSIDE CITY SERVICE, OF ARTICLE VI, WEST ORMOND UTILITIES DISTRICT, OF CHAPTER 22, WATER AND SEWERS; AND AMENDING SECTION 22-169, CONNECTIONS REQUIRED, OF ARTICLE VI,

WEST ORMOND UTILITIES DISTRICT, OF CHAPTER 22, WATER AND SEWERS; OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH TO IMPLEMENT THE RECOMMENDATIONS OF THE WATER AND WASTEWATER UTILITY SYSTEM CONNECTION FEE STUDY, MUNICIPAL IMPACT FEE STUDY, AND POLICE & FIRE IMPACT FEE STUDY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- J. **ORDINANCE NO. 2023-33:** AN ORDINANCE ANNEXING A PORTION OF HARMONY AVENUE RIGHT-OF-WAY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY LOCATED AT THE INTERSECTION OF HULL ROAD AND HARMONY AVENUE, BISECTING 1399 HULL TRAIL; SETTING FORTH ZONING PRIVILEGES AND OBLIGATIONS REGARDING THE RIGHT-OF-WAY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE RIGHT-OF-WAY; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE RIGHT-OF-WAY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

- K. **RESOLUTION NO. 2023-108:** A RESOLUTION OF THE CITY OF ORMOND BEACH, FLORIDA CITY COMMISSION, VACATING PORTIONS OF THE REVISED PLAT OF NATIONAL GARDENS, AS RECORDED IN MAP OR PLAT BOOK 10, PAGES 250 THROUGH 253 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; PROVIDING FOR VACATION OF PLAT; PROVIDING FOR IMPLEMENTING ACTIONS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- L. **RESOLUTION NO. 2023-109:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR THE "RIDGEHAVEN" 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

8. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2023-34:** AN ORDINANCE AMENDING SECTION 5-1, DEFINITIONS, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-10, ANIMALS CONSTITUTING A NUISANCE PROHIBITED, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-13, FEEDING OF FERAL OR STRAY ANIMALS PROHIBITED, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-23, RUNNING AT LARGE PROHIBITED OF ARTICLE II, LIVESTOCK, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-25, NOTICE OF IMPOUNDING, OF ARTICLE II, LIVESTOCK, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-62, LICENSES ANNUAL; FEE, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-67, DUPLICATE TAGS, OF ARTICLE III,

DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-69, RUNNING AT LARGE PROHIBITED, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING 5-70, IMPOUNDING OF VIOLATORS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-72, RESPONSIBILITY FOR PAYMENT AND RECLAIMING AFTER IMPOUNDMENT, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-78, DANGEROUS DOGS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-79, EXCEPTIONS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-80, INVESTIGATION AND DETERMINATION OF DANGEROUS DOG, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-81, ACTION TO BE TAKEN BY OWNERS/KEEPERS OF DANGEROUS DOGS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-82, RESERVED, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-83, OPTIONAL ACTION, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Randy Hayes, City Attorney, (386) 676-3217

9. SECOND READING OF ORDINANCES

- A. **ORDINANCE NO. 2023-32:** AN ORDINANCE AMENDING SECTION 2-221, LEISURE SERVICES ADVISORY BOARD, OF ARTICLE VI, BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES, OF CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES, BY AMENDING COMPOSITION AND TERMS; PROVIDING TERMS AND CONDITIONS; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

10. REPORTS, SUGGESTIONS, REQUESTS

11. ADJOURNMENT

MINUTES

Item #1 – Meeting Call to Order

Mayor Partington called the meeting to order at 7:00 p.m.

Item #2 – Invocation

Chaplain Sam Mercado, Advent Health, provided the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 – Presentation and Proclamations

Item 4A – ReGrow the Loop

Volusia County Council Member Troy Kent provided the Commission ReGrow the Loop stickers and stated he hoped the City would become partners with Volusia County for

the ReGrow the Loop initiative. He discussed where the Ormond Scenic Loop “the Loop” ran and thanked the Commission for their support.

Dr. Bradley Burbaugh, Volusia County Resource Stewardship Director, reviewed the Loop and its features. He explained ReGrow the Loop was a pilot program that would be implemented over the next 12 months. He discussed the goals, activities, and education surrounding the program. He explained Volusia County was asking the partners to market the initiative on social media, contribute to the creation of native plant education, contribute to the development of a top ten list of trees, lead or contribute to the educational activities, and attend partner planning meetings. He played a video reviewing the initiative.

