

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

August 1, 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. Janet Frank
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting - July 18, 2023
- 7. COMMUNITY REDEVELOPMENT AGENCY**
 - A. **RESOLUTION NO. 2023-120:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA ACCEPTING A BID FROM LATOUR ENTERPRIZES, INC. D/B/A ECONOMY ELECTRIC CO. FOR CONSTRUCTION SERVICES REGARDING THE DOWNTOWN EAST GRANADA UTILITY UNDERGROUNDING PROJECT, UNDER BID NO. 2023-24; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 8A)**
Staff Contact: Alex Schumann, City Engineer, (386) 676-3302
- 8. 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. 2023-120:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA ACCEPTING A BID FROM LATOUR ENTERPRIZES, INC. D/B/A ECONOMY ELECTRIC CO. FOR CONSTRUCTION SERVICES REGARDING THE DOWNTOWN EAST GRANADA UTILITY UNDERGROUNDING PROJECT, UNDER BID NO. 2023-24; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Alex Schumann, City Engineer, (386) 676-3302
 - B. **RESOLUTION NO. 2023-121:** A RESOLUTION ACCEPTING A BID FROM ALGAT ENTERPRISES, INC. FOR CONSTRUCTION SERVICES REGARDING THE SPRING MEADOWS SIDEWALK REPAIR PROJECT, UNDER BID NO. 2023-01; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR;

REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2023-122:** A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION IN SUPPORT OF PLANNING AND FUNDING OF VOLUSIA COUNTY TRANSPORTATION SYSTEM PROJECTS; AUTHORIZING THE EXPENDITURE OF FUNDING AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2023-123:** A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY UNDER THE HAZARD MITIGATION GRANT PROGRAM FOR FUNDING ASSISTANCE RELATIVE TO CONSTRUCTION OF A PUMP STATION ON FLEMING AVENUE; 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: *Alex Schumann, City Engineer, (386) 676-3302*

- E. **RESOLUTION NO. 2023-124:** A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY UNDER THE HAZARD MITIGATION GRANT PROGRAM FOR FUNDING ASSISTANCE RELATIVE TO GENERATORS FOR FIRE STATIONS 92 AND 93; 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: *Alex Schumann, City Engineer, (386) 676-3302*

- F. **RESOLUTION NO. 2023-125:** A RESOLUTION RATIFYING, AFFIRMING AND AUTHORIZING EXPENDITURES FOR THE RENTAL OF A TEMPORARY BLOWER FROM DELOACH INDUSTRIES, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2023-126:** A RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT BETWEEN THE CITY AND THE FEDERAL AVIATION ADMINISTRATION REGARDING FUNDING FOR AN AERONAUTICAL SURVEY AND OBSTACLE ACTION PLAN FOR THE ORMOND BEACH MUNICIPAL AIRPORT; AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS INCIDENTAL THERETO FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **Construction & Demolition Franchise Renewal, Samsula Landfill, Inc.**

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

Disposition: Approve as recommended in the City Manager memorandum dated August 1,

2023.

I. **Notification of Possible Entitlement Status, Community Development Block Grant Program Fiscal Year 2024**

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

Disposition: Approve as recommended in the City Manager memorandum dated August 1, 2023.

9. **PUBLIC HEARINGS**

- A. **ORDINANCE NO. 2023-35:** 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 A PORTION OF A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.34 ACRES LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), FROM B-4, CENTRAL BUSINESS, 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. 2023-36:** 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 A PORTION OF A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.72 ACRES LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), FROM R-3, SINGLE-FAMILY MEDIUM DENSITY, TO 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*

- C. **ORDINANCE NO. 2023-37:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT AND PLANNED RESIDENTIAL DEVELOPMENT TO BE LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), TO BE KNOWN AS THE "ORMOND ENCLAVE"; AUTHORIZING THE DEVELOPMENT OF 64 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*

- D. **ORDINANCE NO. 2023-38:** 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 A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.76 ACRES LOCATED AT 121 EAST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4214-05-04-0051), FROM B-4, CENTRAL BUSINESS, 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

- E. **ORDINANCE NO. 2023-39:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 121 EAST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4214-05-04-0051), TO BE KNOWN AS "121 EAST"; AUTHORIZING THE DEVELOPMENT OF 24 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