Commissioner Persis inquired if the Florida friendly landscaping was available on the website; whereby, Dr. Burbaugh stated it was not but would look into adding it.

Commissioner Tolland moved, seconded by Commissioner Briley, to partner with and support the ReGrow the Loop pilot program.

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

Item #5 – Audience Remarks

Mr. Frank Gromling, 197 East Granada Boulevard, discussed his concerns regarding the union negotiations and expressed support of the Ormond Beach Police Department and the police union. He encouraged the City Commission to look at the future of the city and consider the police officers when negotiating with the union.

Item #6 – Approval of Minutes

Mayor Partington advised the minutes of the May 16, 2023, 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 hearing no corrections, the minutes would stand approved as presented.

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of the May 16, 2023, 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 Briley moved, seconded by Commissioner Tolland, for approval of the consent agenda.

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

Comments on the Consent Agenda

Commissioner Tolland and Commissioner Briley expressed their support of Item 7C for the Ormond Beach Septic to Sewer Grant Agreement and Item 7N for the Intent to Bid of Doug Thomas Way Extension.

Item #8 – Public Hearings

Mayor Partington opened the Public Hearings.

Item #8A – Zoning Map Amendment, Tymber Creek Apartments

Assistant City Clerk Taylor Lochert read by title only:

ORDINANCE NO. 2023-09

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 CONSISTING OF APPROXIMATELY 19.62 ACRES LOCATED AT 36 NORTH TYMBER CREEK ROAD (VOLUSIA COUNTY PARCEL NUMBER 4125-00-00-0221) AND 2011 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4125-00-00-0243) FROM VOLUSIA COUNTY RC, RESOURCE CORRIDOR, VOLUSIA COUNTY A-2, AGRICULTURE, AND ORMOND BEACH B-8, COMMERCIAL, TO PLANNED BUSINESS DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Mr. Steven Spraker, Planning Director, reviewed Ordinance numbers 2023-09 and 2023-10, explaining 2023-09 was for a zoning map amendment and 2023-10 was for the issuance of a development order. He reviewed the existing zoning, revised site plan, site features, correspondence received and Commission options for the items.

Mr. Mark Watts, Cobb Cole, discussed the commitments from the developer, requirements met and exceeded based on the Land Development Code, Live Local Act, immediate surrounding neighborhoods and provided a comment from the developer.

Ms. Connie Colby, 108 Roble Lane, expressed concerns of zoning.

Mr. William Clark, 41 North Tymber Creek Road, voiced concerns of increased traffic during peak times.

Mr. Al Fritts, 172 Deep Woods Way, expressed his concerns of safety and traffic.

Commissioner Persis moved, seconded by Commissioner Tolland, for approval of Ordinance No. 2023-09, on second reading, as read by title only.

Commissioner Tolland requested Mr. Spraker explain the zoning; whereby, Mr. Spraker stated there was a portion of the property with Volusia County zoning and city land use and noted with a rezoning the property had to be consistent with the Residential Office Retail land use and reviewed the options that were available based on the land use. He explained there were several traffic studies completed dating back to 2000 and noted the Florida Department of Transportation approval. He noted the primary ingress and egress was on West Granada Boulevard. Commissioner Tolland expressed her concerns with the Live Local Act and density, and stated she would approve the project with refrain noting the risks of denial with the Live Local Act.

Commissioner Sargent stated he would not support the project and reviewed his concerns.

Commissioner Persis agreed with Commissioner Tolland's comments and reviewed her concerns regarding the potential outcome with the Live Local Act and noted she would vote in favor of the project.

Commissioner Briley inquired if the project would be luxury or market rate apartments; whereby, Mr. Watts stated they would be Class A Luxury Apartments. Commissioner Briley stated he would prefer to see the project density reduced by 20 units; whereby, Mr. Watts stated it was hard for the density to be lowered based on the costs and amenities. Commissioner Briley stated he would vote in favor of the project due to the potential impact of the Live Local Act.