- F. **ORDINANCE NO. 2023-41:** AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS OF TERMS AND WORDS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-02, FUTURE LAND USE MAP DESIGNATIONS AND ZONING DISTRICTS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-07, ZONING DISTRICT DESIGNATIONS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-33, I-2, RESERVED; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION; OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY CREATING THE I-2, HEAVY INDUSTRIAL ZONING DISTRICT, PROVIDING USE DEFINITIONS, AND CREATING CONDITIONS FOR CONDITIONAL AND SPECIAL EXCEPTION USES; 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

- G. **ORDINANCE NO. 2023-42:** 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 0.24± ACRES LOCATED AT 204 MAGNOLIA DRIVE (VOLUSIA COUNTY

PARCEL NUMBER: 4214-20-02-0011) FROM
“PUBLIC/INSTITUTIONAL” TO “LOW DENSITY RESIDENTIAL”;
PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND
SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**
Staff Contact: Steven Spraker, Planning Director, (386) 676-3341

H. **ORDINANCE NO. 2023-43:** 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 A PORTION
OF ONE PARCEL OF REAL PROPERTY TOTALING 5.2± ACRES
LOCATED AT 901 AIRPORT ROAD (VOLUSIA COUNTY PARCEL
NUMBER: 4238-01-40-0010) FROM “LIGHT
INDUSTRIAL/UTILITIES” TO “OPEN SPACE/CONSERVATION”;
PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND
SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**
Staff Contact: Steven Spraker, Planning Director, (386) 676-3341

I. **ORDINANCE NO. 2023-44:** AN ORDINANCE ANNEXING SIX
PARCELS OF REAL PROPERTY INTO THE CITY OF ORMOND
BEACH, SAID PROPERTY LOCATED SOUTH OF PENNSYLVANIA
AVENUE, WEST OF PLANTATION OAKS BOULEVARD AND EAST
OF INTERSTATE I-95 (VOLUSIA COUNTY PARCEL NUMBERS:
3136-01-09-0001, 3136-01-08-0010, 3136-01-07-0010, 3136-01-01-0021,
3136-01-21-0050, AND 3136-01-01-001A); AND ANNEXING
PORTIONS OF THE INDIANA AVENUE RIGHT-OF-WAY, BENTON
STREET RIGHT-OF-WAY, AND ROSEMARY STREET RIGHT-OF-
WAY; SETTING FORTH ZONING PRIVILEGES AND
OBLIGATIONS REGARDING THE PROPERTY; REDEFINING THE
TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH
TO INCLUDE THE PROPERTY; REDESIGNATING THE
BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO
INCLUDE THE PROPERTY; PROVIDING FOR TRANSMISSION;
PROVIDING FOR SEVERABILITY; 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 7:00 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 #5 – Audience Remarks

Mr. Ed Bobinski, 30 Melrose Avenue, expressed concerns regarding code enforcement in his neighborhood. He thanked Commissioner Sargent for his attention to the matter. He discussed concerns for safety of the Neighborhood Improvement Officers.

Ms. Shelley Bobinski, 30 Melrose Avenue, voiced concerns regarding the Code of Ordinances and enforcement of the ordinances. She discussed concerns of safety for her neighbors and traffic.

Mr. Douglas Young, 34 Melrose Avenue, thanked the leaders of the city for their assistance with the clean up of a homeless camp.

Ms. Elaine Davis, 76 Melrose Avenue, explained she received several threats from her neighbor regarding her complaints to the city. She reviewed several code violations from one home in her neighborhood. She requested the city be proactive in the Neighborhood Improvement Department (NID).

Ms. Tayte Brock, 357 North Ridgewood Avenue, suggested a few traffic calming measures for Wilmette Avenue. She expressed concerns regarding traffic with the start of school and requested a police officer to be present to help maintain order.

Mr. Dillon Kalkhurst, 38 Morning Star Avenue, explained he was present on behalf of Givebacks which was a program to raise funds for schools and other charitable causes, noting his emphasis was on Ormond Beach schools. He reviewed how the program worked and encouraged citizens to join.

Mayor Partington expressed his support of the program and stated how easy the program was to set up and use.

Commissioner Briley inquired if the reading challenge presented to students was met; whereby, Mr. Kalkhurst stated although they did not have the numbers yet, the principal was hopeful.