Mayor Partington stated he would support the project and noted his reservations due to traffic. He reviewed his draft of ten ideas to help with traffic in the area including roadway improvements and additions of businesses on the west side of Ormond Beach. He

discussed the conversations between the developer and adjacent neighborhoods and concerns regarding the Live Local Act.

Call Vote:	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	No
Carried.	Mayor Partington	Yes

Item #8B – Issuance of a Development Order, Tymber Creek Apartments, Planned Business Development

Assistant City Clerk Taylor Lochert read by title only:

ORDINANCE NO. 2023-10
AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 36 NORTH TYMBER CREEK ROAD (VOLUSIA COUNTY PARCEL NUMBER 4125-00-00-0221) AND 2011 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4125-00-00-0243), TO BE KNOWN AS THE “TYMBER CREEK APARTMENTS”; AUTHORIZING THE DEVELOPMENT OF 270 MULTI-FAMILY RESIDENTIAL UNITS AND ASSOCIATED SITE IMPROVEMENTS UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Persis moved, seconded by Commissioner Tolland, for approval of Ordinance No. 2023-10, on second reading, as read by title only.

Call Vote:	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	No
	Commissioner Persis	Yes
Carried.	Mayor Partington	Yes

Item #8C – RidgeHaven Subdivision, Zoning Map Amendment

Assistant City Clerk Taylor Lochert read by title only:

ORDINANCE NO. 2023-25
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 NINE (9) CERTAIN PARCELS OF REAL PROPERTY TOTALING APPROXIMATELY 103.45 ACRES LOCATED SOUTH OF PLANTATION OAKS BOULEVARD, EAST OF ADDISON DRIVE, NORTH OF THE VILLAGE OF PINE RUN SUBDIVISION, AND WEST OF THE PLANTATION OAKS SUBDIVISION (VOLUSIA COUNTY PARCEL NUMBERS: 3136-01-01-0011, 3136-01-01-0012, 3136-01-33-0110, 3136-01-25-0010, 3136-01-24-0060, 3136-01-33-0080, 3136-01-01-0020, 3136-01-23-0060, AND 3136-01-24-0050) FROM VOLUSIA COUNTY R-4, URBAN SINGLE-FAMILY RESIDENTIAL, AND ORMOND BEACH B-8, COMMERCIAL, TO ORMOND BEACH, PLANNED RESIDENTIAL DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-25, 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 – RidgeHaven Subdivision, Issuance of a Development Order

Assistant City Clerk Taylor Lochert read by title only:

ORDINANCE NO. 2023-26

AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A PLANNED RESIDENTIAL DEVELOPMENT DEVELOPMENT ORDER FOR THE “RIDGEHAVEN” SUBDIVISION, AUTHORIZING A SUBDIVISION OF 286 LOTS ON APPROXIMATELY 103.45 ACRES TO BE LOCATED SOUTH OF PLANTATION OAKS BOULEVARD, EAST OF ADDISON DRIVE, NORTH OF THE VILLAGE OF PINE RUN SUBDIVISION, AND WEST OF THE PLANTATION OAKS SUBDIVISION; ESTABLISHING CONDITIONS AND EXPIRATION OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Sargent moved, seconded by Commissioner Tolland, for approval of Ordinance No. 2023-26, on second reading, as read by title only.

Mayor Partington discussed his support of the project.

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

Item #8E – 1755 North U.S. Highway 1, Comprehensive Plan Future Land Use Map Amendment

Assistant City Clerk Taylor Lochert read by title only:

ORDINANCE NO. 2023-27

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 ONE PARCEL OF REAL PROPERTY TOTALING 3.06± ACRES LOCATED AT 1755 NORTH U.S. HIGHWAY 1 (VOLUSIA COUNTY PARCEL NUMBER 3126-00-00-0150) FROM “LOW INTENSITY COMMERCIAL” TO “LIGHT INDUSTRIAL/UTILITIES”; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Briley moved, seconded by Commissioner Tolland, for approval of Ordinance No. 2023-27, 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 #8F – 1755 North U.S. Highway 1, Zoning Map Amendment

Assistant City Clerk Taylor Lochert read by title only:

ORDINANCE NO. 2023-28

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 ONE PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 3.06 ACRES LOCATED AT 1755 NORTH U.S. HIGHWAY 1 (VOLUSIA COUNTY PARCEL NUMBER 3126-00-00-0150), FROM B-7, HIGHWAY TOURIST COMMERCIAL, TO I-1, LIGHT INDUSTRIAL; AUTHORIZING REVISION OF OFFICIAL ZONING MAP;

REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF;
AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Persis moved, seconded by Commissioner Briley, for approval of Ordinance No. 2023-28, 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 #8G – Land Development Code Amendment, T-2 Zoning District, Special Standards

Assistant City Clerk Taylor Lochert read by title only:

ORDINANCE NO. 2023-29
AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-21, T-2, MANUFACTURED HOME ZONING DISTRICT, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY CREATING SPECIAL STANDARDS FOR PREVIOUSLY EXISTING MANUFACTURED/MOBILE HOME PARKS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Sargent moved, seconded by Commissioner Tolland, for approval of Ordinance No. 2023-29, 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 #8H – Land Development Code Amendment, Connection, Mobility and Impact Fees

Assistant City Clerk Taylor Lochert read by title only:

ORDINANCE NO. 2023-30
AN ORDINANCE AMENDING SECTION 1-25, RESERVED, OF ARTICLE IV, SCHEDULE OF DEVELOPMENT REVIEW AND IMPACT FEES, OF CHAPTER 1, GENERAL ADMINISTRATION, TO IMPLEMENT THE WATER AND WASTEWATER UTILITY SYSTEM CONNECTION FEE STUDY BY CREATING THE WATER AND WASTEWATER CONNECTION FEE SECTION; AMENDING SECTION 1-26, MOBILITY FEE, OF ARTICLE IV, SCHEDULE OF DEVELOPMENT REVIEW AND IMPACT FEES, OF CHAPTER 1, GENERAL ADMINISTRATION, TO AMEND THE PERSON TRIP MOBILITY FEE PER THE MUNICIPAL IMPACT FEE STUDY; AMENDING SECTION 1-27, IMPACT FEES, OF ARTICLE IV, SCHEDULE OF DEVELOPMENT REVIEW AND IMPACT FEES, OF CHAPTER 1, GENERAL ADMINISTRATION, TO DELETE STORMWATER IMPACT FEES, AMEND LOCAL ROAD IMPACT FEES, AND CREATE POLICE AND FIRE IMPACT FEES PER THE MUNICIPAL IMPACT FEE STUDY AND POLICE AND FIRE IMPACT FEE STUDY; AMENDING SECTION 1-30, CERTIFICATE OF CONCURRENCY REQUIRED, OF ARTICLE V, CONCURRENCY MANAGEMENT, OF CHAPTER 1, GENERAL ADMINISTRATION; AMENDING SECTION 3-57, POTABLE WATER SYSTEM, OF ARTICLE V, UTILITY AND INFRASTRUCTURE DESIGN STANDARDS, OF CHAPTER 3, PERFORMANCE STANDARDS; AMENDING SECTION 3-59, SANITARY SEWER SYSTEMS, OF ARTICLE V, UTILITY AND INFRASTRUCTURE DESIGN STANDARDS, OF CHAPTER 3, PERFORMANCE STANDARDS; AMENDING SECTION 3-60 RECLAIMED WATER SYSTEMS, OF ARTICLE V, UTILITY AND INFRASTRUCTURE DESIGN STANDARDS, OF CHAPTER 3, PERFORMANCE STANDARDS; AMENDING SECTION 3-61, UTILITY

LINE EXTENSIONS, OF ARTICLE V, UTILITY AND INFRASTRUCTURE DESIGN STANDARDS, OF CHAPTER 3, PERFORMANCE STANDARDS; AMENDING SECTION 3-62, WHOLESale SALE OF POTABLE WATER, SEWAGE TREATMENT OR RECLAIMED WATER, OF ARTICLE V, UTILITY AND INFRASTRUCTURE DESIGN STANDARDS, OF CHAPTER 3, PERFORMANCE STANDARDS; AMENDING SECTION 3-65, INTERIM PACKAGE-TYPE WASTEWATER TREATMENT FACILITIES, OF ARTICLE V, UTILITY AND INFRASTRUCTURE DESIGN STANDARDS, OF CHAPTER 3, PERFORMANCE STANDARDS; OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, TO IMPLEMENT THE RECOMMENDATIONS OF THE WATER AND WASTEWATER UTILITY SYSTEM CONNECTION FEE STUDY, MUNICIPAL IMPACT FEE STUDY, AND POLICE & FIRE IMPACT FEE STUDY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.
(SECOND READING)