Commissioner Tolland inquired if information could be given to the Commission and residents regarding how the NID operates; whereby, Mayor Partington suggested the residents schedule a meeting with the City Manager and a police representative.

Item #6 – Approval of Minutes

Mayor Partington advised the minutes of the July 18, 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 Briley moved, seconded by Commissioner Tolland, for approval of the July 18, 2023, City Commission meetings minutes.

The motion passed by voice vote.

Item #7 – Community Redevelopment Agency

Mayor Partington advised the following items were Community Redevelopment items. He explained the City Commission served as the Community Redevelopment Agency (CRA) of the city and must review the item and make a recommendation as the CRA.

Mayor Partington recessed the City Commission meeting, called the CRA meeting to order, and opened the public hearings, at 7:21 p.m.

Item #7A – Bid Award - Downtown East Granada Utility Undergrounding

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-120

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA ACCEPTING A BID FROM LATOUR ENTERPRIZES, INC. D/B/A ECONOMY ELECTRIC CO. FOR CONSTRUCTION SERVICES REGARDING THE DOWNTOWN EAST GRANADA UTILITY UNDERGROUNDING PROJECT, UNDER BID NO. 2023-24; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 8A)**

Commissioner Briley moved, seconded by Commissioner Persis, for approval of Resolution No. 2023-120, as read by title only.

Commissioner Sargent expressed concerns regarding the bidding process as there was only one vendor response to the item.

Ms. Joyce Shanahan, City Manager, stated the city advertised all bids on DemandStar for anyone to respond to, noting many local governments utilize the software. She explained the lack of response was indicative of the type of work the project was and the status of the market.

Mayor Partington noted it was a difficult time in the economy and reviewed the engineer’s probable costs related to the actual costs, stating the issues were across the state and nation.

The motion passed by voice vote.

Mayor Partington closed the public hearing, adjourned the CRA meeting, and reconvened the City Commission meeting at 7:25 p.m.

Item #8 – 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 Persis moved, seconded by Commissioner Briley, 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

There were no additional comments on the Consent Agenda.

Item #9 – Public Hearings

Mayor Partington opened the Public Hearings.

Item #9A – Ormond Enclave, Zoning Map Amendment to Planned Business Development (0.34 acres)

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-35
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 A PORTION OF A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.34 ACRES LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), FROM B-4, CENTRAL BUSINESS, 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)**

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-35, 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 #9B – Ormond Enclave, Zoning Map Amendment to Planned Residential Development (0.72 acres)

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-36
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 A PORTION OF A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.72 ACRES LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), FROM R-3, SINGLE-FAMILY MEDIUM DENSITY, TO 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 Tolland, for approval of Ordinance No. 2023-36, 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 #9C – Ormond Enclave, 145 North Yonge St., Issuance of a Development Order

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-37
AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT AND PLANNED RESIDENTIAL DEVELOPMENT TO BE LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), TO BE KNOWN AS THE “ORMOND ENCLAVE”; AUTHORIZING THE DEVELOPMENT OF 64 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 Sargent, for approval of Ordinance No. 2023-37, 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 #9D – 121 East, 121 East Granada Boulevard, Zoning Map Amendment

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-38
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 A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.76 ACRES LOCATED AT 121 EAST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4214-05-04-0051), FROM B-4, CENTRAL BUSINESS, 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)**

Commissioner Briley moved, seconded by Commissioner Tolland, for approval of Ordinance No. 2023-38, 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 #9E – 121 East, 121 East Granada Boulevard, Issuance of a Development Order

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-39
AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 121 EAST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4214-05-04-0051), TO BE KNOWN AS “121 EAST”; AUTHORIZING THE DEVELOPMENT OF 24 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 Sargent moved, seconded by Commissioner Tolland, for approval of Ordinance No. 2023-39, 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 #9F – LDC Amendment, Creation of the I-2, Heavy Industrial Zoning District

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-41
AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS OF TERMS AND WORDS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-02, FUTURE LAND USE MAP DESIGNATIONS AND ZONING DISTRICTS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-07, ZONING DISTRICT DESIGNATIONS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-33, I-2, RESERVED; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION; OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY CREATING THE I-2, HEAVY INDUSTRIAL ZONING DISTRICT, PROVIDING USE DEFINITIONS, AND CREATING CONDITIONS FOR CONDITIONAL AND SPECIAL EXCEPTION USES; REPEALING ALL INCONSISTENT ORDINANCES

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

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-41, on second reading, as read by title only.

Commissioner Tolland clarified the city never had an I-2, Heavy Industrial, zoning designation; whereby, Mr. Steven Spraker, Planning Director, stated that was correct, noting it was planned in 2010 when the area on Hull Road would annex into the city by connection of sewer and water. She inquired what the zoning designation for Halifax Paving was when it was zoned in Volusia County, whereby, Mr. Spraker stated it was zoned as Heavy Industrial and explained the designation was to recognize the county's designation and noted it would not be city wide. Commissioner Tolland explained her concern was with the potential future annexation of a fuel farm.

Commissioner Briley stated he agreed with Commissioner Tolland's concerns and inquired if Halifax Paving could be zoned under the I-1, Light Industrial designation; whereby, Mr. Spraker stated the Commission could do whatever they deemed appropriate but noted the item before the Commission was to establish a base zoning district and had no sites associated with it. He explained the use was permitted under the I-2, noting if the Commission felt the I-1 was appropriate they could use that designation but explained the property owner would then be a non-conforming use status. He stated when a property gets annexed into the city it was in the comprehensive plan that the property be brought in under a similar zoning designation.

Mr. Randy Hayes, City Attorney, explained since the county had established uses designated, the city was required by law and by the city's comprehensive plan to provide a similar use to that of which the property had when in the county. He stated, if the zoning changes, the rights the property had may also change. He noted if the Commission would like a broader discussion staff could create a separate agenda item. He explained the item before the Commission was consistent with the comprehensive plan and obligations under statutes as it related to the property.

Commissioner Tolland inquired if the city chose not to annex in the property in question, the county would be required to provide water and sewer; whereby, Mr. Spraker reviewed the annexation requirements of the city and noted the city lacked the option to not annex a property, noting it could be delayed.

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

Item #9G – 204 Magnolia Drive, Comprehensive Plan Land Use Map Amendment (Small-Scale)

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-42
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 0.24± ACRES LOCATED AT 204 MAGNOLIA DRIVE (VOLUSIA COUNTY PARCEL NUMBER: 4214-20-02-0011) FROM “PUBLIC/INSTITUTIONAL” TO “LOW DENSITY RESIDENTIAL”; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Sargent moved, seconded by Commissioner Briley, for approval of Ordinance No. 2023-42, 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 #9H – 901 Airport Road, Comprehensive Plan Land Use Map Amendment (Small-Scale)

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-43
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 A PORTION OF ONE PARCEL OF REAL PROPERTY TOTALING 5.2± ACRES LOCATED AT 901 AIRPORT ROAD (VOLUSIA COUNTY PARCEL NUMBER: 4238-01-40-0010) FROM “LIGHT INDUSTRIAL/UTILITIES” TO “OPEN SPACE/CONSERVATION”; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-43, 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 #9I – Bradford Park, Annexation

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-44
AN ORDINANCE ANNEXING SIX PARCELS OF REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY LOCATED SOUTH OF PENNSYLVANIA AVENUE, WEST OF PLANTATION OAKS BOULEVARD AND EAST OF INTERSTATE I-95 (VOLUSIA COUNTY PARCEL NUMBERS: 3136-01-09-0001, 3136-01-08-0010, 3136-01-07-0010, 3136-01-01-0021, 3136-01-21-0050, AND 3136-01-01-001A); AND ANNEXING PORTIONS OF THE INDIANA AVENUE RIGHT-OF-WAY, BENTON STREET RIGHT-OF-WAY, AND ROSEMARY STREET RIGHT-OF-WAY; SETTING FORTH ZONING PRIVILEGES AND OBLIGATIONS REGARDING THE PROPERTY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained the item was for an annexation of a property to be known as Bradford Park along Plantation Oaks Boulevard. He stated the applicant was attempting to create a townhouse subdivision and reviewed the process for the property. He noted the property was part of the Interlocal Service Boundary Agreement and was being annexed due to the water connection.