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-30, 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 #8I – Code of Ordinance Amendments, Connection, Mobility and Impact Fees

Assistant City Clerk Taylor Lochert read by title only:

ORDINANCE NO. 2023-31
AN ORDINANCE AMENDING SECTION 8-10, APPLICATION PROCESSING FEES, OF ARTICLE I, IN GENERAL, OF CHAPTER 8, BUILDINGS AND CONSTRUCTION REGULATIONS; REPEALING SECTION 8-421, PURPOSE AND INTENT, OF ARTICLE IX, IMPACT FEES, OF CHAPTER 8, BUILDINGS AND CONSTRUCTION REGULATIONS; REPEALING SECTION 8-422, FEES IMPOSED, OF ARTICLE IX, IMPACT FEES, OF CHAPTER 8, BUILDINGS AND CONSTRUCTION REGULATIONS; REPEALING SECTION 8-423, IMPACT FEE FINANCING, OF ARTICLE IX, IMPACT FEES, OF CHAPTER 8, BUILDINGS AND CONSTRUCTION REGULATIONS; REPEALING SECTION 22-2, DETERMINATION OF EQUIVALENT LIVING UNITS, OF DIVISION 1, GENERALLY, OF ARTICLE I, WATER, OF CHAPTER 22, WATER AND SEWERS; AMENDING SECTION 22-29, SPECIAL PROVISIONS FOR WATER FOR IRRIGATION AND SWIMMING POOLS, OF DIVISION 2, RATES AND CHARGES, OF ARTICLE I, WATER, OF CHAPTER 22, WATER AND SEWERS; REPEALING SECTION 22-115, FEE IMPOSED; SCHEDULE, OF ARTICLE III, IMPACT FEE FOR SYSTEM EXTENSIONS, OF CHAPTER 22, WATER AND SEWERS; REPEALING SECTION 22-118, PROPERTY SUBJECT TO FEE; METHOD OF PAYMENT, OF ARTICLE III, IMPACT FEE FOR SYSTEM EXTENSIONS, OF CHAPTER 22, WATER AND SEWERS; REPEALING SECTION 22-119, IMPACT FEE FINANCING, OF ARTICLE III, IMPACT FEE FOR SYSTEM EXTENSIONS, OF CHAPTER 22, WATER AND SEWERS; AMENDING SECTION 22-132, LEGISLATIVE FINDINGS; PURPOSE, OF ARTICLE IV, HUNTER’S RIDGE-FLAGLER COUNTY DRI SERVICE AREA, OF CHAPTER 22, WATER AND SEWERS; AMENDING SECTION 22-133, SERVICE AREA, DEFINED, OF ARTICLE IV, HUNTER’S RIDGE-FLAGLER COUNTY DRI SERVICE AREA, OF CHAPTER 22, WATER AND SEWERS; AMENDING SECTION 22-135, RATES FOR WATER AND SEWER SERVICES; IMPACT FEES, OF ARTICLE IV, HUNTER’S RIDGE-FLAGLER COUNTY DRI SERVICE AREA, OF CHAPTER 22, WATER AND SEWERS; AMENDING SECTION 22-140, IMPACT FEES, OF ARTICLE IV, HUNTER’S RIDGE-FLAGLER COUNTY DRI SERVICE AREA, OF CHAPTER 22, WATER AND SEWERS; AMENDING SECTION 22-162, BOUNDARIES AND PURPOSE, OF ARTICLE VI, WEST ORMOND UTILITIES DISTRICT, OF CHAPTER 22, WATER AND SEWERS; AMENDING SECTION 22-165, IMPACT

FEES, OF ARTICLE VI, WEST ORMOND UTILITIES DISTRICT, OF CHAPTER 22, WATER AND SEWERS; AMENDING SECTION 22-168, OUTSIDE CITY SERVICE, OF ARTICLE VI, WEST ORMOND UTILITIES DISTRICT, OF CHAPTER 22, WATER AND SEWERS; AND AMENDING SECTION 22-169, CONNECTIONS REQUIRED, OF ARTICLE VI, WEST ORMOND UTILITIES DISTRICT, OF CHAPTER 22, WATER AND SEWERS; OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH TO IMPLEMENT THE RECOMMENDATIONS OF THE WATER AND WASTEWATER UTILITY SYSTEM CONNECTION FEE STUDY, MUNICIPAL IMPACT FEE STUDY, AND POLICE & FIRE IMPACT FEE STUDY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Sargent moved, seconded by Commissioner Persis, for approval of Ordinance No. 2023-31, 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 #8J – Portion of Harmony Avenue, Annexation

Assistant City Clerk Taylor Lochert read by title only:

ORDINANCE NO. 2023-33
AN ORDINANCE ANNEXING A PORTION OF HARMONY AVENUE RIGHT-OF-WAY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY LOCATED AT THE INTERSECTION OF HULL ROAD AND HARMONY AVENUE, BISECTING 1399 HULL TRAIL; SETTING FORTH ZONING PRIVILEGES AND OBLIGATIONS REGARDING THE RIGHT-OF-WAY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE RIGHT-OF-WAY; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE RIGHT-OF-WAY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker stated the item was a request from Volusia County to annex a portion of Harmony Avenue, noting the city already maintains the right-of-way due to an Interlocal Boundary Agreement from 2004.

Commissioner Briley moved, seconded by Commissioner Persis, for approval of Ordinance No. 2023-33, 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 – RidgeHaven Subdivision, Partial Plat Vacation

Assistant City Clerk Taylor Lochert read by title only:

RESOLUTION NO. 2023-108
A RESOLUTION OF THE CITY OF ORMOND BEACH, FLORIDA CITY COMMISSION, VACATING PORTIONS OF THE REVISED PLAT OF NATIONAL GARDENS, AS RECORDED IN MAP OR PLAT BOOK 10, PAGES 250 THROUGH 253 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; PROVIDING FOR VACATION OF PLAT; PROVIDING FOR IMPLEMENTING ACTIONS; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of Resolution No. 2023-108, as read by title only.

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

Item #8L – RidgeHaven, Preliminary Plat

Assistant City Clerk Taylor Lochert read by title only:

RESOLUTION NO. 2023-109
 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR THE “RIDGEHAVEN” SUBDIVISION, A PLANNED RESIDENTIAL DEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Sargent moved, seconded by Commissioner Persis, for approval of Resolution No. 2023-109, as read by title only.

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

Mayor Partington closed the public hearings.

Item #9 – First Reading of Ordinances

Item #9A – Amendment to Code of Ordinances, Chapter 5 Animals and Fowl

Assistant City Clerk Taylor Lochert read by title only:

ORDINANCE NO. 2023-34
 AN ORDINANCE AMENDING SECTION 5-1, DEFINITIONS, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-10, ANIMALS CONSTITUTING A NUISANCE PROHIBITED, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-13, FEEDING OF FERAL OR STRAY ANIMALS PROHIBITED, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-23, RUNNING AT LARGE PROHIBITED OF ARTICLE II, LIVESTOCK, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-25, NOTICE OF IMPOUNDING, OF ARTICLE II, LIVESTOCK, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-62, LICENSES ANNUAL; FEE, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-67, DUPLICATE TAGS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-69, RUNNING AT LARGE PROHIBITED, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING 5-70, IMPOUNDING OF VIOLATORS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-72, RESPONSIBILITY FOR PAYMENT AND RECLAIMING AFTER IMPOUNDMENT, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-78, DANGEROUS DOGS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-79, EXCEPTIONS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-80, INVESTIGATION AND DETERMINATION OF DANGEROUS DOG, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-81, ACTION TO BE TAKEN BY OWNERS/KEEPERS OF DANGEROUS DOGS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-82, RESERVED, OF ARTICLE III, DOGS AND

CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-83, OPTIONAL ACTION, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Randy Hayes, City Attorney, explained the item was prepared by the Commissions request to clean up the ordinance regarding dangerous dogs, noting the ordinance creates a category for an aggressive dog and did not redefine the statutory definition of a dangerous dog.

Mayor Partington thanked Mr. Hayes and Deputy City Attorney Ann-Margret Emery for their work on the item.