Commissioner Sargent moved, seconded by Commissioner Persis, for approval of Ordinance No. 2023-44, 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

Mayor Partington closed the public hearings.

Item #10 – Reports, Suggestions, Requests

Events and Thanks

Ms. Shanahan reviewed upcoming events including the retirement of Ormond Beach Police Officer Gregory Stokes, Movies on the Halifax, First Saturday Art Walk, and the Casements Summer Story Stroll. She requested a Capital Budget workshop for the Commission on August 15, 2023 at 5:30 p.m. to review the unfunded project list; whereby, all agreed to the workshop on August 15, 2023.

Commissioner Persis thanked staff for providing chargers for their phones and iPads on the dais.

Commissioner Briley thanked the Public Works staff and Public Works Director Shawn Finley for their work on the crosswalk on Hand Avenue.

Commissioner Tolland reviewed the meetings and events she attended and provided an update from the ReGrow the Loop Initiative.

Mayor Partington discussed the events he attended including the Volusia League of Cities and noted the Volusia County Sheriff was starting educational workshops for residents regarding social media and children, and requested staff assist in providing a location for a workshop when they schedule to be in the area.

Commissioner Persis, Commissioner Briley, Commissioner Sargent and Mayor Partington discussed the police officer swearing in and congratulated new Ormond Beach Police Officer Melissa Edmonds.

Hurricane Season

Ms. Shanahan stated staff had and delivered to the Nova Recreation Center and had sand bags available for residents. She explained residents could get 10 bags and begin self-bagging, noting if there was a storm then the bagging areas would be staffed. She encouraged residents to review the city's social media accounts for information on how to use sand bags.

Mayor Partington requested staff share a video from Volusia County on how to fill and place sandbags on the social media pages; whereby, Ms. Jenn Elston, Public Information Officer, stated she would find the video and share it.

Project Updates

Ms. Shanahan stated the South Beach Street sidewalks would be completed the week of August 7, 2023.

Commissioner Tolland stated she was looking forward to her meeting with staff regarding an update on Cassen Park. She explained she received several calls from citizens voicing their concerns regarding Metronet; whereby, Ms. Shanahan stated the Florida Legislature limited how the city could control the rights-of-way. Commissioner Tolland inquired if there was a post that could be added to the website; whereby, Ms. Shanahan stated staff was working on a post.

Mr. Shawn Finley stated staff was meeting with Metronet regularly and reviewed staff's limited involvement in the project. He noted a meeting staff had with Metronet where future work was reviewed, and staff requested Metronet slow down to improve the quality and limit impacts on the neighborhoods. He reviewed other utility providers that would be going through the city, and explained staff would receive a master plan from the providers so staff would know what was going on.

Commissioner Briley inquired if there was an opportunity for the utility providers to utilize a shared conduit to help minimize the impacts on the neighborhoods; whereby, Mr. Finley stated it was a great idea and was hopeful the companies would talk to each other.

Commissioner Sargent inquired the status of Cassen Park; whereby, Ms. Shanahan stated the design was being finalized and once complete, staff would schedule individual meetings with the Commissioners to review and receive input, followed by a workshop for discussion. He thanked staff for their work with the Easy Does It Club and their parking issues, and stated there were still concerns regarding their parking and requested staff start enforcing the parking; whereby, Ms. Shanahan stated Police Chief Jesse Godfrey was meeting with them to discuss concerns and would then start enforcing the parking.

Audience Remarks

Commissioner Persis inquired if the Commission would support staff sharing the Givebacks program on the city's social media; whereby, Commissioner Tolland and Mayor Partington supported the idea.

Commissioner Tolland discussed her support of the Givebacks program.

Commissioner Sargent thanked the NID Manager Chris Mason and his staff for their work in the Melrose Avenue area. He expressed concerns for staff's safety and inquired if they could obtain body cameras; whereby, Ms. Shanahan stated staff would work with the police department to ensure their safety. He inquired if staff could include a QR code in the utility bill, that linked to the NID's pamphlet on what to do and not to do related to code regulations; whereby, Commissioner Tolland expressed her support.

Item #11 – Adjournment

The meeting was adjourned at 8:11 p.m.

APPROVED: August 15, 2023

BY:


Bill Partington, Mayor

ATTEST:


Susan Carroll Dauderis,
City Clerk