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-34, 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 #10 – Second Reading of Ordinances

Item #10A – Amendment to Section 2-221 of the Code of Ordinances, Leisure Services Advisory Board - Elimination of positions for Girls' Softball and Ormond Beach Friends of Recreation

Assistant City Clerk Taylor Lochert read by title only:

ORDINANCE NO. 2023-32
AN ORDINANCE AMENDING SECTION 2-221, LEISURE SERVICES ADVISORY BOARD, OF ARTICLE VI, BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES, OF CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES, BY AMENDING COMPOSITION AND TERMS; PROVIDING TERMS AND CONDITIONS; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Briley stated he hoped the item would help the board meet their quorum for their meetings as that was a major issue with the board.

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-32, 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 #12 – Reports, Suggestions, Requests

Events and Congratulations.

Ms. Joyce Shanahan, City Manager, congratulated Ormond Beach Police Officer Gregory Stokes on his time as the School Resource Officer at Ormond Beach Middle School.

Ms. Shanahan reminded the Commission of the upcoming workshop on July 18, 2023. She reviewed upcoming events, provided updates on projects, and shared information regarding the city’s summer camp programs.

Commissioner Tolland discussed the events she attended and hosted and congratulated Mr. Paul Holub on being awarded the Outstanding Citizen Award. She thanked the City Attorney’s Office for their work on Item 9A regarding dangerous dogs and Dr. Burbaugh for presenting on the ReGrow the Loop initiative.

Commissioner Sargent reviewed the events he attended and thanked Officer Stokes for his commitment to the community.

Commissioner Persis congratulated Officer Stokes and Mr. Holub. She discussed the events she attended.

Commissioner Briley reviewed the events he attended and proclamations he presented. He congratulated Mayor Partington on his role within the Volusia County Transportation Planning Organization (TPO) and requested the TPO members look into other avenues of funding for the roadways. He congratulated Mr. Holub on his award and expressed his support of Officer Stokes.

Mayor Partington thanked staff for their work on the Capital Improvement Plan and workshop. He stated City Clerk Susan Dauderis showed great leadership in providing the opportunity for her staff to cross-train positions. He discussed the events he attended and congratulated Officer Stokes.

Healthcare

Commissioner Tolland discussed Dispatch Health and the benefits they offer noting the need for health care on the beach side and noted Advent Health was looking to add 400 beds to their Daytona Beach hospital.

Dogs on the Beach

Commissioner Briley stated he received many correspondences from concerned citizens regarding dogs on the beach and inquired if the Commission had interest in asking Volusia County to move the dog friendly areas in front of parks.

Mayor Partington felt the city was in a good position, because the letter of support submitted by the city to Volusia County suggested the dog friendly area be in front of Michael Crotty Bicentennial Park. He noted when he receives correspondence from concerned citizens he lets them know it was a county issue as the city had no control over the beaches.

Historical Society Lease

Commissioner Briley inquired about the Ormond Beach Historical Society Lease; whereby, Mr. Robert Carolin, Leisure Services Director, stated the president of the Historical Society would put together a proposal for the Commission to review. Commissioner Briley inquired if the Historical Society was looking for a 50-year lease; whereby, Mr. Carolin stated the Historical Society was looking for a 50-year lease.

Mr. Hayes stated a ten-year lease was signed earlier in 2023 and approved by the Commission.

Electronic Signs

Commissioner Briley inquired if the Commission would be interested in staff looking into informational electronic signage around the city; whereby, Commissioner Tolland was supportive.

Mayor Partington briefly reviewed the history of electronic signs and stated he would support a discussion and to revisit where things left off.

Ms. Shanahan confirmed staff would review where things left off regarding electronic message signs and bring information back to the Commission.

Tymler Creek Apartments

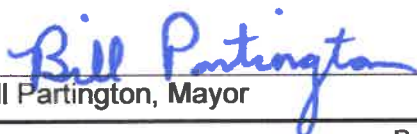
Commissioner Briley stated his vote would have been different if the Live Local Act was not a concern.

Item #13 – Adjournment

The meeting was adjourned at 8:50 p.m.

APPROVED: July 18, 2023

BY:


Bill Partington, Mayor

ATTEST:



Susan Carroll Dauderis,
City Clerk

